Disclaimer: This web site is provided for informational purposes only. Although every effort has been made to provide accuracy, all information and resources shown are not official. Neither Kittitas County nor any of its agencies, officials or employees guarantees the accuracy of any information on this web site. Reliance upon the information contained on or accessed through this web site is entirely at your own risk. Kittitas County reserves the right to make changes without notice. The official hard copy is available in the Commissioners' office.

Kittitas County Code

Table of Contents

Title 1 General Provisions
Title 2 Administration and Personnel
Title 3 Revenue and Finance
Title 4 Fee Schedules
Title 5 Business Licenses and Regulations
Title 6 Animals
Title 7 Reserved
Title 8 Health, Welfare, and Sanitation
Title 9 Public Peace, Safety, and Morals
Title 10 Vehicles and Traffic
Title 11 Reserved
Title 12 Roads and Bridges
Title 13 Water and Sewers
Title 14 Buildings and Construction
Title 15 Environmental Policy
Title 15A Project Permit Application Process
Title 15B Amendments to County Plans, Codes, and Standards
Title 16 Subdivisions
Title 17 Zoning
Title 17A Critical Areas
Title 18 Code Enforcement
Title 19 Airports
Title 20 Fire and Life Safety

Tables

Ordinances and Resolutions
Zoning Ordinances Codified
Rezone Ordinances

Title 1 | General Provision*

Chapters

1.04 Code Adoption
1.08 Commissioners Districts - Voting Precincts
1.10 Rules of Procedure for Proceedings Before the Kittitas County Hearing Examiner
1.12 Employment of Prisoners
1.16 General Penalty
1.20 Right of Entry
1.24 Private Property Taking Impact Analyses
1.26 Private Property Owners' Bill of Rights
1.28 Coordinating Government Regulation of Land and Natural Resource Use

* For the statutory provisions regarding classification of counties, see RCW 36.13.

Chapter 1.04
CODE ADOPTION

Sections

1.04.010 Adoption.
1.04.020 Title - Citation - Reference.
1.04.030 Definitions.
1.04.040 Grammatical interpretation.
1.04.050 Prohibited acts include causing, permitting, etc.
1.04.060 Construction.
1.04.070 Provisions codified.
1.04.080 Reference applies to all amendments.
1.04.090 Title, chapter and section headings.
1.04.100 Reference to specific ordinances.
1.04.110 Effect of code on past actions and obligations.
1.04.120 Effective date.

1.04.130 Constitutionality.

1.04.010 Adoption.
There is adopted the "Kittitas County Code," which consists of all of the ordinances as past codified by Book Publishing Company, Seattle, Washington, and all other uncodified ordinances adopted by the Kittitas County board of county commissioners after the last codification published by Book Publishing Company, Seattle, Washington. (Ord. 87-7, 1987: Ord. 71-16 § 1, 1971).

1.04.020 Title - Citation - Reference.
This code shall be known as the "Kittitas County Code" and it may be referred to as the "Kittitas County Code" in any prosecution for the violation of any provision thereof or in any proceeding at law or equity. Prosecutions for violations of Kittitas County ordinances and/or resolutions and actions based thereon refer to the "Kittitas County Code" sections as well as the underlying ordinance and/or resolution upon which the prosecution or action is based. Amendments to any ordinances or resolutions or portions thereof of Kittitas County shall also refer to the "Kittitas County Code" sections under which such ordinances or resolutions are codified. (Ord. 71-16 § 2, 1971).

1.04.030 Definitions.
The following words and phrases whenever used in the ordinances or resolutions of the county shall be construed as defined in this section unless from the context a different meaning is intended or unless different meaning is specifically defined and more particularly directed to the use of such words or phrases:

County
The county of Kittitas, Washington or the area within the territorial limits of the county and such territory outside of the county over which the county has jurisdiction or control by virtue of any constitutional or statutory provision;

Board
The Board of County Commissioners of Kittitas County, Washington;

All its members (or "all commissioners")
The total number of commissioners provided by the general laws of the state of Washington;

Law
Applicable federal law, the constitution and statutes of the state of Washington, the ordinances and resolutions of the county and when appropriate, any and all rules and regulations which may be promulgated thereunder;

Oath
Includes affirmation;

Office
The use of the title of any officer, employee, or any office, or ordinance or resolution shall mean such officer, employee, office, or ordinance or resolution of Kittitas County, Washington unless otherwise specifically designated;

Resolution
A law of the county; provided that a temporary or special law, administrative action, order or directive, may be in the form of a resolution;

Person
Natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business, trust, organization, or the manager, lessee, 1.04.040 - 1.04.110 1-3 agent, servant, officer or employee of any of them;

State
The state of Washington;

Street
Includes all streets, highways, avenues, lanes, alleys, courts, places, squares, curbs, or other public ways in this county which have been or may hereafter be dedicated and open to public use, or such other public property so designated in any law of this state except that this definition shall not include any streets, alleys, or roads which are within the boundaries of any incorporated city or town of this county unless specifically included therein;

May
Is permissive;

Must and Shall
Each is mandatory;

Written
Includes printed, typewritten, mimeographed or multigraphed.

(Ord. 71- 11 § 1, 1971).

1.04.040 Grammatical interpretation.
The following grammatical rules shall apply in the ordinances and resolutions of Kittitas County, Washington:

1. Gender. Any gender includes the other genders;
2. Singular and plural. The singular number includes the plural and the plural includes the singular;
3. Tenses. Words used in the present tense include the past and the future tenses and vice versa;
4. Use of words and phrases. Words and phrases not specifically defined shall be construed according to the context and approved usage of the language. (Ord. 71-11 § 2, 1971).

1.04.050 Prohibited acts include causing, permitting, etc.
Whenever in this code any act or omission is made unlawful it shall include causing, allowing, permitting, aiding, abetting, suffering, or concealing the fact of such act or omission. (Ord. 71-11 § 3, 1971).

1.04.060 Construction.
The provisions of this code and all proceedings under it are to be construed with a view to effect its objects and to promote justice. (Ord. 71-11 § 4, 1971).

1.04.070 Provisions codified.
This code consists of all the regulatory and penal ordinances and certain of the administrative ordinances of Kittitas County, Washington. (Ord. 71-16 § 3, 1971).

1.04.080 Reference applies to all amendments.
Whenever a reference is made to this code as the "Kittitas County Code" or to any portion thereof, or to any ordinance of the county the reference shall apply to all amendments, corrections and additions heretofore, now or hereafter made. (Ord. 71-16 § 5, 1971).

1.04.090 Title, chapter and section headings.
Title, chapter and section headings contained herein shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of the provisions of any title, chapter or section hereof. (Ord. 71-16 § 5, 1971).

1.04.100 Reference to specific ordinances.
The provisions of this code shall not in any manner affect matters of record which refer to, or are otherwise connected with ordinances which are therein specifically designated by number or otherwise and which are included within the code, but such reference shall be construed to apply to the corresponding provisions contained within this code. (Ord. 71-16 § 6, 1971).

1.04.110 Effect of code on past actions and obligations.
Neither the adoption of this code nor the repeal or amendments hereby or any ordinance or part or portion of any ordinance of the county shall in any manner affect the prosecution

for violations of ordinances, which violations were committed prior to the effective date hereof, nor be construed as a waiver of any license, fee, or penalty at said effective date due and unpaid under such ordinances nor be construed as affecting any of the provisions of such ordinances relating to the collection of any such license, fee, or penalty, on the penal provisions applicable to any violation thereof, nor to affect the validity of any bond or cash deposit in lieu thereof required to be posted, filed or deposited pursuant to any ordinance and all rights and obligations thereunder appertaining shall continue in full force and effect. (Ord. 71-16 § 7, 1971).

1.04.120 Effective date.
This code shall become effective on the date the ordinance adopting this code as the "Kittitas County Code" becomes effective. (Ord. 71-16 § 8, 1971).

1.04.130 Constitutionality.
If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code. The council declares that it would have passed this code, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases had been declared invalid or unconstitutional, and if for any reason this code should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect. (Ord. 71-16 § 9, 1971).

Chapter 1.08
COMMISSIONERS DISTRICTS - VOTING PRECINCTS*

Sections

1.08.010 Commissioner districts designated.
1.08.020 Voting precincts described.
1.08.025 Canyon voting precinct.
1.08.030 Cle Elum voting precincts.
1.08.040 Cliffdell voting precinct.
1.08.045 Damman voting precinct.
1.08.047 Dry Creek voting precinct.
1.08.050 Denmark voting precinct.
1.08.070 Easton voting precinct.
1.08.075 East Sanders voting precinct.
1.08.080 Ellensburg voting precincts.
1.08.085 Fairview voting precinct.
1.08.090 Hyak voting precinct.
1.08.095 Kachess voting precinct.
1.08.100 Kittitas voting precincts.
1.08.110 Manastash voting precinct.
1.08.120 Mountain voting precinct.
1.08.121 Ronald voting precinct.
1.08.125 North-East Fairview voting precinct.
1.08.130 North Ellensburg voting precinct.
1.08.140 North Central voting precinct.
1.08.150 Park voting precinct.
1.08.160 Peoh Point voting precinct.
1.08.170 Ridgeway voting precinct.
1.08.180 Roslyn voting precincts.
1.08.190 Roslyn outlying voting precinct.
1.08.200 Sanders voting precinct.
1.08.210 South Cle Elum voting precinct.
1.08.220 South Ellensburg voting precinct.
1.08.240 Swauk voting precinct.
1.08.250 Teanaway voting precinct.
1.08.260 Thorp voting precinct.
1.08.265 Thrall voting precinct.
1.08.270 Vantage voting precinct.
1.08.275 Westside voting precinct.

* For the statutory provisions regarding the division of the county into three commissioner's districts by the board of county commissioners, see RCW 36.32.020; for provisions generally regulating the fixing of precincts, see RCW 29A.16.050.

1.08.010 Commissioner Districts designated.
The precincts included in the three commissioner districts shall be as follows:

Commissioner District No. 1: Denmark, East Sanders, Ellensburg precincts 5, 9, 10, 11, 12, 13, 14, 15, 23, and 24; Kittitas 1 and 2, Fairview, North-East Fairview, North Central, Park, Sanders, South Ellensburg, Thrall and Vantage.

Commissioner District No. 2: Cle Elum precincts 1, 2, 3 and 4, Damman, Dry Creek, Easton, Hyak, Kachess, Mountain, North Ellensburg, Peoh Point, Ronald, Roslyn 1 and 2, Roslyn Outlying, South Cle Elum, Swauk, Teanaway, Manastash, Ridgeway, Thorp, and Westside.

Commissioner District No. 3: Ellensburg precincts 1, 2, 4, 6, 7, 8, 16, 17, 18, 19, 20, 21, 22, and 25. (Ord. 2011-014, 2011; Ord. 2005-21, 2005; Ord. 2002-07, 2002; Ord. 93-22)

1.08.020 Voting precincts described.
The precincts as described in this chapter are the voting precincts for the county, with the boundaries described in this chapter. (Ord. 2005-21, 2005; Vol. M, p. 213, 1960).

1.08.025 Canyon voting precinct.
Canyon Precinct eliminated - merged with Damman, South Ellensburg precincts. (Ord. 2011-014, 2011; Ord. 2005-21, 2005; Res. 77-44 (part), 1977).

1.08.030 Cle Elum voting precincts.
Cle Elum 1: Beginning at the north city limits and Peoh Avenue extended, thence following city limits east, south and west to the southern extension of Peoh Avenue, thence north on Peoh Avenue to the point of beginning.

Cle Elum 2: Beginning at the north city limits and Pennsylvania Avenue extended, thence following the city limits east to Peoh Avenue extended, thence south on the extension of Peoh Avenue and Peoh Avenue to the south city limits, if extended, thence following city limits west to Billings Avenue, if extended, thence north on Billings to the point where Billings Avenue meets 2nd street, east 2 city blocks to the point where 2nd street meets Pennsylvania Ave, thence north on Pennsylvania Avenue to the point of beginning.

Cle Elum 3: Beginning at the north city limits and Pennsylvania Avenue extended, south on extension of Pennsylvania Avenue to 2nd Street, thence west 2 city blocks to Billings Avenue, north on Billings to 3rd Street, west on 3rd Street to Stafford Avenue, thence north on extension of Stafford Avenue to the city limits.

Cle Elum 4: Beginning at the north city limits and Stafford Avenue extended, then south on Stafford Avenue to 3rd Street, east on 3rd Street to Billings Avenue, south on Billings Avenue to the south city limits, thence following the city limits west, north and east back to the point of beginning. (Ord. 2011-014, 2011; Ord. 2005-21, 2005)

1.08.040 Cliffdell voting precinct.
Cliffdell voting precinct eliminated - merge with Manastash voting precinct. (Ord. 2011-014, 2011; Ord. 2005-21, 2005; Res. 83-61 (part), 1983: Vol. M, p. 213, 1960).

1.08.045 Damman voting precinct.
Beginning at a point where the Yakima River intersects the east boundary line of Section 36, Township 17N, Range 18E; thence south along said boundary line to the southeast corner of Section 36, Township 17N, Range 18E; thence west to the northeast corner of Section 2, Township 16N, Range 18E; thence south to the southeast corner of Section 35, Township 16N, Range 18E; thence west to the southwest corner of Section 31, Township 16N, Range 18E; thence north to the northwest corner of Section 6, Township 16N, Range 18E; thence east to the southwest corner of Section 32, Township 17N, Range 18E; thence north to the northwest corner of Section 8, Township 17N, Range 18E; thence east along section lines to the Ellensburg City limits, thence following city limits in a south, east, north and southerly direction until the City limits meet Canyon Road, thence following Canyon road to Tjossem Rd, thence following the extension of Tjossem Rd west to the Yakima River, thence following said river south to the point of beginning. (Ord. 2011-014, 2011; Ord. 2005-21, 2005; Res. 83-60 (part), 1983).

1.08.047 Dry Creek voting precinct.
Beginning at a point where the Kittitas-Chelan County line intersects the west boundary line of Section 5, Township 21N, Range 18E; thence south to the southwest corner of Section 8, Township 20N, Range 18E; thence west to the northwest corner of Section 14, Township 20N, Range 17E; thence south to the southwest corner of Section 11, Township 19N, Range 17E; thence west to the northwest corner of Section 16, Township 19N, Range 17E; thence south to the centerline of the Yakima River; thence southeasterly along the centerline of the Yakima River to the intersection with the north section line of Section 13, Township 18N, Range 17E; thence east along said section line to its intersection with Highway 10; thence southeasterly along the centerline of said Highway 10 to the intersection with McManamy Road located in Section 18, Township 18N, Range 18E; thence southeasterly along the centerline of McManamy Road to the intersection of Highway 97 located in Section 20, Township 18N, Range 18E; thence northerly along the centerline of Highway 97 to the intersection of Hungry Junction Road located in Section 20, Township 18N, Range 18E, thence easterly along the centerline of Hungry Junction Road to the intersection of Reecer Creek Road located in Section 22, Township 18N, Range 18E; thence north along the centerline of Reecer Creek Road to its intersection with Robbins Road; thence north and east on Robbins Road, said easterly direction being the southern boundary of Township 19N; thence east on said southern boundary of Township 19N to its intersection with Wilson Creek Road; thence northerly along the centerline of Wilson Creek Road and Forest Service Roads No. 2101 and 2008 to the intersection with Forest Service Road No. 2100 located in Section 22, Township 21N, Range 18E; thence easterly along the centerline of said Forest Service Road No. 2100 to the intersection with Upper Naneum Meadows Trail No. 1372 located in Section 13, Township 21N, Range 18E, thence northwest on said Upper Naneum Meadows Trail No. 1372 to the Kittitas-Chelan County line; thence southwesterly and northwesterly along said county line to the intersection with the west boundary line of Section 5, Township 21N, Range 18E, the point of beginning. (Ord. 2005-21, 2005; Ord. 93-22 (part), 1993; Res. 84-22 (part), 1984).

1.08.050 Denmark voting precinct.
Beginning at the NW corner of the SW 1/4 of Sec. 15, T17N, R19E, thence south to the SW corner of Sec. 34, T17N, R19E, thence east to the NW corner of Section 3, T16N, R19E, thence south to the NW corner of Sec. 10, T16N, R19E, thence west following the section line to the Yakima River, thence south along the Yakima River to the south boundary line of Kittitas County, thence east to the SW corner of Sec. 36, T15N, R22E, thence north approximately twelve miles to the NW corner of Sec. 1, T16N, R22E, thence west to the SE corner of Sec. 35, T17N, R22E, thence north two miles to the NE corner of Sec. 26, T17N, R22E, thence west along the section line to the NW corner of Sec. 28, T17N, R20E, thence north to the NE corner of Sec. 20, T17N, R20E, thence west to the NW corner of the NE 1/4 of Sec. 24, T17N, R19E, thence north three-fourths mile, thence west one-half mile, thence south one-fourth mile, thence west to the point of beginning. (Ord. 2005-21, 2005; Res. 62-9, Vol. M, pp. 404, 405, 1962).

1.08.070 Easton voting precinct.
Commencing at the SW corner of Sec. 31, T19N, R15E, thence running directly west to the boundary line of Kittitas County, thence following said boundary line in a west and northerly direction to its intersection with the Burlington Northern Railroad located in Sec. 34, T21N, R12E; thence southeasterly along the centerline of said railroad to the intersection with the Chicago, Milwaukee, St. Paul and Pacific railroad and the south boundary of Lake Easton, thence southeasterly along the southerly boundary of said lake to the Yakima River; thence southeasterly along the centerline of the Yakima River to the west boundary line of Sec. 26, T20N, R14E; thence south to the SW corner of Sec. 11, T19N, R14E; thence east to the SE corner of said section 11, thence north to the NW corner of Sec. 13, T19N, R14E; thence east to the NE corner of said Section 13; thence south to the point of beginning. (Ord. 2005-21, 2005; Res. 81-31 (part), 1981: Res. 64-15, Vol. N, p. 25, 1964).

1.08.075 East Sanders voting precinct.
Beginning at the intersection of Vantage Highway, Wilson Creek and No. 6 Roads; thence east along the centerline of the Vantage Highway to the S.W. corner of Section 34, Township 18 N., Range 20 E.; thence east along the south boundary of Township 18 N. to the center of the Columbia River, thence northerly along the boundary of Kittitas and Grant Counties to the south section line of Section 13, Township 18 N., Range 22 E.; thence west along the south section lines of Sections 13, 14, 15, 16, 17 and 18 of Township 18 N., Range 22, 21, and 20 E., W.M., to the centerline of Venture Road; thence south along the centerline of Venture Road to the intersection of Lyons Road; thence west along the centerline of Lyons Road to the intersection of Wilson Creek Road; thence south along the centerline of Wilson Creek Road to the true point of beginning. (Ord. 2005-21, 2005)

1.08.080 Ellensburg voting precincts.
Precinct 1: Beginning at the intersection of Ruby Street and 4th Avenue, thence north on Ruby Street to E. University Way, east on E. University Way to Walnut Street, south on Walnut Street to 7th Avenue, west on 7th Avenue to Sampson Street, south on Sampson Street to 4th Avenue, west on 4th Avenue to the point of beginning.

Precinct 2: Beginning at the intersection of 14th Ave with B Street; thence south on B Street to University Way: thence east on University Way to "D" Street; thence north on "D" Street to 14th Avenue; thence west on 14th Avenue to the B Street, the point of beginning.

Precinct 3: Eliminated - split and merged with Ellensburg 15.

Precinct 4: Beginning at the intersection of 4th Avenue and Sampson Street, north on Sampson to 7th Avenue, east on 7th Avenue to Chestnut Street, south on Chestnut Street to 5th Avenue, west on 5th Avenue to Walnut Street, south on Walnut to 4th Avenue, thence west on 4th Avenue to the point of beginning.

Precinct 5: Beginning at intersection of 4th Avenue and Pearl Street, thence east on 4th Avenue to Ruby Street, south on Ruby Street, to south city limits, if extended, following city limits in a northwesterly direction to its intersection with Pearl Street, if extended, thence north on Pearl Street to point of beginning

Precinct 6: Beginning at the intersection of Water Street and 4th Avenue, east on 4th Avenue to Ruby Street, north on Ruby Street to University Way, west on University Way to B Street, north on B Street to 10th Avenue, west on 10th Avenue to Columbia, south on Columbia to University Way, east on University Way to Water Street, south on Water Street to point of beginning.

Precinct 7: Beginning at the intersection of Water Street and 4th Avenue, west on 4th Avenue to west city limits, thence following west city limits in a northerly direction to where Dolarway Rd would intersect the west city limits, thence east on Dolarway Rd to Wenas Street, thence south on Wenas Street to 7th Avenue, east on 7th Avenue to Kittitas Street, north on Kittitas Street to University Way, east on University Way to Water Street, south on Water Street to point of beginning.

Precinct 8: Beginning at intersection of 4th Avenue and Pearl Street, thence south on Pearl Street to south city limits, thence following city limits in a northwesterly direction to its intersection with 4th Avenue, if extended, thence east on 4th Avenue to point of beginning.

Precinct 9: Beginning at intersection of 1st Avenue and Ruby Street, thence north on Ruby Street to 4th Avenue, east on 4th Avenue to Walnut Street, south on Walnut Street to 1st Avenue, thence west on 1st Avenue to point of beginning.

Precinct 10: Beginning at intersection of 1st Avenue and Ruby Street, south on Ruby Street to Manitoba Street, east on Manitoba Street to Chestnut Street, thence north on

Chestnut Street to Capital Avenue, west on Capital Avenue to Walnut Street, north on Walnut Street to 1st Avenue, west on 1st Avenue to point of beginning.

Precinct 11: Beginning at intersection of Manitoba Street and Chestnut Street, thence north on Chestnut Street to Capital Avenue, east on Capital Avenue to Poplar Street, north on Poplar Street to 1st Avenue, east on 1st Avenue to east city limits, thence following city limits south and west to Manitoba Street, west on Manitoba Street, if extended, to point of beginning.

Precinct 12: Beginning at intersection of Poplar Street and 1st Avenue, north on Poplar Street to 4th Avenue, east on 4th Avenue to east city limits, thence following city limits in a southerly direction to 1st Avenue, if extended, thence west on 1st Avenue to point of beginning.

Precinct 13: Beginning at intersection of Walnut Street and Capital Avenue, north on Walnut Street to 4th Avenue, east on 4th Avenue to Poplar Street, south on Poplar Street to Capital Avenue, west on Capital Avenue to point of beginning.

Precinct 14: Beginning at the intersection of 5th Avenue and Walnut Street, east on Walnut Street to Chestnut Street, thence north on Chestnut Street to 7th Avenue, east on 7th Avenue, if extended, to Craig Avenue, northerly on Craig Avenue, if extended, John Wayne Trail, following John Wayne Trail easterly to the east city limits, thence following city limits southerly to intersection with 4th Avenue, if extended, thence west on 4th to Walnut Street, north on Walnut to 5th Avenue, the point of beginning.

Precinct 15: Beginning at the intersection with E. University Way at Brick Road, along toe of hillside adjoining west side of Brick Road to connection with Bonnie Lane, thence east on Bonnie Lane to Thayer Ave, thence south on Thayer Ave to connection with Vista Rd, thence south on Vista Rd to Radio Rd, thence east on Radio Rd approximately 1/10 mile to city limits, thence south and west along city limits to connection with Vantage HWY, thence east along Vantage HWY following city limits to the John Wayne trail, thence west along said trail to the extension of Craig Ave, thence south to the extension of 7th Ave to Walnut St, thence north on Walnut St, as extended, to the point where the John Wayne Trail meets, thence following the John Wayne Trail in a southeasterly manner to where the john Wayne trail meets Wilson Creek, thence following said creek northeasterly to Alder St, thence north on Alder to University Way, east on University Way to Brick Road, the point of beginning.

Precinct 16: Beginning at the intersection of Alder Street and E. University Way; thence north on Alder Street to 18th Avenue; thence east on 18th Avenue approximately three city blocks; thence north to the city limits; thence following said city limits in an easterly then southerly direction to Pfenning Rd, thence south, still following said city limits in a southerly, easterly, northerly and westerly direction, to the point where Pfenning Rd meets Radio Rd, thence west along Radio Rd to Vista Rd, thence north on Vista Rd to Thayer Rd, thence north along Thayer Rd to Bonnie Lane, thence west on Bonnie Lane to Brick Road, thence south along Brick Rd to E. University Way, west along E. University Way to Alder St, the point of beginning.

Precinct 17: Beginning at the intersection of Walnut Street and 18th Avenue; thence east on 18th Avenue to Alder Street; thence east approximately three city blocks; thence north to the city limits; thence following said city limits in a westerly direction to its intersection with Airport Rd; thence south on Airport Rd to where it becomes Walnut Street, thence south on Walnut St to 18th Avenue, the point of beginning.

Precinct 18: Beginning at the intersection of E. University Way and D Street, thence north on D Street to 18th Avenue, east on 18th Avenue to Alder Street, south on Alder Street to E. University Way, west on E. University Way to 9th Ave, west on 9th Ave to Chestnut, south on Chestnut to E. University Way, thence following E. University Way west to the point of beginning. Precinct 18 - Beginning at the intersection of E. University Way and D Street, thence north on D Street to 18th Avenue, east on 18th Avenue to Alder Street, south on Alder Street Wilson Creek, thence following said creek southwesterly to the John Wayne Trail, thence following said trail to extension of Walnut St, thence south on Walnut St. extension to University Way, thence west on University way to D Street, the point of beginning.

Precinct 19: Beginning at the intersection of Water Street and 14th Avenue, thence north on Water Street to where the John Wayne Trail begins, thence northwesterly on the John Wayne Trail to the west city limits, thence following the city limits northerly and easterly to where the city limits intersects with Helena Ave, thence east along Helena Ave to Walnut Street, south on Walnut St to 18th Ave, west on 18th Ave to D Street, thence south on D Street to 14th Ave, west on 14th to Water Street, being the point of beginning.

Precinct 20: Beginning at the intersection of Columbia Street and 10th Ave, thence north on Columbia Street to 15th Ave, east on 15th Ave to Water Street, south on Water Street to 14th, east on 14th Ave to B Street, thence south on B Street to 10th Ave, thence west on 10th Ave to Columbia Street, the point of beginning.

Precinct 21: Beginning at the intersection of Kittitas Street and 7th Avenue, thence west on 7th Avenue to Wenas Street, thence north on Wenas Street to W. University Way, north to Delphine Street, thence north on Delphine Street to 15th Avenue, thence east on 15th Avenue to Columbia Street, thence south on Columbia Street to W. University Way, east on W. University Way to Kittitas Street, south to Kittitas Street, thence south on Kittitas Street to 7th Avenue, the point of beginning.

Precinct 22: Beginning at the cross section of W. University Way, Wenas Street and the extension of Dolarway Rd, thence west on Dolarway Rd, as extended, to the west city limits, thence following the city limits northerly and easterly to its intersection the John Wayne Trail, thence southeasterly along the John Wayne Trail to Water Street, thence south on Water Street to 15th Avenue, thence west on 15th Avenue to Delphine Street, thence south on Delphine Street to cross section of Delphine St, W. University Way, Wenas St and Dolarway Rd, if extended, the point of beginning.

Precinct 23: Beginning at the intersection of Manitoba Street and Ruby Street, thence east on Manitoba Street to Chestnut Street, south on Chestnut Street to south city limits, following city limits in a southerly and northwesterly direction to intersection with Ruby Street, if extended, north on Ruby Street to point of beginning.

Precinct 24: Beginning at intersection of Manitoba Street and Chestnut Street, south on Chestnut Street to south city limits, thence easterly and northerly following city limits to intersection of Willow Street and Manitoba Street, if extended, thence west on Manitoba Street to point of beginning.

Precinct 25: Beginning at the point where the Ellensburg City limits and W. Helena Ave connect, then following city limits in a west, north and southerly direction to where said city limits intersect with Airport Road, thence south on Airport Road to E. Helena Ave, thence west on Helena Ave to the point of beginning. (Ord. 2012-001, 2012; Ord. 2011-014, 2011; Ord. 2005-21, 2005; Ord. 2002-04, 2002; Res. 83-61 (part), 1983; Res. 72-33, 1972: Res. 62- 16, Vol. M, p. 426, 1962; Vol. M, p. 214, 1960).

1.08.085 Fairview voting precinct.
Beginning at the intersection of Lyons Road and Wilson Creek Road; thence east along the centerline of Lyons Road to the intersection of the No. 81 Road; thence north along the centerline of No. 81 Road to the intersection of Brick Mill Road; thence west along the centerline of Brick Mill Road to the intersection of Schnebly Road; thence north along the centerline of Schnebly Road to the intersection of Rader Road; thence west along the centerline of Rader Road to the intersection of Naneum Road, thence north along the centerline of Naneum Road to the intersection of Bar 14 Road; thence west along the centerline of Bar 14 Road to the intersection of Wilson Creek Road; thence south along the centerline of Wilson Creek Road to the true point of beginning. (Ord. 2005-21, 2005)

1.08.090 Hyak voting precinct.
Beginning at a point where the Kittitas-King County line intersects the east boundary line of Range 11E; thence south to the northwest corner of Township 21N, Range 12E; thence east to the northeast corner of Township 21N, Range 12E; thence south to the southeast corner of Township 21N, Range 12E; thence west to the intersection with the Burlington Northern Railroad; thence following the centerline of said railroad in a northeasterly then southwesterly direction to its intersection with the Kittitas-King County line; thence along said county line in a northwesterly then northeasterly direction to its intersection with the east boundary line of Range 11E, the point of beginning. (Ord. 2005-21, 2005; Res. 83-59 (part), 1983: Res. 81-33 (part), 1981: Res. 81-31 (part), 1981: Res. 77-44 (part), 1977).

1.08.095 Kachess voting precinct.
Beginning at a point where the Yakima River intersects the east boundary line of Section 18, Township 20N, Range 14E; thence north to the northeast corner of Section 6, Township 20N, Range 14E; thence west to the southeast corner of Section 36, Township 21N, Range 13E, being the east boundary line of Range 13E; thence north along said boundary line to the Kittitas-King County line; thence in a southwesterly direction on said county line to where it intersects the west boundary line of Range 12E; thence south along said boundary line to the southwest corner of Township 22N, Range 12E; thence east to the southeast corner of Township 22N, Range 12E; thence south to the southwest corner of

Township 21, Range 13E; thence west to the intersection of the John Wayne Trail and the north boundary line of Section 1, Township 20N, Range 12E; thence following the centerline of said trail in a southeasterly direction to its intersection with the John Wayne Trail and the south boundary of Lake Easton; thence southeasterly along the southern boundary of said lake to its intersection with the Yakima River; thence following the centerline of said river to its intersection with the east boundary line of Section 18, Township 20N, Range 14E, the point of beginning. (Ord. 2005-21, 2005)

1.08.100 Kittitas voting precincts.

Kittitas 1: Beginning at a point where Pierce Street (if extended) intersects the South boundary line of the city limits of Kittitas; thence westerly, northerly and easterly along said city limits (including that portion of the city limits to the West and South of said city along Cooke Creek which is not physically connected to the city of Kittitas) (including the School District property annexed into city limits, AFN 200410270027) to the intersection of the north boundary line of said city with Pierce Street; thence south along Pierce Street and extension of Pierce Street to its intersection with the south boundary line of the city limits of Kittitas, the point of beginning.

Kittitas 2: Beginning at a point where Pierce Street (if extended) intersects the south boundary line of the city limits of Kittitas; thence north along said extension of Pierce Street and along Pierce Street to its intersection with the north boundary line of the city limits of Kittitas; thence along said city limits easterly, southerly and westerly (including that portion of the city limits to the south of said city to the south of the freeway interchange which is not physically connected to the city of Kittitas) to its intersection with Pierce Street (if extended), the point of beginning. (Ord. 2005-21, 2005)

1.08.110 Manastash voting precinct.

Beginning at the northeast corner of Section 7, Township 17N, Range 18E; thence south to the southeast corner of Section 31, Township 17N, Range 18E, being the 4th Standard Parallel; thence West along said 4th Standard Parallel to the Kittitas-Yakima county line; thence continuing west along said county line and 4th Standard Parallel to the southwest corner of Section 31, Township 17N, Range 15E, thence north and west following the Kittitas-Yakima county line to the point where county line intersects with Section 5, Township 18N, Range 14, thence east along section line for approximately 4 1/2 miles to the northeast corner of Section 1, Township 17N, Range 14E, thence south to the Northwest corner of Section 7,Township 17N, Range 15E, thence east for 7 miles to the Northeast corner of Section 7, township 17N, Range 18, the point of beginning. (Ord. 2011-014, 2011; Ord. 2005-21, 2005; Res. 83-60 (part), 1983: Vol. M, p. 214, 1960).

1.08.120 Mountain voting precinct.

Beginning at a point where the Kittitas-Chelan County line intersects the east boundary line of Section 8, Township 23N, Range 15E; thence south to the southeast corner of Section 32, Township 21N, Range 15E; thence west to the northwest corner of Section 1, Township 20N, Range 14E, thence south to the southeast corner of Section 2, Township 20N, Range 14E, thence west along said section to the intersection of SR 903 and Lake Cle Elum Dam Road, thence southwest along Lake Cle Elum Dam Road to Lake Cle Elum, thence following the boundary of said lake southerly then northerly to Section 3, T20, R14, thence west to southwest corner of Section 5, T20, Range 14, thence north to the northwest corner of Section 5, thence west along the south section line 31, T21, R14, thence north along said boundary line to the Kittitas-King County line; thence easterly along said county line to the Kittitas-Chelan County line; thence in a southeasterly direction along said county line to its intersection with the east boundary line of Section 8, Township 23N, Range 15E, the point of beginning. (Ord. 2005-21, 2005)

1.08.121 Ronald voting precinct.

Beginning at the Northeast corner of Section 5, Township 20N, Range 15E, thence south to the southeast corner of Section 8, Township 20N, Range 15E, being the Roslyn city limits, thence west and south along said city limits to the Southeast corner of Section 18, Township 20N, Range 15E, thence west along section line to where it meets with the Cle Elum River, thence following said river in a westerly and northerly direction to the beginning of the river (South end of Lake Cle Elum), thence north to the Lake Cle Elum Dam Rd, thence following Lake Cle Elum Dam Rd to the point where it meets with SR 903 and the southern part of Section 2, Township 20N, Range 15E, thence east on section line to the southeast corner of Section 2, Township 20N, Range 15E, thence North along said section to the Northwest corner of Section 1, Township 20N, Range 15E, thence east along said section to the Northeast corner of Section 5, Township 20N, Range 15E- being the point of beginning. (Ord. 2005-21, 2005)

1.08.125 North-East Fairview voting precinct.

Beginning at the intersection of Wilson Creek Road and the Bar 14 Road located at the SW corner of Section 5, T18N, R19E, thence north along the centerline of Wilson Creek Road (and Forest Service Rd. No 2100 & 2008) to the intersection with the unnamed road (Forest Service Rd. No. 2100), located in Section 22, T21N, R18E, thence easterly along the centerline of said unnamed road (Forest Service Rd. No. 2100) to the intersection with the small unnamed trail (Upper Naneum Meadows Trail No. 1372) located in Section 13, T21N, R18E; thence northwest on said unnamed trail (Upper Naneum Meadows Trail No. 1372) to the Chelan-Kittitas County line; thence south and easterly along said county line to the intersection with the Columbia River; thence southerly along the centerline of the Columbia River to the section line of Sec. 13, T 18N, Range 22E., W.M., thence west along the south section lines of Sec's. 13,14,15,16,17, and 18 of T 18N., Range 22, 21, and 20E., W.M. to the centerline of Venture Road; thence south along the centerline of Venture Road to the intersection of Lyons Road; thence west along the centerline of Lyons Road to the intersection of No. 81 Road; thence north along the centerline of No. 81 Road to the intersection of Brick Mill Road; thence west along the centerline of Brick Mill Road to the intersection of Schnebly Road; thence north along the centerline of Schnebly Road to the intersection of Rader Road; thence west along the centerline of Rader Road to the intersection of Naneum Road; thence north along the centerline of the Naneum Road to the intersection of Bar 14 Road; thence west along the centerline of Bar 14 Road to the true point of beginning. (Ord. 2005-21, 2005)

1.08.130 North Ellensburg voting precinct.

Beginning at the intersection of the Yakima River and the north section line of Section 13, Township 18N, Range 17E, thence east along said section line to its intersection with Highway 10; thence southeasterly along the centerline of said Highway 10 to the intersection with McManamy Road located in Section 18, Township 18N, Range 18E; thence southeasterly along the centerline of McManamy Road to the intersection of Highway 97 located in Section 20, Township 18N, Range 18E; thence northerly along the centerline of Highway 97 to the intersection of Hungry Junction Road located in Section 20, Township 18N, Range 18E; thence easterly along the centerline of Hungry Junction Road to the intersection of Reecer Creek Road located in Section 22, Township 18N, Range 18E, thence north along Reecer Creek Road to the intersection with Robbins Road, thence continuing north on Robbins Road to the south boundary of Section 34, Township 19N, Range 18E, thence east along section lines for approximately 2 1/2 miles to the northeast corner of Section 1, Township 18, Range 18; thence south on boundary line to the southeast corner of Section 1, Township 18N, Range 18E; thence east approximately 1/2 mile to unnamed road, thence south 1/2 mile to Alford Rd, thence west 1/2 mile to east boundary of section line 12, thence south to the Southeast corner of Section 12, Township 18N, Range 18E, thence west along section line (Tipton Rd) to the Northwest corner of Section 13, Township 18N, Range 18E, thence south to the southwest corner of section 13, Township 18N, Range 18E, thence west, approximately 1/2 mile, to the extension of Water Street, thence south along said extension to the Ellensburg City limits, thence following said city limits in a southwesterly and northwesterly direction to the north boundary line of Section 3, Township 17N, Range 18E, thence west to the north 1/4 corner of said Section 3; thence south to the intersection with the Yakima River; thence northwesterly along the centerline of said Yakima River to the point of beginning. Also includes those areas within unincorporated Ellensburg, west of Walnut St/Airport Rd, north and south to city limits. (Ord. 2012-001, 2012; Ord. 2011-014, 2011; Ord. 2005-21, 2005; Ord. 93-22 (part), 1993; Res. 81-33 (part), 1981: Res. 81-31 (part), 1981: Res. 64-13, Vol. N, p. 20, 1964).

1.08.140 North central voting precinct.

Beginning at a point where the Cascade Canal intersects Wilson Creek Road located on the east boundary line of Section 31, Township 18N, Range 19E; thence north along the centerline of Wilson Creek Road to its intersection with the northern boundary line of Township 18N; thence west along said boundary line to the Northwest corner of Section 6, Township 18N, Range 19E, thence south to the southwest corner of section 6, township 18N, Range 19E, thence east approximately 1/2 mile to unnamed road, thence south along unnamed road to Alford Road, thence west along Alford Road to the section line, thence south along Section 7, Township 18N, Range 19E to the southwest corner of said section, thence west along Section line (Tipton Road) to the Northwest corner of Section 13, Township 18N, Range 18E, thence south along said section line to the southwest corner of Section 13, Township 18N, Range 18E, thence west along section line approximately 1/2 mile to the extension of Water Street, thence south along said extension to the Ellensburg City Limits, thence following said city limits in a southeasterly direction to Game Farm Road, thence east along Game Farm Road to where Game Farm Road and Cascade Canal intersect, thence following Cascade Canal to where it intersects with Wilson Creek Road, the point of beginning. Also includes those areas within unincorporated Ellensburg, east of Airport Rd/Walnut St and north of 18th Ave. (Ord. 2012-001, 2012; Ord. 2011-014, 2011; Ord. 2005-21, 2005; Res. 84-22 (part), 1984: Res. 81- 31 (part), 1981: Res. 64-14, Vol. N, p. 21, 1964; Res. 64-13, Vol. N, p. 20, 1964).

1.08.150 Park voting precinct.

Beginning at the N.W. corner of Sec. 3, T 17 N., Range 19E., W.M.; thence south along the west section line of sections 3,10 and 15 to the centerline of Tjossem Road; thence east along the centerline of Tjossem Road to the intersection of Cleman Road; thence north along the centerline of Cleman Road to the intersection of Badger Pocket Road; thence east and south along the centerline of Badger Pocket Road to the intersection of Carroll Road; thence east along the centerline of Carroll Road to the NW corner of Section 21,

Township 17, Range 20E, W.M.; thence south along the west section line of said section to the SW corner of Section 21; thence east along the north line of Sections 28,27,26 and 25 of Township 17N, Range 20E, W.M., Sections 30,29,28,27,26 and 25, Township 17N, Range 21 E, W.M., Sections 30,29,28,27 and 26 to the N.E. corner of said Section 26, T 17N, Range 22 E, W.M.; thence north along the west section line of Sections 24,13,12 and 1 to the N.W. corner of said Section 1; thence west along the north line of Township 17 to the N.W. corner of Section 3, T 17N, Range 19E, W.M., which point is the true point of beginning. (Ord. 2005-21, 2005)

1.08.160 Peoh Point voting precinct.
Beginning at the intersection of the Yakima River with the north section line of Section 14, Township 19N, Range 16E, thence west approximately 7 miles on the section line to the southwest corner of Section 10, Township 19N, Range 15E, thence north along section line to the Northwest corner of Section 3, Township 19, Range 15E, then east 1/2 mile, then north to the south boundary line of Town of South Cle Elum limits; thence east and north along said town limits, becoming Cle Elum city limits; following said city limits to the point where it meets the Yakima River, thence following river in a southerly and easterly direction, to the point of beginning. (Ord. 2005-21, 2005)

1.08.170 Ridgeway voting precinct.
Beginning at a point in the south section line of Sec. 3, T17N, R18E, where the Yakima River intersects said section line, thence due west on the south section lines to intersection with west boundary line of T17N, R15E; thence north one mile, west to intersection with the Naches River; thence in a northwesterly direction along the Naches River to a point approximately the NW corner of Sec. 23, T18N, R13E; thence due east to the Yakima River; thence following the Yakima River to the point of beginning. (Ord. 2005-21, 2005; Vol. M, p. 215, 1960).

1.08.180 Roslyn voting precincts.
Precinct 1: All that territory lying south of Washington Avenue, as extended to the west and east city limits.

Precinct 2: All that territory lying north of Washington Avenue, as extended to the west and east city limits. (Ord. 2005-21, 2005)

1.08.190 Roslyn outlying voting precinct.
Beginning at the NW corner of Section 9, Township 20N, Range 15E, thence east 4 miles to the NE corner of Section 12, Township 20N, Range 15E, thence south 2 1/2 miles to the SE corner of the NE 1/4 of Section 24, west on said quarter section line 2 miles to the east boundary of section 22, Township 20N, Range 15E, south to Cle Elum city limits; following city limits in a westerly direction to the intersection with Bullfrog Rd, south on Bullfrog Rd to the connection with south boundary line of Section 21, Township 20, Range 15, thence west to the Southwest corner of Section 20, Township 20, Range 15, thence north to the south boundary line of Roslyn city limits, thence following said city limits east, south, then north to the Southwest corner of Section 9, Township 20, Range 15, thence north to the Northwest corner of said section, being the point of beginning. (Ord. 2005-21, 2005)

1.08.200 Sanders voting precinct.
Beginning at the intersection of the east city limits of the city of Ellensburg and the Vantage Highway; thence east along the centerline of Vantage Highway to the centerline of Wilson Creek Road; thence north along the centerline of Wilson Creek Road to the intersection with the Cascade Canal; thence northwesterly along the centerline of said canal to the intersection with the Game Farm Road; thence west along the centerline of the Game Farm Road to the intersection with the east city limits of the city of Ellensburg; thence southerly along the east city limits to the true point of beginning, which point is the termination of this description. Also includes those areas within unincorporated Ellensburg east of Walnut St and south of 18th Ave. (Ord. 2012-001, 2012; Ord. 2005-21, 2005; Res. 81- 33 (part), 1981: Res. 81-31 (part), 1981: Res.77- 44 (part), 1977: Vol. M, p. 216, 1960).

1.08.210 South Cle Elum voting precinct.
All that territory lying within the corporate limits of the town of South Cle Elum. (Ord. 2005-21, 2005; Vol. M, p. 216, 1960).

1.08.220 South Ellensburg voting precinct.
Beginning at the northeast corner of Section 6, Township 17N, Range 19E (also being the Vantage Highway); thence west to the east limits of the city of Ellensburg; thence in a southerly direction along said city limits to its intersection Canyon Road, thence following Canyon Road south to Tjossem Road, thence east along Tjossem Road to intersection of Tjossem Road and No. 6 Road; thence north along No. 6 Road to the Vantage Highway, the northeast corner of Section 6, Township 17N, Range 19E, the point of beginning. (Ord. 2011-014, 2011; Ord. 2005-21, 2005; Res. 84-23 (part), 1984: Res. 83-61 (part), 1983: Res 64-13, Vol. N, p. 20, 1964).

1.08.240 Swauk voting precinct.
Beginning at the SE corner of Sec. 10, T19N, R17E, thence running west two miles to the NW corner of Sec. 16, T19N, R17E, thence due south to the Yakima River, thence in a westerly direction along the Yakima River to intersection with west boundary line of Sec. 19, T19N, R17E, thence due north to SW corner of Sec. 19, T20N, R17E; thence due west six miles to the SW corner of Sec. 19, T20N, R16E; thence north three miles to the NW corner of Sec. 7, T20N, R16E; thence west four miles to the SW corner of Sec. 4, T20N, R15E, thence north one mile to the NW corner of Sec. 4, T20N, R15E, thence east on the section line one-half mile to the SW corner of Sec. 33, T21N, R15E, thence north approximately sixteen miles to the Chelan-Kittitas County Line; thence following county line in a southeasterly direction to intersection with east boundary of Sec. 6, T21N, R18E, thence south to the SW corner of Sec. 32, T21N, R18E, thence west to the NW corner of Sec. 5, T20N, R18E, thence south to the SW corner of Sec. 8, T20N, R18E, thence west to the NW corner of Sec. 14, T20N, R17E, thence south to the point of beginning. (Ord. 2005-21, 2005; Res. 64-6, Vol. M, p. 636, 1964).

1.08.250 Teanaway voting precinct.
Beginning at the NE corner of Sec. 25, T20N, R16E, thence running west six miles to NE corner of Sec. 25, T20N, R15E, thence north one-half mile to the east quarter corner of Sec. 24, T20N, R15E; thence west on quarter section line two miles, thence south to the city limits of the city of Cle Elum, thence following the city limits line easterly, southerly and westerly to its intersection with the Yakima River, thence following the Yakima River in a general southeasterly direction to its intersection with the west line of Sec. 19, T19N, R17E, thence due north on the section lines to the point of beginning. (Ord. 2005-21, 2005; Res. 64-6, Vol. M, p. 636, 1964).

1.08.260 Thorp voting precinct.
Commencing at the NW corner of Sec. 18, T19N, R15E; thence running east on the north section line of its intersection with the Yakima River; thence following the Yakima River in a southeasterly direction to where said river intersects the south section line of Sec. 18, T18N, R18E; thence due west on said section line to the Naches River; thence in a northwesterly direction following said river to its intersection with the south boundary of T19; thence due east on said township line to the SW corner of Sec. 31, T19N, R15E; thence north four miles to the place of beginning. (Ord. 2005-21, 2005; Res. 81-31 (part), 1981: Vol. M, p. 216, 1960).

1.08.265 Thrall voting precinct.
Beginning at the intersection of the Vantage Highway and No. 6 Road; thence east along the centerline of the Vantage Highway to the northeast corner of Section 4, Township 17N, Range 19E; thence south to the southeast corner of Section 33, Township 17N, Range 19E; thence east to the northeast corner of Section 4, Township 16N, Range 19E; thence south to the southeast corner of Section 4, Township 16N, Range 19E; thence west to the Yakima River; thence in a southerly direction along the centerline of said river to its intersection with the south boundary line of Township 15N, Range 19E, being the Kittitas- Yakima County line; thence west to the southwest corner of Township 15N, Range 19E; thence north to the northwest corner of Township 15N, Range 19E; thence west to the southwest corner of Section 36, Township 16N, Range 18E; thence north to the northwest corner of Section 1, Township 16N, Range 18E; thence east to the southwest corner of Section 31, Township 17N, Range 19E; thence north to the Yakima River; thence in a northwesterly direction along the centerline of said river to its intersection with the extended centerline of Tjossem Road; thence east along the extended centerline of Tjossem Road and along Tjossem Road to its intersection with No. 6 Road; thence north along the centerline of No. 6 Road to its intersection with the Vantage Highway, the point of beginning. (Ord. 2005-21, 2005; Res. 84-23 (part), 1984: Res. 83-60 (part), 1983: Res. 77-44 (part), 1977).

1.08.270 Vantage voting precinct.
Beginning at a point on the Yakima-Kittitas County Line at the SE corner of Sec. 35, T15N, R22E, thence north twelve miles to the Fourth Standard Parallel, thence west approximately one-fourth mile to the SW corner of Sec. 36, T17N, R22E, thence north six miles to the NW corner of Sec. 1, T17N, R22E, thence east to the Columbia River; thence following the Columbia River in a southerly direction to the Yakima- Kittitas County Line, thence west on said boundary line approximately two miles to the point of beginning. (Ord. 2005-21, 2005; Res. 62-9, Vol. M, p. 405, 1962).

1.08.275 Westside voting precinct.
Beginning at the Northwest corner of Section 8, Township 20, Range 14, thence east along section lines to the point where the southern boundary of Lake Cle Elum meets the

section line, thence following the southern border of Lake Cle Elum easterly to the beginning of the Cle Elum River, thence following said river in a south-easterly direction to the Northwest corner of Section 19, Township 20, Range 15E, thence east along section line to the Northeast corner of Section 19, thence south along said section line, thence east along the south of Section 20, Township 20, Range 15E to the point where Bullfrog Road meets, thence following Bullfrog Road in a southwesterly direction to the I-90 intersection, thence following I-90 east to the Cle Elum city limits, thence following said city limits southeasterly, thence following town limits of South Cle Elum, thence following town limits south, then east to the point where Dunnagan Ave intersects with town limits, thence following Dunnagan Ave, if extended, to the south boundary line of Section 34, Township 20N, Range 15E, thence west on section line to the Northwest corner of Section 3, Township 19N, Range 15E, thence south to the Southwest corner of Section 10, Township 19N, Range 15E, thence west 4 miles to the southwest corner of Section 12, Township 19N, Range 14E, thence south to the southeast corner of Section 11, Township 19N, Range 14E, thence west to the southwest corner, thence north approximately 4 miles to the point where the Yakima River meets at the Northwest corner of Section 26, Township 20N, Range 14E, thence following said river northwesterly to the point where it meets with west section line of Section 17, Township 20N, Range 14E, thence north to the Northwest corner of Section 8, Township 20N, Range 14E, being the point of beginning. (Ord. 2005-21, 2005)

Chapter 1.10
RULES OF PROCEDURE FOR PROCEEDINGS BEFORE THE KITTITAS COUNTY HEARING EXAMINER

Sections:

1.10.010 Application of These Rules.
1.10.011 Definitions.
1.10.012 Nature of Proceedings.
1.10.013 Rights and Responsibilities of the Parties.
1.10.014 Presiding Official.
1.10.015 Presence of Legal Counsel.
1.10.016 Prehearing Conferences.
1.10.017 Oath or Affirmation.
1.10.018 Content of the Record.
1.10.019 Development of the Record at the Public Hearing.
1.10.020 Continuances of Hearings.
1.10.021 Evidence.
1.10.022 Withdrawal of Application or Petition.
1.10.023 Decisions.
1.10.024 Procedure for Reconsideration and Reopening Hearing.

1.10.010 Application of These Rules.

These rules apply to all official activities and acts that the hearing examiner has authority to conduct as prescribed by law. (Ord. 2008-19, 2008)

1.10.011 Definitions.

Appellant means a person, organization, association or similar group who files a complete and timely appeal of a decision that provides for an appeal.

Applicant means a person who is the owner of the subject property or the authorized agent of the owner of the subject property and who has filed a complete application for a land use or development permit.

Comprehensive Plan means any map, plan, or policy statement pertaining to the development of land use, streets and roads, or public utilities and facilities, for all or any portion of unincorporated Kittitas County which has been officially adopted by the Board of Kittitas County Commissioners.

County means Kittitas County, Washington.

County Commissioners means the Board of Kittitas County Commissioners.

Department means the Kittitas County Community Development Services.

Ex Parte Communication means written or oral communication with the hearing examiner about a pending matter that is not included in the public record and made outside of a public hearing.

Hearing means the proceeding at which testimony and exhibits are presented to the hearing examiner.

Hearing Examiner means the Kittitas County hearing examiner or hearing examiner pro tempore.

Interested Person means any individual, partnership, corporation, association, or public or private organization that may be affected by the proceedings before the hearing examiner and shall include any party in a contested case.

Motion means a written request made to the hearing examiner for an order or other ruling.

Open Record Hearing means a hearing that creates the record through testimony and the submission of evidence. An open record hearing may be held on an appeal if no open record hearing has previously been held on the application or interpretation being appealed.

Party of Record means:

- A person who testifies at a hearing
- The applicant
- Anyone who submits written testimony specific to a matter pending before the hearing examiner
- Kittitas County

(Ord. 2008-19, 2008)

1.10.012 Nature of Proceedings.

Expeditious Proceedings

It is the policy of Kittitas County that, to the extent practicable and consistent with the requirements of law, public hearings shall be conducted expeditiously. In the conduct of such proceedings, the hearing examiner, county staff and all parties and their agents shall make every effort at each stage of a proceeding to avoid delay.

Hearing Schedule

Regular hearings are scheduled for the second and fourth Thursday of each month at 6 pm, unless a lack of business justifies canceling a regular meeting. The hearing examiner may, from time to time, schedule special meetings outside of the regular meeting schedule in order to accommodate special circumstances, hardships, or to more efficiently process large volumes of applications. The hearing examiner shall have sole discretion to set the special meeting calendar.

Hearing Format

The format for public hearings will be of an informal nature designed in such a way that facts relevant to a particular proceeding will be available to the hearing examiner and easily ascertainable to a reviewing body on appeal. The format will allow and facilitate development of a record.

Site Visits
When necessary, the hearing examiner may inspect a project site prior or subsequent to the hearing. The site visit is not part of the record. Failure to conduct a site visit will not render the hearing examiner decision void. The hearing examiner shall have sole discretion to determine if a site visit is warranted or necessary.

Record of Hearing

1. Hearings shall be electronically recorded and such recordings shall be a part of the official case record. Copies of the electronic recordings or transcripts thereof, shall be made available to the public upon request. The party making the request shall pay the reasonable cost of such copying or transcribing. No written minutes of the hearing will be produced.
2. Copies of any written materials and other exhibits in the record may be obtained by any interested person who shall be responsible for paying the cost of reproducing such material.

(Ord. 2008-19, 2008)

1.10.013 Rights and Responsibilities of the Parties.

1. **Rights of the County**
   The county staff shall have the right to prepare and present evidence and testimony, object, cross examination, make motions, offer arguments and recommendations and all other rights essential to a fair hearing.
2. **Rights of the Applicant**
   Every applicant or appellant shall have the right of notice, cross-examination, presentation of evidence, objection, motion, argument, and all other rights essential to a fair hearing. The applicant shall also have the right to timely access to the county staff report.

The hearing examiner may impose limitations on the number of witnesses and the length and nature of their testimony. Cross-examination is permitted by the county and applicant as necessary for a full disclosure of the facts, but the hearing examiner shall control the amount and style of cross-examination.

3. **Rights of Parties of Record**
   Every party of record shall have the right to present evidence and testimony at hearings. The right of parties of record to cross-examine, object, submit motions and arguments shall be at the discretion of the hearing examiner. The hearing examiner may impose limitations on the number of witnesses heard and the nature and length of their testimony.
4. **Responsibilities of County Staff**
   The county staff shall provide a staff report to the hearing examiner, applicant, and have them available for public inspection at least ten (10) days prior to the hearing, provide public notice of hearings; present materials at hearings, provide the hearing examiner with the documents relevant to each case, and provide revised plans if received within fifteen (15) days of the hearing.
5. **Responsibilities of Applicant**
   Whenever possible, prior to the hearing the applicant shall provide the hearing examiner with material that supports the application and be prepared to answer questions by the hearing examiner.
6. **Responsibilities of Parties of Record and all Others**
   Parties, witnesses and observers shall conduct themselves with civility and deal courteously with all involved in the proceedings. Failure to do so will result in removal from the hearing.

(Ord. 2008-19, 2008)

1.10.014 Presiding Official.

1. Hearings will be presided over by the hearing examiner.
2. The hearing examiner shall not be subject to removal or disqualification from presiding over and rendering a decision in any matter before him/her by means of an "Affidavit of Prejudice" or similar legal mechanism. Disqualification of the hearing examiner shall be controlled by the Appearance of Fairness Doctrine and RCW 42.36 et seq.
3. The hearing examiner shall have all of the authority and duties as granted in state statutes, the Kittitas County Code and other county rules and resolutions. Included in these duties are the following: to conduct fair and impartial hearings; to take all necessary action to avoid delay in the disposition of cases; and, to maintain order. The hearing examiner shall have all powers necessary to that end, including but not limited to the following:
   a. To administer oaths and affirmations;
   b. To issue subpoenas;
   c. To rule upon offers of proof and receive evidence;
   d. To regulate the course of hearings and the conduct of the parties and their agents;
   e. To question any party presenting testimony at the hearing;
   f. To hold conferences for settlement, simplification of the issues, or any other proper purpose;
   g. To require briefs on legal issues;
   h. To consider and rule upon all procedural and other motions appropriate to the proceedings; and,
   i. To make and file decisions.
4. In the performance of adjudicative functions, the hearing examiner shall not be subject to the supervision or direction of any elected official, officer, employee or agent of Kittitas County.

(Ord. 2008-19, 2008)

1.10.015 Presence of Legal Counsel.

1. Although representation by legal council is not required, all parties participating in the hearings may be represented by legal council of their choice.
2. The hearing examiner shall have the authority to seek legal memorandum of legal issues raised at hearing from the County Prosecutor's Office.
3. All forms of legal authority including briefs and other legal memoranda upon which a party of record will be relying or presenting at the hearing must be submitted to the hearing examiner at least one (1) week in advance of the scheduled hearing date. The above mentioned documents shall be available to the public in advance of the scheduled hearing date.

(Ord. 2008-19, 2008)

1.10.016 Prehearing Conferences.

1. The hearing examiner may hold a conference prior to the hearing to structure the scope of the hearing. The hearing examiner may use the conference for:
   a. Identification, clarification and simplification of the issues;
   b. Disclosure of witnesses to be called and exhibits to be presented;
   c. Arguments of motions based on law;
   d. Other matters deemed by the hearing examiner to be appropriate for the orderly and expeditious disposition of the proceedings.
2. Prehearing conferences may be held by telephone conference call.
3. The hearing examiner shall give reasonable notice to the parties of any prehearing conference. Notice may be written or oral.
4. All parties shall be represented at any prehearing conference unless they waive the right to be present or represented.
5. Following the prehearing conference, the hearing examiner may issue an order reciting the actions taken or ruling on motions made at the conference.
6. At the hearing, the hearing examiner shall develop for the record the time, purpose and result of the hearing conference.

(Ord. 2008-19, 2008)

1.10.017 Oath or Affirmation.
All testimony before the hearing examiner shall be given under oath or affirmation to tell the truth. The hearing examiner shall administer the oath or affirmation. (Ord. 2008-19, 2008)

1.10.018 Content of the Record.
The record of hearing conducted by the hearing examiner shall include, but not be limited to, the following materials:

1. The application or petition;
2. The department staff reports;
3. All evidence received which shall include oral testimony given at the hearing, all exhibits and other materials admitted as evidence;
4. A statement of all matters officially noticed;
5. A decision containing the findings of fact and conclusions of law upon which the decision was based;
6. Tape recordings made on electronic equipment; and
7. An environmental determination made pursuant to the State Environmental Policy Act of 1971 (SEPA), as amended (if applicable).

(Ord. 2008-19, 2008)

1.10.019 Development of the Record at the Public Hearing.
A public hearing will usually include, but not be limited to the following elements: a brief introductory statement by the hearing examiner on the hearing procedures that will be followed; a report by the planning staff that shall include an introduction of the official file, reference to any visual aids, and a summary of the recommendations of the department; testimony by the applicant or petitioner and cross-examination of these witnesses; testimony in support; testimony of opposing parties; opportunity for cross-examination and rebuttal; and opportunity for questions by the hearing examiner. (Ord. 2008-19, 2008)

1.10.020 Continuances of Hearings.

1. **Hearing Examiner**
   If the hearing examiner determines that more information is necessary in order to make a decision, or the hearing examiner is unable to hear all the public comments or study exhibits, the hearing may be continued to a date and time certain. If continued to a specific time and place, no further notice of that continued hearing need be given.
2. **At the Request of a Party**
   Any party of record may request continuance of a hearing. The request, if made prior to the hearing, must be in writing and state reasonable grounds for a continuance. If the request is made orally at the hearing, it must be based on reasonable grounds. The hearing examiner shall have sole discretion to grant or deny the request for continuance.

(Ord. 2008-19, 2008)

1.10.021 Evidence.

1. **Burden of Proof**
   The applicant or appellant shall have the burden of proof to show compliance with applicable laws and regulations of Washington State and Kittitas County.
2. **Admissibility**
   The hearing generally will not be conducted according to strict legal rules relating to evidence and procedure. Any relevant evidence shall be admitted if it is the type that possesses probative value commonly accepted by reasonably prudent persons in the conduct of their affairs. The rules of privilege shall be effective to the extent recognized by law. The hearing examiner shall have discretion on the admissibility of all evidence.
3. **Copies**
   Documentary evidence may be received in the form of copies of excerpts if the original document is not readily available. Upon request, parties shall be given the opportunity to compare the copy to the original. It is advisable to provide an extra copy of all documents to the hearing examiner as a working copy.
4. **Judicial Notice**
   The hearing examiner may take judicial notice of judicially cognizable facts and in addition may take notice of general, technical or scientific facts within his or her specialized knowledge. The hearing examiner shall not take notice of disputed adjudicative facts that are at the center of a particular proceeding.
5. **Late Filing of Documents**
   The hearing examiner may request a document to be filed after the close of public testimony. Only those documents referred to at the public hearing may be submitted and only when specifically requested by the hearing examiner.
6. **Additional Evidence**
   Additional evidence may be submitted upon a Request for Reconsideration based on new evidence not available at the time of the public hearing. If additional evidence is submitted with a Request for Reconsideration, it will be considered only upon a showing of significant relevance to the case and good cause for the delay in its submission. All parties of record will be given notice, either in writing or orally, of the consideration of such evidence and granted an opportunity to review such evidence and file rebuttal arguments. The hearing examiner shall have sole discretion in the admissibility of additional evidence.
7. **Record of Evidence**
   All parties will be allowed the opportunity to make a record of evidence admitted or denied during the course of the hearing. This record shall include offers of proof.

(Ord. 2008-19, 2008)

1.10.022 Withdrawal of Application or Petition.

1. **Withdrawal Prior to Service of Notice**
   If a withdrawal request is made in writing to the department before the official notice of the public hearing is given, the withdrawal shall be automatically allowed.
2. **Withdrawal Requested After Service of Notice**
   If a withdrawal request is made after official notice of the public hearing is given, the hearing examiner has full and sole discretion in allowing or disallowing the request.

(Ord. 2008-19, 2008)

1.10.023 Decisions.

1. **Written Decisions**
   The hearing examiner shall issue written decisions supported by findings of fact and conclusions of law on all matters brought before the examiner for adjudication. Such written decisions will be issued within ten (10) working days of the close of the public hearing unless, an extension of time is agreed to by the applicant, and copies will be delivered to all parties of record. The decision will also contain the procedure available to file an appeal to the hearing examiner's decision.
2. **Content of Decision**
   The decision shall include a statement of:
   a. The nature and background of the proceeding.
   b. The findings of fact shall be based exclusively on the evidence presented at the hearing and those matters officially noticed. The findings of fact shall consist of a concise statement of each fact found upon each contested issue of fact. The findings of fact shall provide citations to the record to support each factual finding.
   c. Whenever practicable, the conclusions shall be referenced to specific provisions of the law and regulations or both, together with reasons and precedents relied upon to support the same. The conclusions shall make reference to the effect of the decision with reference to carrying out and conforming to the comprehensive plan and the county's development regulations.

d. The appropriate ruling, order or relief. The decision shall be based upon a consideration of the whole record and be supported by reliable, probative and substantial evidence. All decisions may include conditions of approval.

(Ord. 2008-19, 2008)

1.10.024 Procedure for Reconsideration and Reopening Hearing.

1. **Reopening the Hearing**
   If within five (5) days after the public hearing any party of record petitions the hearing examiner for a reopening of the hearing, the hearing examiner shall have discretion to reopen the hearing to consider new testimony or new evidence that was unavailable at the time of the hearing. All parties of record who participated at the hearing shall be given notice, either written or oral, of the consideration of such additional evidence and be granted an opportunity to review such evidence and file rebuttal arguments.
2. **Reconsideration**
   a. Any party of record may file a written request for reconsideration with the department. The request must be filed within ten (10) days of the decision. The request shall specifically set forth alleged errors of fact, law or procedure as set forth in the hearing examiner's written decision. The request may also include direction to a specific issue that was inadvertently omitted from the hearing examiner's decision.
   b. The hearing examiner shall act within five (5) working days after the date of filing of the request for reconsideration by either denying or approving the request.
   c. If the hearing examiner approves the request for reconsideration, the original decision shall be corrected or amended, or, the hearing examiner can set the matter for a continued public hearing to correct the record or any deficiencies of the original decision. If a continued hearing is required, the notice of said hearing shall be mailed to all parties of record not less than five (5) days before the hearing.

(Ord. 2008-19, 2008)

Chapter 1.12
EMPLOYMENT OF PRISONERS*

Sections:
1.12.010 Work release program.

* For the statutory provisions authorizing the working of prisoners, see RCW 9.92.140; for provisions relating to the work-release program for prisoners in county jails, see RCW 36.63.260.

1.12.010 Work release program.
The board of Kittitas County commissioners having taken into consideration the employment conditions within the county and further having taken into consideration the jail facilities of the county and all other factors and considering themselves fully advised in the premises, do hereby declare that the work-release program as provided in RCW 36.63.260 shall be operative within the county. (Res. 1970-6, Vol. O, pp. 179, 180, 1970).

Chapter 1.16
GENERAL PENALTY*

(Reserved)

* For statutory provisions authorizing the board of county commissioners to make and enforce, by appropriate resolutions or ordinances, all such police and sanitary regulations as are not in conflict with state law, and authorizing the board of county commissioners to declare any violation of such resolutions or ordinances to be a misdemeanor, see RCW 36.32.120(7). For statutory provisions declaring "every crime punishable by a fine of not more than two hundred and fifty dollars, or by imprisonment in a county jail for not more than ninety days," a misdemeanor, see RCW 9.01.020. 1.24.020 - 1.24.030 1-16 (Revised 8/96)

Chapter 1.20
RIGHT OF ENTRY

(Reserved)

Chapter 1.24
PRIVATE PROPERTY TAKING IMPACT ANALYSES

Sections:
1.24.010 Definitions.
1.24.020 Requirements.
1.24.030 Guidance.
1.24.040 Public availability of analysis.

1.24.010 Definitions.
For the purposes of this chapter the following definitions apply.

Agency
A department, agency, independent agency, or instrumentality of the United States or Washington State, including any military department, government corporation, government-controlled corporation, or other establishment in the executive branch of the United States or Washington State government.

Just compensation
Compensation equal to the full extent of a property owner's loss, including the fair market value of the private property taken and business losses arising from a taking, whether the taking is by physical occupation or through regulation, exaction, or other means and shall include compounded interest calculated from the date of the taking until the date payment is tendered.

Owner
The owner or possessor of property or rights in property at the time the taking occurs, including when the statute, regulation, rule, order, guideline, policy, or action is passed or promulgated or the permit, license, authorization, or governmental permission is denied or suspended.

Private property (or "property")
All property protected under the Fifth Amendment to the Constitution of the United States and the Third and Sixteenth Section of the Declaration of Rights of the Washington State Constitution, any applicable federal or state law, or this chapter, and includes:

1. Real property, whether vested or unvested, including estates in fee, life estates, estates for years, or otherwise; inchoate interests in real property such as remainders and future interests; personality that is affixed to or appurtenant to real property; easements; leaseholds; recorded liens; and contracts or other security interests in, or related to, real property;
2. The right to use water or the right to receive water, including any recorded lines on such water right;
3. Rents, issues, and profits of land, including minerals, timber, fodder, crops, oil and gas, coal, or geothermal energy;
4. Property rights provided by, or memorialized in, a contract;

5. Any interest defined as property under state law; or
6. Any interest understood to be property based on custom, usage, common law, or mutually reinforcing understandings sufficiently well-grounded in law to back a claim of interest.

Taking of private property ("taking," or "take")

Any action whereby private property is directly taken as to require compensation under the Fifth Amendment to the United States Constitution and the Third and Sixteenth Section of the Declaration of Rights of the Washington State Constitution or under this chapter, including by physical invasion, regulation, exaction, condition, or other means and shall not include a condemnation action filed by government in an applicable court or an action filed by government relating to criminal forfeiture.

(Ord. 96-9 (part), 1996).

1.24.020 Requirements.

1. To the fullest extent possible, the policies, regulations, and public laws of Kittitas County shall be interpreted and administered in accordance with the policies under this chapter and all departments of county government shall complete a private property taking impact analysis before issuing or promulgating any policy, regulation, proposed legislation, or related department action which is likely to result in a taking of private property. The provisions of this subsection shall not apply to an action in which the power of eminent domain is formally exercised or a law enforcement action, including seizure of property for forfeiture or as evidence, for a violation of law.
2. A private property taking impact analysis shall be a written statement that includes:
   a. The specific purpose of the policy, regulation, proposal, recommendation, or related agency action;
   b. An assessment of the likelihood that a taking of private property will occur under such policy, regulation, proposal, recommendation, or related department action;
   c. An evaluation of whether such policy, regulation, proposal, recommendation, or related department action is likely to require compensation to private property owners;
   d. Alternatives to the policy, regulation, proposal, recommendation, or related agency action that would achieve the intended purposes of the agency action and lessen the likelihood that a taking of private property will occur;
   e. An estimate of the potential liability of county government if the county is required to compensate a private property owner; and
   f. If the policy, regulation, proposal, recommendation, or related department action is in response to a state or federal mandate, the name of the state or federal agency responsible for the policy, regulation, proposal, recommendation, or related action shall be stated.
3. Each department shall provide an analysis as part of any submission otherwise required to be made to the board of county commissioners in conjunction with a proposed policy, regulation, proposal, recommendation, or related action.
4. No final rule shall be promulgated if enforcement of the rule could reasonably be construed to require an uncompensated taking of private property as defined by this chapter. (Ord. 96-9 (part), 1996).

1.24.030 Guidance.

The prosecuting attorney's office shall provide legal guidance in a timely manner, in response to a request by a county department, to assist the department in complying with this chapter. (Ord. 96-9 (part), 1996).

1.24.040 Public availability of analysis.

An agency shall make each private property taking impact analysis available to the public, and, to the greatest extent practicable, transmit a copy of such analysis to the owner or any other person with a property right or interest in the affected property. (Ord. 96-9 (part), 1996).

Chapter 1.26
PRIVATE PROPERTY OWNERS' BILL OF RIGHTS

Sections:

1.26.010 Established.
1.26.020 Definitions.
1.26.030 Bill of rights.
1.26.040 Nuisance exception to payment of just compensation.
1.26.050 Transfer of property interest.

1.26.010 Established.

The board of county commissioners, after due deliberation and in the interest of conformity with the laws of this state, the Washington State Constitution and the United States Constitution, hereby establishes the private property owner administrative bill of rights set forth in this chapter. (Ord. 96-12 (part), 1996).

1.26.020 Definitions.

For the purposes of this chapter the following definitions apply:

Agency

A department, agency, independent agency, or instrumentality of the United States or Washington State, including any military department, government corporation, government-controlled corporation, or other establishment in the executive branch of the United States or Washington State government.

Just compensation

Compensation equal to the full extent of a property owner's loss, including the fair market value of the private property taken and business losses arising from a taking, whether the taking is by physical occupation or through regulation, exaction, or other means and shall include compounded interest calculated from the date of the taking until the date payment is tendered.

Owner

The owner or possessor of property or rights in property at the time the taking occurs, including when the statute, regulation, rule, order, guideline, policy, or action is passed or promulgated or the permit, license, authorization, or governmental permission is denied or suspended.

Private property (or "property")

All property protected under the Fifth Amendment to the Constitution of the United States and the Third and Sixteenth Section of the Declaration of Rights of the Washington State Constitution, any applicable federal or state law, or this chapter, and includes:

1. Real property, whether vested or unvested, including estates in fee, life estates, estates for years, or otherwise; inchoate interests in real property such as remainders and future interests; personality that is affixed to or appurtenant to real property; easements; leaseholds; recorded liens; and contracts or other security interests in, or related to, real property;
2. The right to use water or the right to receive water, including any recorded liens on such water right;
3. Rents, issues, and profits of land, including minerals, timber, fodder, crops, oil and gas, coal, or geothermal energy;
4. Property rights provided by, or memorialized in, a contract;
5. Any interest defined as property under state law; or
6. Any interest understood to be property based on custom, usage, common law, or mutually reinforcing understandings sufficiently well-grounded in law to back a claim of interest.

Taking of private property ("taking" or "take")

Any action whereby private property is directly taken as to require compensation under the Fifth Amendment to the United States Constitution and the Third and Sixteenth Sections of the Declaration of Rights of the Washington State Constitution or under this chapter, including by physical invasion, regulation, exaction, condition, or other means and shall not include a condemnation action filed by the United States or Washington State in an applicable court or an action filed by the United States or Washington State relating to criminal forfeiture.

(Ord. 96-12 (part), 1996).

1.26.030 Bill of rights.

1. In implementing and enforcing county regulations, each department shall comply with the applicable state and federal government laws, including laws relating to private property rights and privacy, and shall administer and implement the county regulations in a manner that has the least impact on private property owners' constitutional and other rights.
2. Each county department shall develop and implement procedures for ensuring that the constitutional and other legal rights of private property owners are protected when the department makes, or participates with other departments or agencies in the making of, any final decision that restricts the use of private property.
3. County employees may enter private property to collect information only when they have statutory authority or have written permission from the property owner. The county assessor's office, health department, building and fire safety and sheriff's office have statutory authority for normal conduct of their business. Any raw data collected from the property shall be made available at no cost, if requested by the private property owner. A county employee is not prohibited entry onto property for the purpose of obtaining consent or providing notice required by this chapter.
4. A county employee may not use data that is collected on privately owned property to implement or enforce county regulations, unless the county department has provided to the private property owner access to the information, a description of the manner in which the information was collected, and an opportunity to dispute the accuracy of the information and, if the private property owner disputes the accuracy of the information, the county department head has determined that the information is accurate.
5. A private property owner or their authorized representatives is entitled to an administrative appeal of the following actions that occur under county regulations:
   a. A determination that a particular parcel of property is critical habitat of a listed species.
   b. The finding of jeopardy in any consultation on a county department action affecting a particular parcel of property.
   c. Any incidental take statement, and any reasonable and prudent measures included therein, issued in any consultation affecting a particular parcel of property.
   d. The imposition of an administrative penalty.
   e. The imposition of an order prohibiting or substantially limiting the use of the property.

   Rules issued under this subsection shall provide that any administrative appeal of an action shall be heard and decided by the board of county commissioners applying normal policies and procedures adopted by the board of county commissioners for appeals.

   An owner of private property may receive compensation, if appropriate, subject to the provisions of this chapter.
6. A private property owner that, as a consequence of a final qualified county department action, is deprived of fair market value of property as determined by a qualified appraisal expert is entitled to receive compensation in accordance with the standards set forth in this chapter.

   No later than ninety days after receipt of a final decision of a county department action that deprives a private property owner of fair market value or viable use of property for which compensation is required under this chapter, the private property owner may submit in writing a request to the department head for compensation in accordance with this chapter.

   No later than one hundred eighty days after receipt of a request for compensation, the county department shall provide to the private property owner, where appropriate under the standards of this chapter, an offer to purchase the affected property of the private property owner at a fair market value, and an offer to compensate the private property owner for the difference between the fair market value of the property without those restrictions and the fair market value of the property with those restrictions.

   No later than sixty days after the date of receipt of the county department's offers the private property owner shall accept one of the offers or reject both offers. If the private property owner rejects both offers, the private property owner may agree to binding arbitration and submit the matter to an arbitrator appointed by the department head from a list of arbitrators submitted to the county department by the American Arbitration Association. The arbitration shall be conducted in accordance with the real estate arbitration rules of the association. For purposes of this section an arbitration is binding on:
   a. The county department and a private property owner as to the amount, if any, of compensation owed to the private property owner; and
   b. Whether the private property owner has been deprived of fair market value or viable use of property for which compensation is required.

   If the private property owner does not wish to accept either county offer or to be bound by arbitration he is free to pursue his cause with the courts.

   A county department shall pay a private property owner any compensation required under the terms of an offer of the department head that is accepted by the private property owner, or under a decision of an arbitrator, out of currently available appropriations supporting the activities giving rise to the claim for compensation under this section not later than sixty days after the date of the acceptance or the date of the issuance of the decision, respectively. If insufficient funds are available to the department in the fiscal year in which the award becomes final, the agency shall either pay the award from appropriations available in the next fiscal year or promptly seek additional appropriations for such purpose.

(Ord. 96-12 (part), 1996).

1.26.040 Nuisance exception to payment of just compensation.

No compensation shall be required by this chapter if the owner's use or proposed use of the property is a nuisance as commonly understood and defined by background principles of nuisance and property law, as understood within Washington State and bar an award of damages under this chapter, the county shall have the burden of proof to establish that the use or proposed use of the property is a nuisance. (Ord. 96-12 (part), 1996).

1.26.050 Transfer of property interest.

The county shall take title to the property interest for which the county pays a claim under this chapter. (Ord. 96-12 (part), 1996).

Chapter 1.28
COORDINATING GOVERNMENT REGULATION OF LAND AND NATURAL RESOURCES USE

Sections:

Article I. Preliminary Provisions
1.28.010 Purpose.
1.28.020 Coordination with existing county law.
1.28.030 Effectiveness, validity under federal and state law.
1.28.040 Definitions.

Article II. General Guidance
1.28.050 General guidance.

Article III. Specific Guidance
1.28.060 Agriculture and livestock production.
1.28.070 Forest products.
1.28.080 Cultural resources, recreation, wildlife, and wilderness.
1.28.085 Species listing procedures.
1.28.090 Land acquisition and disposition.
1.28.100 Water resources.
1.28.110 Clean air.
1.28.120 Mining and minerals.
1.28.130 Private property rights.

Article IV. Monitoring and Enforcement
1.28.140
1.28.150 Coordinating committee and subcommittees.
1.28.160 Research and data collection.
1.28.170 Enforcement.

Article I. Preliminary Provisions

1.28.010 Purpose.

The purpose of this chapter is to provide the legal basis and a logical process for determining how federal and state agencies may coordinate and consult with Kittitas County in any actions that may affect land and natural resources and their uses, in order that the citizens of Kittitas County may preserve their customs, cultures, and economic stability and continue to protect the environment and utilize the existing base of natural resources beneficially. This chapter addresses federal and state agency regulations of land and natural resources use directly and is intended to be used as a positive instrument to guide federal and state agencies and county government in the cooperative development and implementation of regulations affecting land and natural resources use in Kittitas County. (Ord. 96-17 (part), 1996).

1.28.020 Coordination with existing county law.

1. The provisions of this chapter shall be in addition to and coordinated with the Kittitas County comprehensive plan.
2. This chapter shall provide a general framework as well as specific guidance and shall work in conjunction with other county ordinances, resolutions, policies, and plans. If this chapter conflicts with any other ordinance, resolution, policy or plan, as currently existing, the board of county commissioners shall take all practical measures to resolve such conflicts and harmonize the intent of each such ordinance, resolution, policy or plan with this chapter. In the event that such resolution cannot be accomplished, then the provisions of this chapter shall supersede the provisions of those other instruments. (Ord. 96-17 (part), 1996).

1.28.030 Effectiveness, validity under federal and state law.

1. This chapter shall be effective upon adoption by the Kittitas County board of county commissioners.
2. The validity of this chapter is based upon the rights of citizens granted by the Constitution of the United States and the state of Washington, the duty of the county to protect and uphold such rights; and existing federal and state laws which required that federal and state agencies consult and coordinate with local governments in actions affecting the use of land and natural resources. If any such provision of this chapter shall be found invalid by a court of competent jurisdiction, the remaining provisions shall not be affected thereby, but shall remain in full force and effect and, to that extent alone, the provisions of this chapter shall be severable. (Ord. 96-17 (part), 1996).

1.28.040 Definitions.

For the purpose of this chapter, and in any regulations or agreements promulgated hereafter, the following words shall be defined as follows:

Action
When used with respect to any governmental entity's directive or guideline governed by this chapter, shall have the broadest possible meaning in the context of any exercise of authority and shall include, without limitation, any proposal, policy, regulation, rule, consideration, finding, study, gathering, or review of data that may lead to any substantive rule, regulation, administrative action or determination.

County
The board of county commissioners and the departments under their auspices and control.

Government entity
Any federal agency, state agency, or other governing entity with legal jurisdiction to exercise its authority in Kittitas County, and shall also include any department, agency or commissioner or individual exercising any authority derived from that entity.

Private property
All property protected by the Fifth and Fourteenth Amendments to the United States Constitution, Article I, Section 16 of the Constitution of the state of Washington.

Beneficial use
Any use or any lawful restriction of use which directly benefits the citizens of Kittitas County in material, monetary, aesthetic, cultural, or any other ways in which the livelihood and general well being of Kittitas County is actively enhanced or maintained.

(Ord. 96-17 (part), 1996).

Article II. General Guidance

1.28.050 General guidance.

To the fullest extent required or permitted by law, all government entities in all actions considered, proposed, or taken that affect or have the potential of affecting the environment, the use of land, or the use of any natural resources within Kittitas County shall:

1. Make a determination of the effects such actions have on:
   a. Community stability in general;
   b. Preservation of local custom, cultures;
   c. Conservation and beneficial use of all other natural resources;
   d. Possible adverse effects on the environment as a result of any action or actions proposed or taken.
2. Coordinate procedures mandated by this chapter with Kittitas County on an equal basis prior to and during any federal or state action.
3. In conjunction with Kittitas County or its appointed representatives, establish through a memorandum of understanding or other agreement the process for such coordination, including joint planning, joint environmental research and data collection, joint hearings, and joint environmental assessments.
4. Reconcile the proposed action with Kittitas County laws, policies and plans, including the comprehensive plan and, after such consideration, take all practical measures to resolve any conflicts.
5. Take all appropriate mitigative measures adopted with the concurrence of Kittitas County to adequately address the adverse impacts on the customs, cultures, or economic stability or protection or use of the environment.
6. Not violate, through regulatory or other means, any private property rights of the citizens of Kittitas County.
7. Consult publicly or privately with all citizens who may be affected by the proposed regulation. (Ord. 96-17 (part), 1996).

Article III. Specific Guidance

1.28.060 Agriculture and livestock production.

The customs and culture associated with agricultural and livestock production in Kittitas County are significant to the economic stability, livelihood, and overall well being of all its citizens. Kittitas County's duty to encourage beneficial use of natural resources, as well as the responsibility to protect the environment, is critical to the success of agriculture and livestock production. The purpose of this section is to provide clear guidance to governmental entities when actions taken by those entities affect agriculture and livestock production.

1. The use of lands for grazing and crop production, improvements on production methods, and the introduction of new technology and products is recognized, protected and encouraged by Kittitas County. No action, proposal, or agreement with any other entity shall impair these rights and uses in any manner whatsoever without addressing potential impacts as outlined in Article II of this chapter. (Ord. 96-17 (part), 1996).

1.28.070 Forest products.

The customs and cultures associated with forest production in Kittitas County are significant and have provided economic stability, livelihood, and well being to its citizens.

1. The right to grow, harvest, and process timber and other forest products is recognized and protected by Kittitas County and no action, proposal, or agreement with any other entity shall impair these rights and uses in any manner whatsoever without addressing their potential impacts as outlined in Article II of this chapter.
2. The protection of, as well as the right to the continued beneficial use of, the forest lands in Kittitas County is essential to the livelihood and well being of its citizens and shall not be unlawfully diminished by Kittitas County. (Ord. 96-17 (part), 1996).

1.28.080 Cultural resources, recreation, wildlife, and wilderness.

The benefits derived from the cultural resources, recreation, availability of wildlife, and wilderness in Kittitas County are significant to the livelihood and well being of its citizens. It is the continuing policy of Kittitas County to:

1. Assure for its citizens a safe, healthful, and productive surrounding;
2. Preserve important historic, cultural, and natural aspects of Kittitas County heritage;
3. Strive to maintain a physical environment which supports the diversity of use and a variety of individual choices. (Ord. 96-17 (part), 1996).

1.28.085 Species listing procedures.
In connection with any action associated with any plant or animal species which may impair Kittitas County's ability to satisfy the provisions of Section 1.28.080(1) through (3) of this chapter, any governmental entity shall, at the earliest possible time, give actual notice to Kittitas County of the intent to consider or propose any species for listing, or to change or propose habitat of special protection. (Ord. 96-17 (part), 1996).

1.28.090 Land acquisition and disposition.
Diversity of land use and protection of the environment is a significant aspect of the customs, cultures, and economic diversity of Kittitas County. In addition, private land ownership provides much of the tax base for vital public functions such as the statewide funding of public schools and the administration of county government. When land (including any interest in land) is acquired or held in trust by governmental entities, it may be removed from this tax base and the citizens of Kittitas County, as well as the state, may suffer as a result. It is the policy of Kittitas County that the design and development of all governmental entities' land acquisition, including by forfeiture, donation, purchase, eminent domain or trust, and disposals, including adjustments and exchanges, be carried out to the benefit of the citizens of Kittitas County.

1. Before any governmental entities pursue any regulation, disposition, adjustment or exchange of land within Kittitas County, the county shall be notified of, consulted with, and otherwise involved in all governmental entities' regulations, dispositions, adjustments or exchanges. Kittitas County shall consult with, and receive the testimony of, all citizens owning or having lawful control of any of the land or resources affected.
2. Land or resources owned or held in trust for the people of the United States of America or of the state of Washington shall be managed within Kittitas County in a manner to avoid impairing any property right of any owner of land in Kittitas County.
3. Any diminution of the lawful right of use of any land in Kittitas County by any agency will be accompanied by a petition of relief originating from the Kittitas County assessor's office, addressed to both the Department of Revenue, state of Washington, and the Kittitas County board of equalization, requesting a proportional decrease in evaluation of the taxation status of that piece of property. (Ord. 96-17 (part), 1996).

1.28.100 Water resources.
Beneficial utilization and management of waters of the state are guided by certain general principles including, but not limited to, domestic use, stock watering, industrial uses, commercial uses, agricultural irrigation, hydroelectric power production, mining, fish and wildlife maintenance, recreational uses, thermal power production, preservation of environmental and aesthetic values. Any and all other uses compatible with the enjoyment of the public waters of the state are deemed to be beneficial.

1. Water use and the rights associated with lawful uses are a property right and are recognized and protected by Kittitas County and no action, proposal, or agreement with any other entity shall be allowed to affect any water right or water usage in any way whatsoever without addressing potential impacts as outlined in Article II of this chapter. (Ord. 96-17 (part), 1996).

1.28.110 Clean air.
Kittitas County recognizes that the right to the beneficial use and protection of atmospheric resources is significant to the preservation of the customs, cultures, and economic stability of Kittitas County.

1. Prior to taking any action affecting air quality or usage within Kittitas County, all governmental entities shall:
   a. Notify Kittitas County of the proposed action;
   b. Provide a detailed statement assessing the specific effects on the customs, cultures, economy, and environment of Kittitas County;
   c. Consider all alternatives to the taking of such action;
   d. To the extent permitted by law, take appropriate mitigation measures adopted with the concurrence of Kittitas County;
   e. Any governmental entities' actions that has or could have the effect of changing the existing use of air resources within Kittitas County shall be critically considered in relationship to the historic and current use of air resources in the county by humans, vegetation, livestock, and wildlife. Any proposed designation of federal or state pollution non-attainment areas and any other federal or state action that has any effect on the air resources within Kittitas County shall be coordinated with the county and shall comply with all county air quality standards and use plans.
2. It is the intent of Kittitas County to assist governmental entities in the planning and management of the county's natural, cultural, economic, and environmental resources related to air quality. Kittitas County shall have the authority to establish development regulations regarding air pollution and to develop air quality protection plans, of its own design. To the extent such authority is exercised, federal and state agencies shall accept and enforce such regulations to the extent permitted by law. In addition, the county shall have the authority to continue to develop, in coordination with private industry, civic, trade and citizens' organizations and governmental agencies, air quality management plans that encourage the beneficial use and preservation of clean air resources throughout Kittitas County. To the extent such authority is exercised and otherwise permitted by law, federal and state agencies shall be subject to and shall comply with all administrative requirements, controls, processes, and sanctions of such regulations and plans. (Ord. 96-17 (part), 1996).

1.28.120 Mining and minerals.
The safe extraction and subsequent processing of minerals, sand, gravel, and petroleum are already heavily regulated on the federal and state level. There is a significant difference between the actual active extraction of mineral wealth and the right to do so. Kittitas County recognizes that the beneficial use of mineral resources is significant to the preservation of the customs, cultures and economic stability of its citizens.

All minerals, including sand, gravel, and petroleum, are a property right recognized and protected by Kittitas County and the ownership, discovery, extraction, processing and beneficial use shall be encouraged and no action, proposal or agreement with any other entity shall affect those rights and uses in any way whatsoever without addressing potential impacts as outlined in Article II of this chapter. (Ord. 96-17 (part), 1996).

1.28.130 Private property rights.
Kittitas County recognizes that the protection of private property rights is essential to the preservation of the customs, cultures, and economic stability of its citizens and protection and use of their environment. Governmental entities shall fully comply with all current case law, statutes, regulations, rules, and guidelines concerning the protection of private property rights in Kittitas County including, without limitation, United States Executive Order 12630 "Government Actions and Interference with Constitutionally Protected Property Rights" dated March 16, 1988. Kittitas County shall also refer to the Attorney General of the state of Washington's periodic assessment of takings law to refrain from unconstitutional takings by its own or their agencies.

1. All private property and the private property rights of the citizens of the United States of America residing in Kittitas County shall be protected by Kittitas County under the Fifth and Fourteenth Amendments to the United States Constitution and Article 1, Section 16 of the Washington State Constitution, any applicable United States Executive Orders, all other appropriate instruments of law and the subsequent interpretations thereof. Kittitas County shall protect private property and the private property rights of her citizens through the legislative process and through implementation of this chapter.
2. The violation of the private property rights of any citizen of the United States of America residing in Kittitas County by any federal or state agency shall be deemed to be a violation of this chapter. Any judgment of any liability as described in Section 1.28.170(b) shall be the responsibility of the federal or state agency as well as the federal or state official, employee, or other person directly responsible for making the decisions implementing the action which results in such violation.
3. The protection afforded under subsection (1) of this section shall not include the right in the individual citizen to have the county maintain an independent legal action on their individual behalf. Kittitas County is not authorized to assist the private individual in this fashion. The county may only act in such capacity under the limited parameters as established in Section 1.28.170(a). It is the intent of this chapter to provide additional guidance to government, and to provide a remedy for those aggrieved by federal, state and local action not in compliance with this chapter. (Ord. 96-17 (part), 1996).

Article IV. Monitoring and Enforcement

1.28.140 General authorization.
Kittitas County shall have the authority to develop and maintain monitoring and compliance standards to evaluate and enforce federal and state agency compliance with the provisions and products derived of this chapter, the comprehensive plan, and any other ordinances, resolutions, policies, and plans enacted by Kittitas County. The county may, by a resolution of the board of county commissioners, exempt any action or area of action by a governmental entity from this chapter. (Ord. 96-17 (part), 1996).

1.28.150 Coordinating committee and subcommittees.
A basis premise of this chapter is that the participatory involvement of citizens who may be affected by a governmental action is crucial to the preservation of their customs, cultures, civil rights, economic stability, and beneficial use of their environment. This is particularly true with respect to the cooperative intergovernmental coordination of the regulation of land and natural resources use.

1. In order to involve citizens in the monitoring and enforcement of this chapter, there shall hereby be established the Kittitas County coordinating committee for governmental actions affecting land and natural resource use (the "coordinating committee"), and any subcommittees created. The basic function of the coordinating committee and subcommittees shall be to monitor federal and state actions and advise the county commissioners regarding compliance by such agencies with this chapter. The coordinating committee and the subcommittees shall be advisory only and shall in no way bind the county commissioners, who shall have final authority regarding interpretation and enforcement of this chapter.
2. The board of county commissioners shall appoint, on the first Monday of each year or as soon thereafter as practical, the co-chair and the members of each subcommittee. Members of the coordinating committee and each subcommittee must be over the age of eighteen and be appointed by the board of county commissioners (two members from each district and one at-large member), with terms of appointment as follows: Initially, one-third of the members shall be appointed for one-, two-, and three-year terms respectively. Thereafter, terms shall be for a period of three years, staggered so that the terms of one-third of the members expire each year. The county commissioners may remove any person from a chair, co-chair, or membership position for cause and may fill vacancies as needed from time to time.
3. In furtherance of this chapter, the coordinating committee may create subcommittees to address specific needs. The board of county commissioners may, by resolution, expand the number of coordinating committee members as needed.
    a. At the initial meeting, the coordinating committee shall adopt operational procedures for itself and the subcommittees that may be created which, along with any later amendments thereto, shall be subject to the approval of the board of county commissioners. To the extent required by law, the coordinating committee and the subcommittees shall be subject to the Open Public Meetings Act (RCW 42.30) and the Public Disclosure Act (RCW 42.17).
4. When determining which citizens shall be appointed, the county commissioners shall consider the purpose of this chapter and the functions that each subcommittee and the coordinating committee shall perform. While no specific criteria must be met, appointments should collectively reflect an expertise and involvement in the primary subject matter, and the broad diversity of the many aspects of the cultures, customs, economy, and environment of Kittitas County. (Ord. 96-17 (part), 1996).

1.28.160 Research and data collection.
In furtherance of the purposes of this chapter, it is the intent of the county to develop and maintain a research database of information regarding the customs, cultures, economy, and environment of Kittitas County. (Ord. 96-17 (part), 1996).

1.28.170 Enforcement.
1. The county commissioners shall have the authority to request the prosecuting attorney to bring an action to enforce this chapter in any court or administrative tribunal of competent jurisdiction and to seek cumulative remedies, including any criminal or civil penalties allowed by law, equitable relief and monetary compensation when the county tax base or the general welfare or health and safety of the citizens of the county are at issue.
2. Nothing in this chapter shall be construed to limit any remedy that any person may have under the laws of the state of Washington, or of the United States of America. Every person who, under color of any law, statute, ordinance, regulation, custom, or usage of the United States of America or of the state of Washington, subjects any person within Kittitas County to the deprivation of any property or civil rights secured by this chapter shall be liable to the person injured in an action at law, suit in equity or other proper proceedings for redress.
3. Every person who, under color of law, statute, ordinance, regulation, or customs willfully subjects any person within Kittitas County to the deprivation of any civil or property rights secured or protected by this chapter shall be punished by a fine of not more than one thousand dollars per violation. (Ord. 96-17 (part), 1996).

Title 2 | Administration and Personnel

Chapters
2.04 Board of County Commissioners
2.08 Justice Court Districting
2.09 Delivery of Public Defense Services
2.10 Board of Health
2.11 Hearing Examiner
2.12 County Planning Commission
2.14 County Housing Authority
2.16 Mental Health, Developmental Disabilities, Substance Abuse Board
2.17 Number of Members of the Civil Service Commission for the Sheriff's Office
2.20 County Office Hours
2.22 Repealed
2.24 County Officials - Traveling Expenses
2.26 Repealed
2.28 Repealed
2.32 Repealed
2.36 Repealed
2.40 Repealed
2.41 Repealed
2.42 Repealed
2.44 County Personnel Policy
2.48 Department of Emergency Management
2.50 Department of Public Works
2.52 Mutual Aid in Emergency Management
2.55 Public Records Disclosure
2.56 Public Records - Duplication And Filing Fees
2.60 Repealed
2.64 Repealed
2.68 Department of Building Inspector and Fire Marshal
2.72 Handling of Claims Against the County
2.76 Repealed
2.77 Smoking Policy

2.78 Repealed
2.80 Repealed
2.81 Management of County Real and Personal Property

Chapter 2.04*
BOARD OF COUNTY COMMISSIONERS

Sections

2.04.010 Official meeting time.
2.04.015 Recording and notes of meetings.
2.04.020 Shoreline management permit procedure.

* For the statutory provisions regarding quarterly sessions of boards of county commissioners, see RCW 36.32.080; for provisions regarding special sessions, see RCW 36.32.090.

2.04.010 Official meeting time.
The first and third Tuesday at 10:00 a.m. of each and every month of the year is designated as the regular and special meeting date of the Board of County Commissioners, to be held at the Kittitas County Courthouse located at 205 West 5th, Room 109, Ellensburg, Washington, at which time all of the normal business of the County will be transacted; provided that if Tuesday falls on a holiday, such regular meetings shall be held on the next business day. Should another time be required for any business, prior notice will be given for such special meeting in accordance with the law.

Section 2 - Regular Study Sessions

Every Monday	9:00 a.m.	Commissioners Office Administration Meetings	CR
Every Monday	9:40 a.m.	Appointed/Elected Department Heads	CR
1st and 3rd Monday	10:30 a.m.	Agenda Study Session	AUD
2nd Monday	11:00 a.m.	Information Technology Department	CR
2nd and 4th Tuesday	10:00 a.m.	Human Resources Department	CR
2nd and 4th Monday	1:30 p.m.	Public Works/Community Development Services	PWCR
1st Wednesday	8:00 a.m.	Law & Justice	AUD
2nd Thursday	10:00 a.m.	Solid Waste/Maintenance/Fair Office	CR
3rd Thursday	1:30 p.m.	Finance Officer	CR

Key CR = Commissioner's Conference Room - Room 108, Kittitas County Courthouse

AUD = Commissioner's Auditorium - Room 109, Kittitas County Courthouse

Section 3 - Effective Date

This ordinance shall take effect November 4, 2009.

(Ord. 2013-002, 2013; Ord. 2009-23, 2009; Ord. 2007-35, 2007; Ord. 2005-26, 2005; Ord. 2004-31, 2004; Ord. 99-12, 1999; Ord. 99-03, 1999; Res. 81-2, 1981; Vol. L, pp. 3, 4, 1953).

2.04.015 Recording and notes of meetings.
Audio tape recording and/or shorthand notes of the proceedings of the board of Kittitas County commissioners shall be retained for a period of six years when the recordings of meetings involve issues, decisions and actions that could cause legal action to be taken against the county, and the audio tape recordings and/or shorthand notes of the recordings of meetings involving routine matters be retained until the approval of written minutes. (Ord. 99-03, 1999; Res. 83-20, 1983).

2.04.020 Shoreline management permit procedure.
The following permit procedure is adopted by the board:

1. The planning office will receive shoreline applications and advise the applicant on procedure and permit requirements.
   a. The applicant shall publish legal notices in compliance with law.
   b. The planning office shall give additional notice at least 30 days before the date of final local action by at least one of the following methods:
      i. Mailing to the latest recorded real property owners as shown by the county assessor within at least 300 feet of the boundary of the property upon which the substantial development is proposed;
      ii. Posting in a conspicuous manner on the property upon which the project is to be constructed; or
      iii. Any other manner deemed appropriate by local authorities to accomplish the objectives of reasonable notice to adjacent landowners and the public.
   c. The planning office will receive mail in response to public notices for a period of 30 days.
2. Approximately 25 days after final public notice is given, the board may select an individual or individuals, such as landowners or technicians, who may be called to assist the board in making their decision.
   a. He or they shall discuss all relevant technical aspects of the application and compliance of same with Section 2 of the shorelines law.
   b. He or they shall submit findings and recommendations to the board.
   c. Section 38(1) of the Shoreline Master Program is amended to provide that a fee of $50.00 shall accompany each permit application filed with the administrator.
3. Thirty days after final public notice, the board may take action on the application. A public hearing may be set by board. If so, legal notice announcing the hearing shall be published according to law.
4. The board shall hold a hearing and take action on the permit.
5. The applicant and the Department of Ecology shall be advised within eight days of board action. A state review period of up to 45 days is required during which the applicant must withhold the start of construction.
6. The county shall receive notice of determination from the Department of Ecology and shall forward that notice to the building department. A building permit shall be issued by building inspector if approval is given.
7. The clerk of the board shall record final action with the county auditor. (Ord. 99-03, 1999; Res. 81-44, 1981; Res. 79-15, 1979; Res. 75-91, 1975; Ord. 72-30, 1972).

Chapter 2.08
JUSTICE COURT DISTRICTING*

Sections

2.08.010 Upper - Lower justice court districts designated.
2.08.020 One justice elected per district.
2.08.030 Central office - Court room - Records locations.
2.08.040 Court seat location restriction.
2.08.050 Court commissioner.
2.08.060 Justice court districting plan adoption.

* For the statutory provisions regarding justice court districts and the duties of the justice court districting committee, see RCW 3.38.010 - 3.38.060; for provisions regarding adoption of the justice court districting plan, see RCW 3.38.030.

2.08.010 Upper - Lower justice court districts designated.
Kittitas County shall be divided into two district court districts, one of which shall comprise the following voting precincts:

> Hyak, Easton, Mountain, Ronald, all Roslyn precincts, Roslyn Outlying, all Cle Elum precincts, Kachess, South Cle Elum, Peoh Point, Swauk, Teanaway, and Westside

and shall be named the Upper Kittitas County District Court. The other district court district shall comprise the remaining voting precincts:

> Damman, Dry Creek, East Sanders, Thorp, Manastash, Ridgeway, North Central, North Ellensburg, South Ellensburg, Denmark, all Ellensburg precincts, Fairview, Northeast Fairview, Park, Vantage, all Kittitas precincts, Sanders, and Thrall

and shall be named the Lower Kittitas County District Court. (Ord. 2011-014, 2011; Ord. 2005-21, 2005; Ord. 99-03, 1999; Vol. N, p. 252A (1), 1966).

2.08.020 One justice elected per district.
There shall be elected in each justice court district one justice. (Ord. 99-03, 1999; Vol. N, p. 252A (2), 1966).

2.08.030 Central office - Court room - Records locations.
The location of the central office, court room, and records of the Lower Kittitas County Justice Court shall be in the Kittitas County Courthouse at Ellensburg; the location of the central office, court room, and records of the Upper Kittitas County Justice Court shall be at the Cle Elum City Hall, or such other place in the city of Cle Elum as the board of county commissioners may hereafter designate. (Ord. 99-03, 1999; Vol. N, p. 252A (3), 1966).

2.08.040 Court seat location restriction.
The court shall not sit in any other place than designated in KCC 2.08.030. (Ord. 99-03, 1999; Vol. N, p. 252B (4), 1966).

2.08.050 Court commissioner.
There shall be one court commissioner in the Lower Kittitas County Justice Court, and there shall be one court commissioner in the Upper Kittitas County Justice Court. (Ord. 99-03, 1999; Ord. 96-2, 1996; Vol. N, p. 252B (5), 1966).

2.08.060 Justice court districting plan adoption.
The report of the Kittitas County Justice Court districting committee is adopted as the Kittitas County Justice Court districting plan. (Ord. 99-03, 1999; Res. 66-22, Vol. N, p. 284, 1966).

Chapter 2.09
DELIVERY OF PUBLIC DEFENSE SERVICES

Sections

2.09.010 Standards of representation.
2.09.020 Selection of attorneys.
2.09.030 Duties and responsibilities of counsel.
2.09.040 Case load limits and types of cases.
2.09.050 Costs of investigative and expert or other services.
2.09.060 Reports of attorney activity and vouchers.
2.09.070 Training.
2.09.080 Substitution of attorneys or assignment of contracts.
2.09.090 Minimum qualifications of attorneys.
2.09.100 Representation in specific classes of cases.
2.09.110 Disposition of client complaints.
2.09.120 Cause for removal of attorney.
2.09.130 Non-discrimination.
2.09.140 Effective date and expiration date.
2.09.150 Severability.

2.09.010 Standards of representation.
Kittitas County hereby adopts standards for the delivery of public defender services consistent with RCW 10.101.030 and the Washington Defender Association Standards for Public Defense Services. Kittitas County is rural in nature, has two sitting Superior Court judges, a full time district court judge serving the Lower Kittitas County District Court and a part-time district court judge serving the Upper Kittitas County District Court; and appoints attorneys from a list of qualified, interested, and dedicated attorneys for cases in Superior Court and Upper Kittitas County District Court and contracts with attorneys in Lower Kittitas County District Court. Therefore, the standards set forth in this rule have been tailored to the assigned counsel model for delivery of public defender services. (Ord. 2008-12, 2008)

2.09.020 Selection of attorneys.
Attorneys appointed for indigent defense shall be selected solely by the court. (Ord. 2008-12, 2008)

2.09.030 Duties and responsibilities of counsel.
Defense services shall be provided to all clients in a professional, skilled manner consistent with minimum standards set forth by the American Bar Association, applicable state bar association standards, the Rules of Professional Conduct, case law and court rules defining the duties of counsel and the rights of defendants in criminal cases. Counsel's primary and most fundamental responsibility is to promote and protect the best interests of the client. (Ord. 2008-12, 2008)

2.09.040 Case load limits and types of cases.
The caseload of court appointed attorneys should allow each lawyer to give each client the time and effort necessary to ensure effective representation. Assigned counsel should not accept a workload that, by reason of its excessive size, interferes with the rendering of quality representation. (Ord. 2008-12, 2008)

2.09.050 Costs of investigative and expert or other services.
Reasonable compensation for investigative, expert, or other services necessary for preparation and presentation of the defense case shall be provided upon motion pursuant to

CrR 3.1(f) or CrRLJ 3.1(f). Fees for investigative, expert, or other services should be maintained and allocated from funds separate from those provided for defender services. The defense should be free to retain said services of its choosing. (Ord. 2008-12, 2008)

2.09.060 Reports of attorney activity and vouchers.
The court appointed attorney shall maintain a case-reporting and management information system which includes number and type of cases, attorney hours and disposition for each case served at public expense. An annual report shall be filed with the presiding judges of the respective courts summarizing the number and type of cases, the attorney hours spent on each case, and dispositions thereof. Such system shall be maintained independently from client files so as to disclose no privileged information. A standardized voucher form provided by the court shall be used by court appointed attorneys seeking payment upon completion of a case. Each attorney shall provide annually to the Presiding Superior Court Judge a certification documenting their compliance with the requirements set forth in Section 2.09.090. (Ord. 2008-12, 2008)

2.09.070 Training.
Attorneys providing public defense services should participate in regular training programs on criminal defense law, including a minimum of seven hours of continuing legal education annually in areas relating to their public defense practice. Attorneys in dependency practices should attend training programs in these areas. Every attorney providing counsel to indigent accused should have the opportunity to attend courses that foster trial advocacy skills and to review professional publications and tapes. (Ord. 2008-12, 2008)

2.09.080 Substitution of attorneys or assignment of contracts.
The court appointed attorney should not sub-contract with another firm or attorney to provide representation, except referrals authorized by contract in order to (a) comply with caseload limitations, or (b) resolve conflicts. To the extent that the court appointed attorney does refer cases to maintain caseload limitations or for any other reason authorized by contract, the referral shall be only to an attorney who the court has determined qualifies to serve as court appointed counsel under these standards for public defense services. (Ord. 2008-12, 2008)

2.09.090 Minimum qualifications of attorneys.
In order to assure that indigent accused receive the effective assistance of counsel to which they are constitutionally entitled, court appointed attorneys shall meet the following minimum professional qualifications: a) satisfy the minimum requirements for practicing law in Washington as determined by the Washington Supreme Court; and b) complete seven hours of continuing legal education approved by the Washington State Bar Association Continuing Legal Education Department in the field of criminal law or trial advocacy within each calendar year. (Ord. 2008-12, 2008)

2.09.100 Representation in specific classes of cases.
In order to serve in each of the following classes of cases, court appointed attorneys should first meet certain requirements:

1. Death Penalty Representation. Each attorney acting as lead counsel in a death penalty case should meet the following requirements:
    a. The minimum requirements set forth in Section 2.09.090; and
    b. At least five years criminal trial experience; and
    c. Have prior experience as lead counsel in no fewer than nine jury trials of serious and complex cases which were tried to completion; and
    d. Have served as lead or co-counsel in at least one jury trial in which the death penalty was sought; and
    e. Have completed at least one death penalty defense seminar within the previous two years.
2. Adult Felony Cases - Class A. Each attorney representing a defendant accused of a Class A felony as defined in RCW 9A.20.020 should meet the following requirements:
    a. The minimum requirements set forth in Section 2.09.090; and
    b. Either:
        i. has served two years as a felony-level prosecutor; or
        ii. has served two years as a public defender defending felony-level cases; or
        iii. has been trial counsel alone or with other trial counsel and handled a significant portion of the trial in five felony cases that have been submitted to a jury.
3. Adult Felony Cases - Class B Violent Offense or Sexual Offense. Each attorney representing a defendant accused of a Class B violent offense or sexual offense as defined in RCW 9A.20.020 should meet the following requirements:
    a. The minimum requirements set forth in Section 2.09.090; and
    b. Either:
        i. has served one year as a felony-level prosecutor; or
        ii. has served on year as a public defender defending felony-level cases; or
        iii. has been trial counsel alone or with other counsel and handled a significant portion of the trial in two Class-C felony cases that have been submitted to a jury.
4. Adult Felony Cases - All other Class B Felonies, Class C Felonies, Probation or Parole Revocation. Each attorney representing a defendant accused of a Class B felony not defined in (c) above or a Class C felony, as defined in RCW 9A.20.020, or involved in a probation or parole revocation hearing should meet the following requirements:
    a. The minimum requirements set forth in Section 2.09.090, and
    b. Either:
        i. has served one year as a prosecutor; or
        ii. has served one year as a public defender; or
        iii. has been trial counsel alone or with other trial counsel and handled a significant portion of the trial in two criminal cases that have been submitted to a jury; and
    c. Each attorney should be accompanied at his or her first felony trial by a supervisor, or another otherwise qualified public defender.
5. Juvenile Cases - Class A. Each attorney representing a juvenile accused of a Class A felony should meet the following requirements:
    a. The minimum requirements set forth in Section 2.09.090, and
    b. Either:
        i. has served one year as a prosecutor; or
        ii. has served one year as a public defender; or
        iii. has been trial counsel alone of record in five juvenile Class B and Class C felony trials; and
    c. Each attorney should be accompanied at his or her first juvenile trial by a supervisor, or another otherwise qualified public defender.
6. Juvenile Cases - Classes B and C. Each attorney representing a juvenile accused of a Class A or C felony should meet the following requirements:
    a. The minimum requirements set forth in Section 2.09.090, and
    b. Either:
        i. has served one year as a prosecutor; or
        ii. has served one year as a public defender; or
        iii. has been trial counsel alone of record in five misdemeanor cases brought to a final resolution; and
    c. Each attorney should be accompanied at his or her first juvenile trial by a supervisor, or another otherwise qualified public defender.
7. Misdemeanor Cases. Each attorney representing a defendant involved in a matter concerning a gross misdemeanor or condition of confinement, should meet the requirements as outlined in Section 2.09.090.
8. Dependency Cases. Each attorney representing a client in a dependency matter shall meet the following requirements:
    a. The minimum requirements as outlined in Section 2.09.090; and
    b. Attorneys handling termination hearings shall have six months dependency experience or have significant experience in handling complex litigation. (Ord. 2008-12, 2008)

2.09.110 Disposition of client complaints.
Client complaints should first be directed to the public defender who provided or is providing representation. If the client feels that he or she has not received an adequate response, the public defender shall forward the complaint and any response by the public defender to the judicial officer presiding over the case. The judicial officer shall review the complaint and take any action deemed appropriate by the judicial officer, including re-assigning the case to another public defender. The attorney and the reviewing judicial officer shall reply to the complaint within one week of receipt of the complaint or as soon as practicable thereafter. (Ord. 2008-12, 2008)

2.09.120 Cause for removal of attorney.
Termination of an attorney's assignment should only be for cause. Good cause shall include the failure of the attorney to render adequate representation to clients; the willful

disregard of the rights and best interests of the client; and the willful disregard of the standards herein addressed. The representation in an individual case establishes an inviolable attorney-client relationship. Removal of counsel from representation therefore normally should not occur over the objection of the attorney and the client. (Ord. 2008-12, 2008)

2.09.130 Non-discrimination.
Neither the court, in its selection of an attorney to provide public defense representation, nor the attorneys selected, in their hiring practices or in their representation of clients, shall discriminate on the grounds of race, color, religion, national origin, age, marital status, sex, sexual orientation or handicap. Both the court and the attorney shall comply with all federal, state, and local non-discrimination requirements. (Ord. 2008-12, 2008)

2.09.140 Effective date and expiration date.
This ordinance shall take effect immediately and shall not expire until formally amended or repealed by legislative action. (Ord. 2008-12, 2008)

2.09.150 Severability.
If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of this chapter or the application of the provisions to other persons or circumstances is not affected. (Ord. 2008-12, 2008)

Chapter 2.10
BOARD OF HEALTH*

Sections
2.10.010 Responsibilities.
2.10.020 Members.
2.10.030 Terms.
2.10.040 Appointment.
2.10.050 Vacancies.
2.10.060 Organization.
2.10.070 Meetings.
2.10.080 Rules and record.
2.10.090 Compensation or reimbursement.

* Prior legislation: Res. 76-44, Res. 79-6, Res. 84-2, Ords. 97-03 and 99-03.

2.10.010 Responsibilities.
The board of health shall preside as the governing body for the Kittitas County health department. Responsibilities include policy framework, budget, contracts, and long-range planning. The board of health shall work in collaboration with the county health officer, public health department management, and community members to ensure that the core public health functions, as set forth in the public health improvement plan, are implemented and maintained.

The health department budget is to be discussed with the board of health prior to presentation to the board of county commissioners. The board of health then sends the budget on to the board of county commissioners for consideration in the context of the entire county budget. Similarly, budget amendments go first to the board of health, then to the board of county commissioners. Capital facilities will generally be handled by the board of county commissioners; this includes buildings, computers, copiers, fax machines, furniture, etc. If the administrator determines that an issue or expenditure could impact the level of service or the policy direction of the health department, he/she may bring that issue before the board of health for discussion in that forum. The hiring, termination and performance evaluations of the administrator are the responsibility of the board of health, and will be consistent with county human resource policy. Kittitas County human resources will handle personnel issues and establish salary ranges with input from the administrator and the board of health, with the final decisions resting with the board of county commissioners. (Ord. 2000-08; Ord. 2000-02).

2.10.020 Members.
The board of health shall be composed of a minimum of three and a maximum of five members. The three elected members of the board of county commissioners shall be members of the board of health. Appointed members of the board of health should include health care professionals and residents of Kittitas County with knowledge and interest beneficial to the operation of the board of health. At no time may persons other than elected officials constitute a majority of the board of health. (Ord. 2000-08; Ord. 2000-02).

2.10.030 Terms.
Of the members initially appointed, an equal number shall be appointed for two years and for three years. Thereafter, appointed individuals shall serve for three-year terms. The term of office for all appointees shall commence on the first day of January in the year in which the term is to commence. (Ord. 2000-08; Ord. 2000-02).

2.10.040 Appointment.
The chairperson of the board of county commissioners shall appoint members to the board of health with the approval of the majority of the board of county commissioners. The board of county commissioners shall seek applications from residents of Kittitas County. Notice of impending expiration of appointed board of health member's terms shall be the responsibility of the secretary to the board of health and should occur in October before the January that the term expires. At that time, an advertisement soliciting persons wishing to be appointed will be run for two weeks. Applications will be reviewed and someone will be appointed or reappointed at a December board of county commissioners meeting to serve on the board of health for a three-year term. (Ord. 2000-08; Ord. 2000-02).

2.10.050 Vacancies.
Vacancies on the board of health shall be filled by appointment by the chairperson of the board of county commissioners in the same manner as initial appointments are made. Appointments shall be made for the unexpired portion of the term of the position filled. (Ord. 2000-08; Ord. 2000-02).

2.10.060 Organization.
The chair of the board of county commissioners shall act as the chair of the board of health. A vice-chair will be elected at the first board of health meeting each January. The board of health shall appoint a secretary who need not be a member of the board. (Ord. 2000-08; Ord. 2000-02).

2.10.070 Meetings.
The board of health shall hold no fewer than one regular meeting in each month of the year; provided, that if no issues over which the board has jurisdiction are pending upon its calendar a meeting may be cancelled. (Ord. 2000- 08; Ord. 2000-02).

2.10.080 Rules and record.
The board of health shall adopt rules for the transaction of its business and shall keep a public record of its transactions, findings and decisions. (Ord. 2000-08; Ord. 2000-02).

2.10.090 Compensation or reimbursement.
Appointed members of the board of health shall not receive compensation for their service. Appointed members may receive reimbursement for approved expenses related to the completion of their responsibilities. (Ord. 2000-08; Ord. 2000-02).

Chapter 2.11
HEARING EXAMINER

Sections
2.11.010 Adoption of system.

2.11.020 Purpose.
2.11.030 Reserved.
2.11.040 Appointment of examiners.
2.11.050 Term of office.
2.11.060 Qualifications.
2.11.070 Duties.
2.11.080 Freedom from improper influence.
2.11.090 Disqualification.
2.11.100 Removal of examiner.
2.11.110 Duties of chief examiner.
2.11.120 Rules.

2.11.010 Adoption of system.
Kittitas County hereby adopts a land use hearing examiner system. (Ord. 2007-37, 2007)

2.11.020 Purpose.
The land use hearing examiner system is intended to provide an expeditious adjudicatory process in the land use arena which affords procedural due process and fundamental fairness. (Ord. 2007-37, 2007)

2.11.030 Reserved.
Reserved. (Ord. 2007-37, 2007)

2.11.040 Appointment of examiner(s).
The County, through its Board of County Commissioners, shall appoint a chief hearing examiner and such other deputy examiners or pro tempore examiners as are necessary to perform the duties assigned. Such appointments shall be upon mutually acceptable terms. (Ord. 2007-37, 2007)

2.11.050 Term of office.
The chief examiner and every deputy examiner shall be appointed for an initial term of one year. Thereafter, upon reappointment, the term of office shall be for four years. Pro tempore examiners shall serve as specified in each appointment. (Ord. 2007-37, 2007)

2.11.060 Qualifications.
An examiner shall be appointed based solely upon his or her qualifications and shall have such previous training and experience as will qualify the examiner to fairly conduct administrative and quasi-judicial hearings upon land use matters consistent with the job description and qualifications identified for this position. (Ord. 2007-37, 2007)

2.11.070 Duties.
Examiners shall perform those duties designated by ordinance or statute. Initially this shall include quasi-judicial matters now heard by the Planning Commission. (Ord. 2007-37, 2007)

2.11.080 Freedom from improper influence.
No person, including county officials and employees, shall attempt to influence an examiner upon any matter pending or likely to be brought before such examiner except at a public hearing at which the matter is to be considered; provided, if requested by an examiner, the prosecuting attorney may provide advice on questions of law. (Ord. 2007-37, 2007)

2.11.090 Disqualification.
An examiner shall not hear and shall disqualify himself or herself in a proceeding in which his or her impartiality could reasonably be questioned. In applying the foregoing standard an examiner shall adhere to the guidelines contained in Canon 3c of the Code of Judicial Conduct.

In the event of a disqualification the disqualified examiner shall transfer the proceeding to another examiner or, if there is no other qualified examiner, to the Kittitas County Planning Commission.(Ord. 2007-37, 2007)

2.11.100 Removal of examiner.
An examiner may be removed from office for good cause by the Board of County Commissioners. (Ord. 2007-37, 2007)

2.11.110 Duties of chief examiner.
The chief hearing examiner shall have the following additional duties:

1. Administrative responsibility over deputy and pro tempore hearing examiners which shall include the assignment of cases;
2. The promulgation of rules as provided in Section 2.10.120;
3. Annually, the chief examiner shall produce a written report which shall contain:
    a. A summary of decisions made within the hearing examiner system;
    b. Recommendations for improving the hearing examiner system;
    c. Other observations and recommendations pertaining to land use policies or legislation. (Ord. 2007-37, 2007)

2.11.120 Rules.
Reserved. (Ord. 2007-37, 2007)

Chapter 2.12
COUNTY PLANNING COMMISSION*

Sections

2.12.010 Established.
2.12.020 Repealed.

* For the statutory provisions regarding planning commissions, see RCW 35.36; for provisions regarding the County Planning Enabling Act, see RCW 36.70.

2.12.010 Established.
The Kittitas County planning commission is established. (Ord. 99-03, 1999; Vol. L, p. 600, 1958).

2.12.020 Access road route establishment assistance.
Repealed by Ord. 99-03. (Vol. M, p. 1, 1958).

Chapter 2.14
COUNTY HOUSING AUTHORITY*

Sections

2.14.010 Need established - Name.

* For the statutory provisions regarding the Housing Authorities Law generally, see RCW 35.82; for provisions regarding the Housing Cooperation Law generally, see RCW 35.83; for provisions regarding the procedure for creation of Housing Authorities, see RCW 35.82.030.

2.14.010 Need established - Name.
Kittitas County finds the following:

1. Unsanitary and unsafe inhabited dwelling accommodations exist in the county; and
2. There is a shortage of safe and sanitary dwelling accommodations in the county, both single-family, multifamily and elderly, that are available to persons of low- and moderate income as rentals and as home ownership; and
3. There is a need for a housing authority to function in the county; and
4. The name of the housing authority shall be "The Housing Authority of Kittitas County, Washington;" and
5. The Housing Authority of Kittitas County is dedicated to providing decent, safe, sanitary and affordable housing and related services to the people as defined by federal regulations; and
6. With its long-range and short-range goals, the Housing Authority of Kittitas County may undertake any activity its commissioners may deem appropriate which will improve the quality of life for its residents within its budgetary restrictions. (Ord. 99-03, 1999; Res. 70-5, Vol. O, p. 176, 1970).

Chapter 2.16
MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, SUBSTANCE ABUSE BOARD

Sections
2.16.005 Committee for developmental disabilities established.
2.16.010 Board authorization and composition.
2.16.020 Board powers and duties.
2.16.030 Board procedural matters.
2.16.040 Board officers.
2.16.050 Standing committees.
2.16.060 Executive director and staff.
2.16.070 Amendments.

2.16.005 Committee for developmental disabilities established.
A Kittitas County committee for developmental disabilities is set up under the provisions of RCW 71.20. (Ord. 99-03, 1999; Res. 68-15, Vol. N, p. 554, 1968).

2.16.010 Board authorization and composition.
1. The Kittitas County mental health board is established by the Kittitas County board of commissioners in accordance with the provisions of Chapter 111, Laws Extraordinary Session, 1967, and Chapter 71.24 RCW.
2. The Kittitas County developmental disabilities board is established by the Kittitas County board of commissioners in accordance with the provisions of Chapter 110, Laws Extraordinary Session, 1967, and Chapter 71.20 RCW.
3. The Kittitas County substance abuse board is established by the Kittitas County board of commissioners in accordance with provisions of Chapter 111, Laws Extraordinary Session, 1967, and Chapters 69.54 and Chapter 71.24 RCW.
4. Each of the above boards shall consist of nine to 15 members appointed by the county commissioners with representation as specified in the above mentioned laws with the additional stipulation that:
   a. Members shall be appointed for three-year terms with the terms of one-third of the members expiring each year.
   b. A member whose term expires may be reappointed for another term.
5. At the discretion of the county commissioners, the three boards may have the same members so that they appear to be one board; provided, that separate minutes, records and budgets shall be kept. (Ord. 99-03, 1999; Vol. 12, p. 510, 1983).

2.16.020 Board powers and duties.
The Kittitas County mental health, developmental disabilities, substance abuse board shall:

1. Review and evaluate the mental health, developmental disability and substance treatment needs, services, facilities, and special problems of Kittitas County;
2. Advise the county commissioners as to a program of community mental health, developmental disabilities, and substance treatment and prevention services, which program shall reflect the fullest and most feasible utilization of already existing services;
3. Assume responsibility for implementing legislation governing county mental health, developmental disabilities, and substance treatment and prevention programs;
4. Establish general operating policies and procedures;
5. Establish priorities on the basis of community needs and recommend the allocation of available county and state funds to meet those needs;
6. Receive and review all applications for financial support for mental health, developmental disabilities, and substance treatment and prevention services submitted and submit recommendations concerning these applications to the board of county commissioners;
7. After adoption of a program, supervise the financial and service components of the mental health, developmental disabilities, and substance treatment and prevention programs in order to be assured that actual expenditures and programs remain consistent with the applications as approved;
8. Develop and recommend to the county commissioners the annual budget for the Kittitas County mental health, developmental disabilities, substance abuse board;
9. Submit annually to the county commissioners a report of the activities of the community mental health, developmental disabilities, substance treatment and prevention programs, including a financial account of expenditures. (Ord. 99-03, 1999; Vol. 12, pp. 510 - 511, 1982).

2.16.030 Board procedural matters.
The following procedures shall be followed by the three boards:

1. A quorum shall consist of 50 percent of the members of the board and a quorum shall be required to transact business at any regular or special meeting.
2. A full agenda of the business to be conducted shall be mailed to all board members one week prior to any regular or special meeting with the understanding that items may be added or deleted only by vote of the board at the time of meeting.
3. Regular meetings shall be held once each month at a place and time to be established by the board.
4. Special meetings may be called at the request of the chairperson, at the request of the county commissioners, or at the written request of four or more members of the board. Notice of all special meetings, along with an agenda, shall be mailed to all members at least one week in advance of the meeting date.
5. The annual meeting shall be the regular meeting for the month of December at which time shall be held the election of officers for the ensuing year.
6. More than three consecutive unexcused absences from meetings or more than four total absences per calendar year by any member shall cause the board to recommend to the commissioners that such member be dropped from the board. The representative from the county commissioners shall be exempt from this attendance requirement.
7. Unexpired Terms. The board of county commissioners shall be notified of persons who resign or are dropped from the board. Such vacancies shall be filled by the county commissioners as soon as a suitable replacement can be recommended by the board.
8. Robert's Rules of Order shall be in effect in all cases not covered by the guidelines or governed by special procedures adopted by the board. (Ord. 99-03, 1999; Vol. 12, p. 511, 1982).

2.16.040 Board officers.
Officers shall be elected at the annual meeting of the board for a term of one year, or until their successors are elected, and shall include the following, with duties and functions as

set forth:

1. Chairperson.
   a. The chairperson shall be elected at the annual meeting by secret ballot; provided, that no first-year board member may be nominated for chairperson.
   b. The chairperson shall preside at the meetings of the board, serve as chairperson of the executive committee, serve as a member ex-officio of all standing committees, assume primary responsibility for the general direction of the activities of the administrator, and perform such other duties as usually are associated with the office or assigned by the board.
2. Vice-Chairperson.
   a. The vice-chairperson shall be elected at the annual meeting by secret ballot.
   b. The vice-chairperson shall perform the duties of the chairperson in case of the latter's absence or disability or during any vacancy in the office of chairperson. He or she shall also serve on the executive committee, serve as chairperson of the personnel committee and perform such other duties as may be assigned by the board.
3. Secretary.
   a. The secretary shall be elected at the annual meeting by secret ballot.
   b. The secretary shall be responsible to see that minutes and records are properly kept. He or she shall also serve on the executive committee and perform such other duties as may be assigned by the board.
4. Finance Chairperson.
   a. The finance chairperson shall be appointed by the chairperson at the first meeting in January.
   b. The finance chairperson shall be responsible to see that the books of account are properly kept, serve as chairperson of the budget and finance committee, serve on the executive committee, and perform such other duties as may be assigned by the board.
   c. The finance chairperson shall be responsible to see that reports of the county programs' finances are submitted to the board quarterly.
5. Executive Committee.
   a. The executive committee shall consist of the chairperson, vice-chairperson, secretary, two members-at-large elected at the annual meeting, and the finance chairperson.
   b. The executive committee shall represent the board in matters of business which arise during the period between meetings of the board, such matters to be reported and action taken ratified by the board at the next meeting. The executive committee shall also perform such other duties as may be assigned by the board.
   c. A quorum shall be required to take action at an executive committee meeting and a quorum shall consist of 50 percent of the executive committee. (Ord. 99-03, 1999; Vol. 12, pp. 511 - 512, 1982).

2.16.050 Standing committees.
At the January meeting of the board, the chairperson shall appoint the following standing committees, with duties and functions as set forth:

1. Budget and Finance.
   a. Develop and recommend to the board, the annual budget for submission to the county commissioners;
   b. Develop budget reporting and review procedures for provider agencies with whom the county contracts;
   c. Review all applications for funds submitted to the board and make recommendations with respect thereto.
2. Program Review and Development.
   a. Inform the board of specific mental health, developmental disabilities and substance treatment and prevention needs in Kittitas County not being met by existing programs and recommend specific program development to alleviate such needs;
   b. Develop program inspection and evaluation procedures for all agencies with whom the county contracts to provide mental health, developmental disabilities, or substance treatment and prevention services.
3. Nominating.
   a. The chairperson of the board shall appoint a nominating committee, consisting of three members, no later than the October meeting of the board.
   b. The nominating committee shall nominate officers to be elected at the annual meeting. The slate of candidates nominated shall be presented to the members of the board at the November board meeting and shall be mailed to any member not present at that meeting. Nominations shall also be received from the floor.
4. Personnel.
   a. Develop job descriptions, personnel policies and salary ranges for board employees and annually recommend any classification changes and salary adjustments required;
   b. Serve as a screening committee and recommend applicants to the board and to the county commissioners to fill vacant staff and board member positions as they occur.
5. Education and Promotion.
   a. Develop a program for obtaining "responsible reporting" of the activities of the board and staff;
   b. When occasion warrants, arrange for public meetings, programs, and hearings; provide representation at legislative sessions; develop educational materials; to further public interest in and support of mental health, developmental disabilities and substance treatment and prevention programs. (Ord. 2000-02; Ord. 99-03, 1999; Vol. 12, pp. 512 - 513, 1982).

2.16.060 Executive director and staff.
1. The executive director and related staff shall carry out their duties under the direction of the board and under the general supervision of the chairperson.
2. The executive director and related staff shall be responsible for all duties outlined in their job descriptions.
3. The executive director shall attend all regular and special board meetings and shall submit a monthly report to the board. (Ord. 99- 03, 1999; Vol. 12, p. 513, 1982).

2.16.070 Amendments.
The guidelines may be amended at a regular meeting of the board; provided, that:

1. Proposed amendments shall have been read at one regular meeting prior to voting;
2. Proposed amendments shall have been submitted in writing to the members of the board prior to the first reading;
3. Two-thirds of the members of the board shall vote in favor of the amendments. (Ord. 99-03, 1999; Vol. 12, pp. 513 - 514, 1982).

Chapter 2.17
NUMBER OF MEMBERS OF THE CIVIL SERVICE COMMISSION FOR THE SHERIFF'S OFFICE

Sections
2.17.01 Purpose.
2.17.02 Duties.
2.17.03 Term.
2.17.04 Quorum.
2.17.05 Political ties.
2.17.06 Residency.
2.17.07 Severability.

2.17.01 Purpose.
The purpose of this section is to increase the established Civil Service Commission for the Sheriff's Office from three to five members. (Ord. 2009-18; 2009)

2.17.02 Duties.
RCW 41.14 governs the Civil Service Commission's procedures and responsibilities, including but not limited to duties, policies, appeals, and disciplinary actions. (Ord. 2009-18; 2009)

2.17.03 Term.
All members of the Civil Service Commission for the Sheriff's Office will have a six year term. (Ord. 2009-18; 2009)

2.17.04 Quorum.
Three commissioners constitute a quorum and the votes of three commissioners concurring are sufficient for the decision of all matters and the transaction of all business decided or transacted by the commission. (Ord. 2009-18; 2009)

2.17.05 Political ties.
No more than three commissioners may be adherents of the same political party. (Ord. 2009-18; 2009)

2.17.06 Residency.
No person shall be appointed to the commission who is not a citizen of the United States, a resident of the county for at least two years immediately preceding his appointment, and an elector of the county wherein he resides. (Ord. 2009-18; 2009)

2.17.07 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. (Ord. 2009-18; 2009)

Chapter 2.20
COUNTY OFFICE HOURS*

Sections
2.20.010 Schedule of hours.

* For statutory provisions requiring county and precinct offices to be open during such days and hours as the board shall by resolution prescribe, see RCW 36.16.100.

2.20.010 Schedule of hours.
The following schedule of hours shall be observed in the county:

Monday through Friday
9:00 a.m. to 5:00 p.m.
Saturday, Sunday, and holidays
Closed

Hours varying from the above schedule shall be set by resolution. (Ord. 99-03, 1999; Vol. K, p. 440, 1951).

Chapter 2.22
COUNTY OFFICIALS AND EMPLOYEES - WAGE POLICY

(Repealed by Ord. 99-03)

Chapter 2.24
COUNTY OFFICIALS - TRAVELING EXPENSES

Sections
2.24.010 Mileage allowance.
2.24.020 Repealed.

2.24.010 Mileage allowance.
The mileage allowance for county officials and employees shall be set by resolution. (Ord. 99-03, 1999; Vol. K, p. 220, 1949).

2.24.020 Board of commissioners.
Repealed by Ord. 99-03. (Res. dated 6/4/79; Res. 74-36, 1974).

Chapter 2.26
COUNTY EMPLOYEES - AFFIRMATIVE ACTION

(Repealed by Ord. 99-03)

Chapter 2.28
COUNTY EMPLOYEES - LEAVE POLICIES

(Repealed by Ord. 99-03)

Chapter 2.32
COUNTY EMPLOYEES - GROUP LIFE, ACCIDENT, HOSPITAL AND SURGICAL INSURANCE

(Repealed by Ord. 99-03)

Chapter 2.36
COUNTY EMPLOYEES - PUBLIC EMPLOYEES' RETIREMENT SYSTEM

(Repealed by Ord. 99-03)

Chapter 2.40
COUNTY EMPLOYEES - SOCIAL SECURITY

(Repealed by Ord. 99-03)

Chapter 2.41
WASHINGTON GOVERNMENTAL ENTITY POOL MEMBERSHIP

(Repealed by Ord. 99-03)

Chapter 2.42
DEFERRED COMPENSATION PLAN

(Repealed by Ord. 99-03)

Chapter 2.44
COUNTY PERSONNEL POLICY

Sections

2.44.010 Personnel policy adoption.

2.44.010 Personnel policy adoption.

The county shall draft and implement a personnel policy that shall apply to all employees of the county. The personnel policy shall address:

1. County employee leave policies;
2. Hiring policies and termination policies;
3. Payroll policies; and
4. Other policies may be adopted as the board of county commissioners deem necessary. (Ord. 99-03, 1999; Res. RD-2-71 § 1, 1971).

Chapter 2.48
DEPARTMENT OF EMERGENCY MANAGEMENT*

Sections

2.48.010 Purpose of chapter.
2.48.020 Definitions.
2.48.030 Emergency management council.
2.48.040 Emergency management council - Powers, duties.
2.48.050 Director of emergency management - Created, duties.
2.48.060 Director of emergency management - Powers during disaster.
2.48.070 Emergency management organization - Membership.
2.48.080 Emergency management organization - Divisions - Services - Staff.
2.48.090 Violation - Penalty.

* For the statutory provisions regarding civil defense generally, see Chapter 35.82 RCW; for provisions authorizing local civil defense organizations, see RCW 38.52.070.

2.48.010 Purpose of chapter.

The declared purposes of this chapter are to provide for the preparation and carrying out of plans, including mock or practice drills, for the emergency services of persons and property within this county in the event of a disaster, and to provide for the coordination of the emergency management and disaster functions of this county with all other public agencies and affected private persons, corporations and organizations. Any expenditures made in connection with such emergency services and disaster activities, including mutual aid activities, and mock or practice drills, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants and property of the county. (Ord. 99-03, 1999; Ord. dated 5/16/75 § I, 1975; Vol. M, p. 48 § 1, 1959).

2.48.020 Definitions.

Emergency management
: The preparation for and the carrying out of all emergency functions, other than functions for which military forces are primarily responsible, to prevent, minimize, and repair injury and damage resulting from disasters. It shall not include, nor does any provision of this chapter apply, to any condition relating to a labor controversy.

Disaster
: Actual or threatened enemy attack, sabotage, extraordinary fire, flood, storm, epidemic, riot, earthquake or other similar public calamity.

(Ord. 99-03, 1999; Ord. dated 5/16/75 § II, 1975; Vol. M, p. 48 § 2, 1959).

2.48.030 Emergency management council.

The county emergency management council is created and shall consist of the following:

1. The board of county commissioners. The chairman of the board will act as chairman of the emergency management council;
2. The director of the department of emergency management, who shall be vice chairman. (Ord. 99-03, 1999; Ord. dated 5/16/75 § III, 1975; Res. 72-11, 1972; Vol. M, p. 48 § 3, 1959).

2.48.040 Emergency management council - Powers, duties.

It shall be the duty of the county emergency management council, and it is empowered, to review and recommend for adoption emergency services and mutual aid plans and agreements and such resolutions and rules and regulations as are necessary to implement such plans and agreements. The emergency management council shall meet upon call of the chairman or in his absence from the county or inability to call such meeting, upon the call of the vice chairman. (Ord. 99-03, 1999; Ord. dated 5/16/75 § IV, 1975; Res. 72-11, 1972; Vol. M, p. 49 § 4, 1959).

2.48.050 Director of emergency management - Created, duties.

There is created the office of director of emergency management. Such officer shall be appointed by the board of county commissioners. The director is empowered and directed:

1. To prepare an emergency management plan for the county conforming to the state emergency management plan and program;
2. To control and direct the effort of the emergency management organization of this county for the accomplishment of the purposes of this chapter;
3. To direct coordination and cooperation between divisions, services and staff of the emergency management organization of this county, and to resolve questions of authority

and responsibility that may arise between them;
4. To represent the emergency management organization of this county in all dealings with public or private agencies pertaining to emergency management and disaster. (Ord. 99-03, 1999; Ord. dated 5/16/75 § V, 1975: Res. 72-11, 1972; Vol. M, p. 49 § 5, 1959).

2.48.060 Director of emergency management - Powers during disaster.
In the event of disaster as provided in this chapter, the director is empowered, with the concurrence of the chairman of the county emergency management council:

1. To make and issue rules and regulations on matters as affected by such disaster; provided, however, such rules and regulations must be confirmed at the earliest practicable time by the emergency management council;
2. To obtain vital supplies, equipment and such other properties found lacking and needed for the protection of the life and property of the people, and bind the county for the fair value thereof, and if required immediately, to commandeer the same for public use;
3. To require emergency services of any county officer or employee, and in the event of a proclamation by the Governor of the existence of a disaster, to command the aid of as many citizens of this community as he considers necessary in the execution of his duties; such persons shall be entitled to all privileges, benefits and immunities as are provided by state law for registered emergency management workers;
4. To execute all of the special powers conferred upon him by this chapter or by resolution adopted pursuant thereto, all powers conferred upon him by statute, agreement approved by the emergency management council, or by any other lawful authority;
5. To requisition necessary personnel or material of any county department or agency. (Ord. 99-03, 1999; Ord. dated 5/16/75 § VI, 1975; Res. 72-11, 1972; Vol. M, p. 49 § 6, 1959).

2.48.070 Emergency management organization - Membership.
All county and city officers and employees of this county, together with those volunteer forces enrolled to aid them during a disaster, and all groups, organizations and persons who may by agreement or operation of law, including persons pressed into service under the provisions of KCC 2.48.060(3), charged with duties incident to the protection of life and property in this county during disaster, shall constitute the emergency management organization of the county. (Ord. 99-03, 1999; Ord. dated 5/16/75 § VII, 1975; Res. 72-11, 1972; Vol. M, p. 49 § 7, 1959).

2.48.080 Emergency management organization - Divisions - Services - Staff.
The functions and duties of the county emergency management organization shall be distributed among such divisions, services and special staff as the emergency management council prescribes. The emergency management council shall concurrently with the adoption of the ordinance codified herein, prescribe the form or organization, establishment and designation of divisions and services, the assignment of functions, duties and powers, the designation of officers and employees. Insofar as possible, the form of the federal government and the Department of Emergency Management of the state shall conform in organization, titles and terminology. (Ord. 99- 03, 1999; Ord. dated 5/16/75 § VIII, 1975; Res. 72-11, 1972; Vol. M, p. 50 § 8, 1959).

2.48.090 Violation - Penalty.
It is a misdemeanor, punishable by a fine of not to exceed $250.00, or by imprisonment for not to exceed three months, for any person during a disaster:

1. To willfully obstruct, hinder or delay any member of the emergency management organization in the enforcement of any lawful rules or regulations issued pursuant to this chapter, or in the performance of any duty imposed upon him by virtue of this chapter;
2. To do any act forbidden by any lawful rules or regulations issued pursuant to this chapter, if such act is of such a nature as to give, or be likely to give assistance to the enemy, or to imperil the lives or property of inhabitants of this county, or to prevent, hinder or delay the defense or protection thereof;
3. To wear, carry or display, without authority, any means of identification specified by the Department of Emergency Management of the state. (Ord. 99-03, 1999; Ord. dated 5/16/75 § IX, 1975; Res. 72-11, 1972; Vol. M, p. 50 § 9, 1959).

Chapter 2.50
DEPARTMENT OF PUBLIC WORKS

Sections
2.50.010 Establishment.
2.50.020 Direction - Composition.
2.50.030 Director - Qualifications and duties.
2.50.032 County Road Engineer - Qualifications and duties.
2.50.035 Director - Road usage permit issuance.
2.50.040 Repealed.
2.50.050 Copy forwarding.

2.50.010 Establishment.
A department of public works is established to be organized as set forth in this chapter. (Ord. 99-03, 1999; RD-58-79, 1979)

2.50.020 Direction - Composition.
The department will function under the direction of a director of public works, reporting directly to the board of county commissioners. The department will be composed of an engineering division, a roads division, an equipment division, an accounting division, an airport division, a parks division and a flood control division, subject to reorganization as needs and conditions warrant. (Ord. 99-03, 1999; RD-58-79, 1979)

2.50.030 Director - Qualifications and duties.
1. The director of public works shall meet such qualifications as may be established by the board and shall serve at the pleasure of the board.
2. The director of public works shall perform all the duties and functions as may be assigned by the board of county commissioners related to the operation and direction of the operations of the public works department, except for those functions specified under state law as being duties or functions of the county road engineer.
3. The director of public works may perform the functions of the county road engineer only if the director meets the qualification criteria for county road engineer under state law and this chapter. (Ord. 2006-44, 2006; Ord. 99-03, 1999; RD-58-79, 1979)

2.50.032 County Road Engineer - Qualifications and duties.
1. The county road engineer shall be a registered and licensed professional civil engineer under the laws of the state, duly qualified and experienced in highway and road engineering and construction. The county road engineer shall serve at the pleasure of the board.
2. The county road engineer shall perform all the duties and functions of the county road engineer as set forth by state law (including, but not limited to, RCW 36.80) and such other functions as may be assigned by the board of county commissioners. (Ord. 2006-44, 2006)

2.50.035 Director - Road usage permit issuance.
The director of public works is delegated the authority to issue the various road usage permits. Said permits shall be issued under policies as established by the board of county commissioners. (Ord. 99-03, 1999; Res. RD- 60-79, 1979).

2.50.040 Organization.
Repealed by Ord. 99-03. (Res. 83-13, 1983; RD-58-79, 1979).

2.50.050 Copy forwarding.
A copy of the ordinance codified in this chapter shall be forwarded to the county road administration board, as required by WAC 136-50-070. (Ord. 2006-44, 2006; Ord. 2000-02;

Ord. 99-03, 1999; RD-58-79, 1979).

Chapter 2.52
MUTUAL AID IN EMERGENCY MANAGEMENT*

Sections

2.52.010 Covenant agreement.

* For the statutory provisions regarding mutual aid agreements, see RCW 38.52.090.

2.52.010 Covenant agreement.

In consideration of mutual covenants, the county and the municipalities of Kittitas, Cle Elum, Roslyn, South Cle Elum, and Ellensburg agree as follows:

1. Each party will furnish the county office of emergency management an inventory of its facilities, equipment, and manpower available for use in emergency management in accordance with specific inventory listing;
2. Whenever any party to this agreement suffers a disaster which requires additional aid beyond that which said party is able to provide for itself, each other party to this agreement, at the request of the stricken party through the county office of emergency management, agrees to loan to such stricken party the maximum amount of equipment, facilities, and manpower that it can reasonably spare at that time;
3. The lending party shall be responsible for the delivery of such equipment, facilities, and manpower to the stricken area;
4. Any and all equipment so loaned shall be delivered to locations designated by the county office of emergency management and upon arrival at said location all equipment and manpower loaned shall be under the control and jurisdiction of the receiving party and shall be used and controlled under the provisions of Chapter 38.52 RCW;
5. All equipment, facilities, and manpower so loaned shall be returned upon demand of the lending party or when released by the receiving party;
6. The receiving party assumes responsibility of payment for services and is further responsible for providing food and shelter for personnel and supplies for equipment. The receiving party also assumes responsibility of payment for loss of equipment or for repairs to damaged equipment if such loss or damage be incurred in their behalf. The foregoing is in conformity with Chapter 38.52 RCW;
7. Whenever any party to this agreement loans equipment, facilities, or manpower as provided herein, such lending party may request implementation of a "moveup" plan whereby other political subdivisions which are parties to this agreement will move a portion of their corresponding manpower or equipment into the depleted area so as to provide a measure of protection to that area;
8. Each party to this agreement will provide upon request from any other party through the county office of emergency management all possible facilities for receiving and caring for evacuees and disabled persons, and all persons so evacuated upon arrival at the receiving area shall be under the control of the party giving aid;
9. Any party to this agreement may withdraw from the same at any time by giving 30 days' written notice to all other parties to this agreement. (Ord. 99-03, 1999; Vol. N, pp. 267, 268, 1966).

Chapter 2.55
PUBLIC RECORDS DISCLOSURE

Sections

2.55.010 Authority and Purpose.
2.55.020 Agency Description - Contact Information - Public Records Officer.
2.55.030 Availability of Public Records.
2.55.040 Making a Request for Public Records.
2.55.050 Processing of Public Records Requests - General.
2.55.060 Exemptions.
2.55.070 Costs of Providing Copies of Public Records.
2.55.080 Review of Denial of Public Records.
2.55.090 Disclaimer of Liability.
2.55.100 Severability.

2.55.010 Authority and Purpose.

1. Chapter 42.56 RCW, the Public Records Act ("act"), requires Kittitas County to make available for inspection and copying nonexempt "public records" in accordance with published rules. The act defines "public records" as any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by Kittitas County.
2. The purpose of the act is to:
   a. provide the public full access to identifiable records concerning the conduct of government, yet remaining mindful of individuals' privacy rights;
   b. protect public records from damage or disorganization;
   c. attempt to prevent excessive interference with essential governmental functions.
3. The purpose of these rules is to establish procedures and inform the public as to how Kittitas County ("County") will give assistance in providing full access to public records. These rules incorporate best practices for compliance with the act and are based upon the Model Rules of the Washington State Attorney General.
4. All County departments, divisions, bureaus, boards, committees, commissions and officers will follow these procedures. (Ord. 2010-01, 2010).

2.55.020 Agency Description - Contact Information - Public Records Officer.

1. As a political subdivision of the State of Washington, the County is an agency subject to the act. The County offices, departments, bureaus, boards, committees, commissions, elected officials, and other agencies of the County are also agencies subject to the act. For the purpose of these rules, the term "County" includes any applicable County agency. The term "County agency" refers to and includes all County Offices and Departments. Any person seeking access to public records or assistance with making a public records request of the County, shall contact the public records officer of the applicable County agency. For example, when seeking records from the Kittitas County Assessor's Office, the requestor would contact the public records officer or the officer's designee at the Assessor's office. Court files and other records at the judiciary may not be subject to the Public Records Act or to this Ordinance, at least to the extent set forth in Nast v. Michels, 107 Wn.2d 300 (1986) and Spokane & Eastern Lawyer v. Tompkins, 136 Wn.App. 616 (2007), and disclosure of such records may be subject to the common law and to applicable court rules and orders. Therefore, these rules do not address access to court records.
2. A list of addresses, telephone and fax numbers of public records officers for agencies of Kittitas County are posted on the County's website.
3. The applicable public records officer or designee will oversee compliance with the act and facilitate identification of records which are available for disclosure. The term "designee" is included in the term "public records officer" and herein incorporated by reference for the purpose of these rules. (Ord. 2010-01, 2010).

2.55.030 Availability of Public Records.

1. **Records available on County Website**. Many records are available on the Kittitas County website. Requesters are encouraged to view any documents available on the website before submitting a records request.
2. **Hours for Inspection of Records**. Public records are available for inspection and copying during the County's normal business hours and may be viewed at the County agency holding such records.
3. **Records Index**.
   a. **General County Records Index**. No general County records index exists. The Kittitas County Board of County Commissioners finds that maintaining a general index is unduly burdensome and would interfere with agency operations for the County and its agencies. Kittitas County employees generate hundreds of records on a daily basis that include final opinions and orders made in the adjudication of cases, statements of policy, interpretations of policy, administrative manuals, instructions to staff that

affect members of the public, planning policies and goals, interim and final planning decisions, factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, factual information derived from tests, studies, reports, or surveys, and correspondence and materials referred to therein relating to regulatory, supervisory, or enforcement responsibilities. Virtually every County agency would be required to devote at least one full-time employee exclusively to the task of collecting, reading, categorizing, indexing, and maintaining a current index of such records. In addition, the time required by other employees to ensure that records are forwarded to the designated employees for indexing and communicating with the designated employee regarding the purposes of the records would be substantial. Due to the lack of available resources to devote to such an endeavor, creating an index would be unduly burdensome and would unduly interfere with agency operations.

b. **County Agencies Records Index**. Any indexes County agencies have created for departmental use must be provided.

4. **Protection of Records**. The County will take reasonable steps to protect records from damage and disorganization. A requester shall not take original records from County offices.
5. **Backup and security copies**.
   a. In order to prevent excessive interference with essential functions of the County, the County shall not search backup or security systems for copies of public records when the originals of such records have been identified, located and are available for inspection and/or copying.
   b. Access to public records does not include access to County computer systems or terminals except for those terminals, if any, which may be specifically designated for public use. (Ord. 2010-01, 2010).

2.55.040 Making a Request for Public Records.

1. Persons wishing to inspect or obtain copies of public records of any County agency shall make the request in writing using the County's standard request form and deliver it by U.S. mail, fax, email, or in person. The requester can also fill one out at the applicable County agency. The form shall be made available at each County agency and on-line at the County's website. The request should be addressed to the public records officer of the applicable County agency. The public records officer will document any requests received verbally. Any verbal requester will receive a copy of this County policy along with the responsive documents to the request. All requests should include the following information:
   a. legal name of requester;
   b. mailing address of requester;
   c. other contact information, including telephone number, fax number, and any e-mail address;
   d. reasonable description of the public records adequate to locate the records;
   e. date and time of day of the request; and
   f. signature of the requester.
2. Persons seeking public records for inspection and copying from a County agency may seek assistance from the public records officer of the applicable department.
3. If the requester wishes the County to make copies of the records instead of simply providing for inspection, the requester shall so indicate and shall make arrangements to pay for the copies. The requester shall pay a deposit of 10 percent of the copy cost estimated by the public records officer for large requests. Fees are set pursuant to KCC 2.55.070.
4. Persons seeking public records that include a list of individuals must sign a declaration under penalty of perjury certifying that the records will not be used for any commercial purpose (profit-expecting activity) prohibited by RCW 42.56.070(9) unless otherwise specifically authorized by other law. If the requester does not sign the declaration, the County will not provide the list.
5. Persons requesting public records prohibited from disclosure by other laws under particular circumstances must sign a declaration under penalty of perjury certifying facts sufficient to convince the public records officer that legal requirements for disclosure have been met. (Ord. 2010-01, 2010).

2.55.050 Processing of Public Records Requests - General.

1. **Acknowledging Receipt of Request**. Within five (5) business days of receiving a request, the public records officer will do one or more of the following:
   a. Make the records available for inspection or copying;
   b. Provide in writing and mailed, emailed, or delivered to the requester, a reasonable estimate of time when records will be available;
   c. Ask for a clarification from the requester if a request is unclear or does not sufficiently identify the records. Such clarification may be sought and provided by telephone, but it is desirable to confirm such clarifications in writing. The public records officer may revise the estimate of when records will be available based on this clarification;
   d. Deny the request, in whole or in part, with a written explanation as to why the request was denied.
2. **Failure to Respond**. The County intends to comply and honor all public disclosure requests to the greatest extent possible. If the County has failed to respond to a request for public disclosure, agencies would like citizens to let the designated public records officer know so the County can have the opportunity to provide the information that is wanted.
3. **Protecting Rights of Others**. In the event that the requested records contain information that may affect the rights of others and may be exempt from disclosure, the public records officer may, prior to providing the records, give notice to those third parties. Such notice should be given to make it possible for those affected persons to either:
   a. contact the requester and ask him or her to revise the request; or
   b. seek an order from a court to prevent or limit the disclosure.

   The notice to the affected persons will include a copy of the request.
4. **Records Exempt from Disclosure**. Some records are exempt or prohibited from disclosure by law, either in whole or in part. If the County believes that a record is exempt from disclosure and should be withheld, the public records officer will state the specific exemption for withholding the record or the portion of the record. If only a portion of a record is exempt from disclosure but the remainder is not, the public records officer will redact the exempt portions, provide the nonexempt portions, and indicate to the requester why portions of the record are being redacted.
5. **Inspection of Records**.
   a. Consistent with other demands, the County shall promptly provide space to inspect public records.
   b. The County agency will notify the requester that he or she should contact the agency to make arrangements to claim or review the records. If the requester fails to:
      i. claim or review the records within a 30-day period; or
      ii. make other arrangements satisfactory to the County, the County may close the request and re-file the assembled records.
6. **Providing Copies of Records**. After inspection is complete, the public records officer will provide the requested copies or arrange for copying upon a deposit of at least 10 percent of the estimated copy cost.
7. **Providing Records in Installments**. If a request is for a large number of records, the public records officer may inform the requester that the records will be provided for inspection and copying in installments. Copy charges of the preceding installment will be paid completely before the next installment is produced. If, within 30 days of availability to the requestor, the requester fails to:
   a. inspect the entire set of records or one or more installments; or
   b. pay the balance of the copying cost of any installment, the public records officer may discontinue any remaining search and close the request. The requester will be notified that due to the failure to respond to the readied documents responsive to the request, the public disclosure request will be closed and the requester may submit a new request if desired.
8. **Closing Withdrawn or Abandoned Request**. When the requester either:
   a. withdraws the request; or
   b. fails to inspect the records; or
   c. fails to pay the required deposit or final payment, the public records officer will close the request and so inform the requester. Subsequently, the County will not provide any copies to the requester until the requester has paid any unpaid bill for previously requested copies.
9. **Later Discovered Documents**. After the County has provided all available records, if the County becomes aware of additional responsive documents that existed at the time of the request, it will promptly inform the requester of the additional documents and provide them on a reasonable basis. The County is not obligated by law to provide records that were created after the request nor will the County accept or treat a request as an on-going disclosure obligation beyond the date of request.
10. **Protection of Records and Essential Governmental Functions**.
    a. Public records shall be made available without disrupting essential functions of the agencies. Any County employee who believes responding to a public records request will excessively interfere with other essential agency functions shall consult with his or her supervisor.
    b. An agency may follow a reasonable schedule regarding retrieval of a record from an off-premises storage site so that no more than one trip per week to the remote site is required.

c. With regard to copying, prearrangement is recommended so that it can be accommodated within other requirements of the work schedule. The precise time must remain flexible and will depend upon the work schedule for that day.
d. With regard to video or audio recordings, the requester must make prior arrangements for review. A staff member will be assigned to operate the County recording equipment necessary to either listen to or rerecord the original recording tape to protect originals. The public records officer may limit the maximum time allowed during any working day for supervised review to avoid excessive interference with the agency's other essential functions.
e. Review of other original records shall be done only in the immediate presence of and under the supervision of a County employee responsible for protecting the originals against damage, alteration, or disorganization by the requester. The public records officer may limit the maximum time allowed during any working day for supervised review to avoid excessive interference with the agency's other essential functions. When the time needed for this purpose exceeds two hours, time periods on a future day or days may be assigned. (Ord. 2010-01, 2010).

2.55.060 Exemptions.

1. The act provides exemptions for certain types of documents from public inspection and copying. In addition, documents are exempt from disclosure if any other Washington statute exempts or prohibits disclosure. Exemptions outside the act that restrict the availability of some documents held by the County for inspection and copying include, but are not limited to, those set forth for in the most recent list posted on the web site of the Municipal Research Service Center, http://www.mrsc.org/Publications/pra09.pdf, Appendix C, and which is incorporated herein by reference. The list is available for inspection and copying from the applicable public records officer.
2. The County is prohibited by statute from disclosing lists of individuals for commercial purposes.
3. If the public records request falls within one of the exceptions to the law requiring disclosure, a formal written request for the record must be made. The formal written request helps the County make sure that its decision to disclose or withhold a public record is made properly and that the requester obtains the appropriate public records.
4. Some of the records of the County are protected by the attorney-client privilege and/or the attorney work product doctrine. The Prosecuting Attorney, in the course of representing County elected officials or agencies may, at times, possess materials or copies of materials from such agencies that are exempt from disclosure.
5. Pursuant to RCW 42.56, when the County makes available or publishes any public record, it reserves the right to delete identifying details when there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by law. The public records officer will explain such deletion in writing. (Ord. 2010-01, 2010).

2.55.070 Costs of Providing Copies of Public Records.

1. No fee will be charged for the inspection of a public record.
2. No fee will be charged for searching for public records, redacting portions of the record which are exempt from disclosure, or preparing an index of exempt documents.
3. If a request is sent to a private copy shop for copying, the fee shall be the actual charge imposed for copying, plus applicable taxes and shipping costs.
4. Payment shall be made by exact cash or by check/money order payable to "Kittitas County." The public records officer may require that all charges be paid in advance of the release of the copies.
5. The public records officer may waive the fee for pages fewer than what is the applicable County agency's minimum page limit where the request was submitted.
6. The fee for providing copies of certain public records may be set by state statute or County ordinance. For example, state law sets the fee for death certificates (RCW 70.58.107); court papers (RCW 3.62.060) (Chapter 36.18 RCW and CR 17(4)); duplication of electronic tapes of a court proceeding (RCW 3.62.060); traffic accident reports (RCW 46.52.085); criminal history information (RCW 10.97.100); and various fees of County Officers (RCW 36.18). Kittitas County Code sets fees for recording certain documents with the Auditor's Office (KCC 2.56). Where County code, state or federal law sets a fee for providing a copy of a record, that fee will be charged.
7. At the option of the public records officer, electronic records may be printed out prior to copying and delivery. If the electronic record is large and not capable of being printed out, then the document may be provided electronically in the format in which the record is maintained by the County or in Adobe PDF format. There is no obligation of the County to convert an electronic record to a different format.
8. **Fee Schedule**. Unless a fee is fixed by another federal, state or county ordinance, the following fee schedule is applicable:
   - 8-1/2 by 14 or smaller B/W copies: $0.15 per page
   - 8-1/2 by 14 or smaller B/W computer printouts $0.15 per page
   - Oversized or color copies/computer printouts $1.00 per page
   - Color maps $5.00 per square foot
   - All items sent to private copy shop: Actual charge plus postage and delivery
   - Tapes or compact disc $1.00 for each tape or compact disc plus the time for copying the information
   - DVD $1.50 for each DVD plus the time for copying the information
   - Postage is actual charge for mailing copies of requested records
   - Fax (8-1/2 by 11 only) $1.00 per page
   - Envelopes $1.00 each
   - Electronic records sent by e-mail No charge*

   * except, a scanning fee of $0.10 per page may be charged when the requested documents are not already available in electronic format
9. **Costs for Electronic Records**. The cost of electronic copies of records shall be the amount per hour for copying information on a CD-ROM or other media, plus the listed cost for each CD-ROM or other media. In addition, there shall be a $.10 per page conversion charge to convert documents into a PDF.
10. **Costs of Mailing**. The County will also charge actual mailing costs, including the cost of the shipping container or envelope if the requester requests mailing.
11. **Waiver of Payment**. The County may waive the cost of copying and mailing.
12. **Outside Contracts for Copying**. The applicable agency may arrange for copying by County contractors charged with preserving and protecting public records, instead of copying requested records using County services. In such event, the cost of copying shall be the contract charges, and such charges shall be paid by the requester directly to the County. The requester must pay the copy estimate first before copying will take place. If the requester made a deposit in advance of copying, any unapplied portion of the deposit will be refunded to the requester, provided that the contract charges are paid.
13. **Repetitive Contracts**. The Kittitas County Board of County Commissioners may enter into contractual agreements with persons who intend to request access to public records available for disclosure to them on a continuous or regularly recurring basis. The terms of any contract executed in accordance with this Section will supersede and control over any otherwise applicable provisions of this Chapter, but shall not supersede or conflict with applicable state law. (Ord. 2010-01, 2010).

2.55.080 Review of Denial of Public Records.

1. **Petition for Internal Administrative Review of Denial of Access**. Any person who objects to the initial denial or partial denial of a records request may petition in writing to the Prosecuting Attorney's Office for a review of the decision. When applicable, the petition should include a copy of or reasonably identify the written statement by the public records officer denying the request.
2. **Consideration of Petition of Review**. The public records officer shall promptly provide any relevant information to the Prosecuting Attorney's Office to review the decision. The Prosecuting Attorney's Office shall either affirm or reverse the denial within five business days following the receipt of the petition, or within such other time as is mutually agreeable to the County and the requester. The requester shall waive the accruement of RCW 42.56.550 damages during this review period.
3. **Judicial Review**. Any person may obtain judicial review of a public records request denial pursuant to RCW 42.56.550 at the conclusion of the five business days following the initial denial regardless of any internal administrative appeal. (Ord. 2010-01, 2010).

2.55.090 Disclaimer of Liability.

Neither the County nor any officer, employee, official or custodian shall be liable, nor shall a cause of action exist, for any loss or damage based upon a release of Public Records if the person releasing the records acted in good faith in attempting to comply with this policy.

This policy is not intended to expand or restrict the rights of disclosure or privacy as they exist under state and federal law. Despite the use of any mandatory terms such as "shall," nothing in this policy is intended to impose mandatory duties on the County beyond those imposed by state and federal law (Ord. 2010-01, 2010).

2.55.100 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. (Ord. 2010-01, 2010).

Chapter 2.56
PUBLIC RECORDS - DUPLICATION AND FILING FEES

Sections

2.56.010 Implementation of Survey Recording Act.
2.56.020 Record of survey - Size, recording material and filing fees.
2.56.030 Record of survey - Cost for copies.
2.56.040 Record of monument - Filing fee - Form.
2.56.050 Record of monument - Cost for copies.

2.56.010 Implementation of Survey Recording Act.

The Survey Recording Act is further implemented by the fixing of the following fees for recording a public record as prescribed by the act as set out in this chapter. (Ord. 99-03, 1999; Res. 73-33, 1973).

2.56.020 Record of survey - Size, recording material and filing fees.

The size of the record of land surveys shall be 18 inches by 24 inches; the survey shall be recorded on mylar; and the fee schedule for filing shall be as follows:

Basic fee first page
$10.00
Each additional page
$5.00
Each additional owner's name
$1.00

(Ord. 99-03, 1999; Res. 75-90, 1975; Res. 73- 33, 1973).

2.56.030 Record of survey - Cost for copies.

Copies of the record of survey shall be provided on request according to the following fee schedule:

Basic fee, first page
$5.00
Each additional page
$3.00

(Ord. 99-03, 1999; Res. 73-33, 1973).

2.56.040 Record of monument - Filing fee - Form.

The record of monument shall be filed without charge on the standard form prescribed by the Department of Natural Resources, Bureau of Surveys and Maps. (Ord. 99-03, 1999; Res. 73-33, 1973).

2.56.050 Record of monument - Cost for copies.

Copies of the record of monument shall be provided on request according to the following fee schedule:

Basic fee, per sheet
$2.00

(Ord. 99-03, 1999; Res. 73-33, 1973).

Chapter 2.60
PARKING OF COUNTY VEHICLES

(Repealed by Ord. 99-03)

Chapter 2.64
COUNTY TRAVEL POLICY

(Repealed by Ord. 99-03)

Chapter 2.68
DEPARTMENT OF BUILDING INSPECTOR AND FIRE MARSHAL

Sections

2.68.010 Created - Supervision.
2.68.020 Powers and duties generally.

2.68.010 Created - Supervision.

In accordance with and by the authority of Chapter 19.27 RCW, Kittitas County herewith creates the department of building inspector and fire marshal. (Ord. 99-03, 1999; Res. 77-116, 1977).

2.68.020 Powers and duties generally.

Effective January 1, 1978, the building department and fire marshal shall be charged with the responsibility of enforcing the provisions of Chapters 19.27 and 36.43 RCW, and generally enforcing the building codes and fire codes and carrying out such other duties as may be assigned to the department by the board of county commissioners. (Ord. 99-03, 1999; Res. 77-116, 1977).

Chapter 2.72
HANDLING OF CLAIMS AGAINST THE COUNTY

Sections

2.72.010 Filing.
2.72.020 Review procedure.
2.72.030 Recordkeeping.
2.72.040 Accidents involving county-owned vehicles.

2.72.010 Filing.

1. All claims shall be filed with Kittitas County on the form provided by the county (additional documents relating to the claim may be attached to the claim form).
2. The claim form (and any attachments thereto) shall be filed with the Kittitas County auditor's office who will forward such claim to the Kittitas County prosecuting attorney's office.
3. The Kittitas County prosecuting attorney's office shall cause all pertinent internal documents (i.e., accident reports, investigation reports) to be assembled and attached to the claim. (Ord. 99-03, 1999; Res. 83-17 §§ 1 - 3, 1983).

2.72.020 Review procedure.

1. The Kittitas County prosecuting attorney's office shall upon review of the available information make such additional investigation and report before forwarding the claim, recommendation, and other documentation to the board of county commissioners for its review and decision.
2. The board of county commissioners upon review of the claim and other documentation shall:
   a. Direct that a copy of the claim and documentation be forwarded to the county's insurance carrier with a recommendation to
      i. Pay the claim; or
      ii. Not pay the claim; or
   b. Reject the claim for lack of sufficient and adequate information or substantiation and report rejection to the insurance carrier; or
   c. Reject the claim outright for such reasons as are appropriate to the claim. (Ord. 99-03, 1999; Res. 83-17 §§ 4, 5, 1983).

2.72.030 Recordkeeping.

The Kittitas County auditor and prosecuting attorney shall maintain a record of each claim filed against Kittitas County and the status of each claim as it progresses through the procedural system. (Ord. 2000-02; Ord. 99-03, 1999; Res. 83-17 § 6, 1983).

2.72.040 Accidents involving county-owned vehicles.

1. Vehicle accidents involving county-owned vehicles shall be reported at once to the employee's immediate supervisor, employee's department head, and the Kittitas County prosecuting attorney's office.
2. All accidents involving county-owned vehicles will, when feasible, be investigated by the appropriate law enforcement agency, the employee's department and the Kittitas County prosecuting attorney's office.
3. For accidents involving county-owned vehicles, the accident report form (provided for each vehicle) will be completed at the accident site. The accident report along with a written report prepared by the driver of the vehicle involved in the accident shall be submitted to the employee's department head and the Kittitas County prosecuting attorney's office within 24 hours of the accident. (Ord. 2000-02; Ord. 99-03, 1999; Res. 83-17 § 7 - 9, 1983).

Chapter 2.76
SAFETY AND HEALTH POLICY

(Repealed by Ord. 99-03)

Chapter 2.77
SMOKING POLICY

Sections

2.77.010 Policy adopted.

2.77.010 Policy adopted.

The board of county commissioners adopts the following safety and health policy for Kittitas County:

1. Definitions.
   a. "Smoke" or "smoking" means the carrying or smoking of any kind of lighted pipe, cigar, cigarette, or other kind of lighted smoking equipment.
   b. "Public place" means any portion of the Kittitas County Courthouse or county buildings not excepted herein.
   c. "Kittitas County Courthouse" includes any and all rooms and places in any and all buildings constructed on the square block in Ellensburg bounded by 6th Street to the north, 5th Street to the south, Main Street to the east and Water Street to the west. The "courthouse" includes all rooms including lavatories, the sheriff's offices, and the Kittitas County Corrections Center.
   d. "County buildings" includes any and all buildings owned or leased by Kittitas County except for the following:
      i. The Central Washington Comprehensive Mental Health building located at 220 W. 4th Avenue;
      ii. The Elmview Group Home at 220 E. Helena;
      iii. Any county-owned building at Elmview Industries at 804 Elmview Road; and,
      iv. All buildings for which Kittitas County is the lessor at Kittitas County Airport, Bowers Field.
2. Smoking Prohibited. Smoking is hereby prohibited in all public places.
3. No Smoking Signs. No smoking signs shall be placed in the hallways, restrooms and in each administrative office of the courthouse and in every county building not excepted herein.
4. Penalties. Any person intentionally violating this chapter by smoking in a public place or any person removing, defacing or destroying a "No Smoking" sign is subject to a civil fine of up to $100.00.
5. Enforcement. Local law enforcement agencies and the Kittitas County health department may enforce this chapter in the manner set out in RCW 70.160.070(1).
6. Disposition of Money Collected. Any penalty assessed and recovered under this chapter shall be paid to the district courts clerk(s) of Kittitas County and shall be transferred periodically to the general expense revenue fund. (Ord. 99-03, 1999; Ord. 89-2, 1989).

Chapter 2.78
ALCOHOL AND DRUG ABUSE POLICY

(Repealed by Ord. 99-03)

Chapter 2.80
HANDICAPPED HIRING, ACCESS AND GRIEVANCES

(Repealed by Ord. 99-03)

Chapter 2.81
MANAGEMENT OF COUNTY REAL AND PERSONAL PROPERTY

Sections

2.81.010 General Provisions.
2.81.020 Statutory Powers and Exemptions from State Law.
2.81.030 Definitions.
2.81.040 Property Acquisition Procedures.
2.81.050 Disposition of Property.
2.81.060 General Disposition of Property by Sale or Lease.
2.81.070 Real Property Leases - Length of Term and Other Conditions.
2.81.080 Destruction and Disposition of Recovered, Forfeited and Surplus Firearms.
2.81.090 Exempted Transactions Designated.

2.81.010 General Provisions.

Pursuant to public notice and hearing, and in accordance with RCW 36.34.005, Kittitas County establishes comprehensive procedures for the management of county real and personal property. This chapter shall be construed in accordance with, and all county property management activities shall be guided by, the following declaration of policy and purpose: (1) To provide efficient management and protection for all county controlled property; (2) To insure the maximum return of all sales, rentals or leases of county controlled property, except as otherwise provided herein; and (3) To dispose of all property which is not required for county purposes. (Ord. 2009-04, 2009)

2.81.020 Statutory Powers and Exemptions from State Law.

Except to the extent otherwise provided for herein, this chapter supersedes the provisions of Chapter 36.34 RCW; PROVIDED, however, that the county shall retain all powers now or hereinafter granted by Chapter 36.34 RCW. (Ord. 2009-04, 2009)

2.81.030 Definitions.

1. "**Board**" means the Board of County Commissioners of Kittitas County.
2. "**County**" means Kittitas County, State of Washington.
3. "**Worthless property**" means that county property whose value at its site is less than its probable fair market value, less the cost of transporting it to the most advantageous place of disposal, as determined by the Board of Kittitas County Commissioners or the appropriate Department Head. (Ord. 2009-04, 2009)

2.81.040 Property Acquisition Procedures.

1. **Personal Property - Acquisition**. Personal property may be acquired by purchase or lease in accordance with the provisions of RCW 36.32.240 through 36.32.270, Chapter 36.82 RCW, and other applicable laws and ordinances.
2. **Real Property - Acquisition and Lease**.
   a. All property acquired for county purposes shall be acquired in accordance with the provisions of the "Relocation Assistance Real Property Acquisition Policy," Chapter 8.26 RCW; and the "Uniform Relocation Assistance and Land Acquisition Policies Act of 1970," Public Law 91-646, enacted January 2, 1971, 91st Congress.
   b. County purchases and lease of real property shall be subject to investigation and approval by the Board of Kittitas County Commissioners, in compliance with state, federal and local law. (Ord. 2009-04, 2009)

2.81.050 Disposition of Property.

1. **Disposition - When Authorized**.
   a. Whenever it is in best interests of the county and its people that any part or parcel of property, whether real, personal or mixed, belonging to the county, including tax title land, should be sold or leased, the county shall sell or lease such property under the limitations and restrictions and in the manner provided in this chapter.
   b. In making such disposition, the county may sell any timber, mineral or other resources on any land owned by the county separate and apart from the land in the same manner and upon the same terms and conditions as provided in this chapter for the sale of real property. However, any such timber, mineral or other resources may be sold as personal property, in the manner provided by this chapter.
2. **Surplus Property Disposition - Board Approval Considerations**.
   a. Whenever any county real or personal property is to be brought for consideration as surplus to the needs of the county, possible uses to be considered shall include:
      i. Potential uses by other county offices and departments;
      ii. Exchange or trade-in for publicly or privately owned property needed by the county;
      iii. Sale or lease to other governmental agencies;
      iv. Public purpose sale or lease;
      v. Lease to nongovernmental parties;
      vi. Retention by the county if a parcel is within an environmentally sensitive area, a floodplain, a slide hazard property or another area whose public ownership is in the public interest;
      vii. Sale at public auction.
   b. If the board concludes that the property is surplus to the foreseeable needs of the county, the board may authorize the sale or other disposition of such property as provided by this chapter. (Ord. 2009-04, 2009)

2.81.060 General Disposition of Property by Sale or Lease.

1. Unless otherwise exempt as provided in this chapter, property that has been declared surplus to the county's needs shall be sold at auction or by sealed bid in accord with notice and process as provided in Chapter 36.34 RCW.
2. All sales or leases of county property shall be made to the highest responsible bidder at public sale, except where different provisions are made in this chapter.
3. In sales for cash, the highest bidder shall be deemed responsible. In determining the highest responsible bidder for other sales and for leases, the board may consider the price and terms bid, the character, integrity, reputation and financial responsibility of the bidder, and previous experience, if any, of the county with the bidder.
4. All leases of real property and all sales of real property shall be subject to board approval.
5. Sales on Other Than Cash Basis. If real property is offered for sale on other than a cash basis, the terms must be stated in the notice. (Ord. 2009-04, 2009)

2.81.070 Real Property Leases - Length of Term and Other Conditions.

The county may lease real property for a term of years and upon such terms and conditions as may be deemed in the best interests of the public and the county. No lease shall be for a longer term in any one instance than ten (10) years; PROVIDED, that when the board determines it to be in the best public interest, real property necessary to the support or expansion of an adjacent facility may be leased to the lessee of the adjacent facility for a term to expire simultaneously with the term of the lease of the adjacent facility, but not to exceed thirty-five (35) years; PROVIDED FURTHER, that when the board determines it to be in the best public interest, where the property to be leased is improved or is to be improved, and the value of the improvement is or will be at least equal to the value of the property to be leased, the county may lease such property for a term not to exceed thirty-five (35) years; PROVIDED FURTHER, that where the property to be leased is to be used for major airport, purposes, requiring extensive improvements, the county may lease such property for a term equal to the estimated useful life of the improvements, but not to exceed seventy-five (75) years. (Ord. 2009-04, 2009)

2.81.080 Disposition of Firearms by Kittitas County Sheriff's Office.

1. The Kittitas County Sheriff's Office (KCSO) will maintain a current inventory of all firearms found, forfeited due to failure to make a claim, seized, subject to judicial forfeiture, or purchased by KCSO.
2. The Sheriff's Office may retain for agency use a maximum of 10 percent of legal firearms that were judicially forfeited and no longer needed for evidence, or forfeited due to a failure to make a claim under RCW 63.40.010.
3. Antique firearms, curios and collector's items are exempt from destruction and shall be disposed of by auction or trade to licensed commercial firearms dealers. Proceeds from any auction will go to the Kittitas County Sheriff's Office firearm program.

4. Surplus, unclaimed and forfeited rifles, shotguns and handguns may be offered for auction or as trade-in to licensed commercial firearms dealers for the sole purpose of acquiring new firearms and related equipment for use by commissioned deputy sheriffs.
5. Notwithstanding any contrary provision of this chapter, retired duty weapons may be offered for current market value to particular sheriff's deputies upon their retirement. If not retired, such weapons shall be retained for use by the Kittitas County Sheriff's Office until they are otherwise classified and disposed of as surplus firearms.
6. The Sheriff's Office shall destroy all weapons that are unlawful to possess as described in RCW 9.41.220 or as ordered by the court.
7. As per RCW 63.40.010(5), the Kittitas County Sheriff's Office may destroy a firearm that is safe or legal to possess or sell, but has been or may be used, in the discretion of the Kittitas County Sheriff, in a manner that is illegal. (Ord. 2011-003, 2011; Ord. 2009-04, 2009)

2.81.090 Exempted Transactions Designated.

The following transactions are exempted from the provisions of Sections 2.81.060 through 2.81.070:

1. **Worthless Property**. Where personal property is determined to be worthless, such property may be disposed of by the department involved in the most cost-efficient manner. The property may be donated to the public at large in the discretion of the department involved.
2. **Intergovernmental Transactions**. The board may sell or lease county property to another governmental agency by negotiation, upon such terms as may be agreed upon and for such consideration as may be deemed adequate by the board.
3. **Private Exchange**. The board may authorize the exchange of surplus county real property for privately owned real property, subject to the provisions of this subsection; PROVIDED, that the exchange of tax title lands shall be governed by Chapter 36.35 RCW. The value of the real property to be exchanged by the county and the value of the real property to be received by the county shall be determined by qualified independent appraiser(s), except that on-staff appraisers may be utilized where the property value does not exceed one hundred thousand dollars ($100,000). The board may approve the exchange and specify whether the difference in value, if any, shall be paid in cash at closing or be paid pursuant to an appropriate real estate contract or deed of trust.
4. **Trade-ins**.
    a. The county may trade-in property belonging to the county when purchasing other property. If the county elects to trade-in property, it shall include in its call for bids on the property to be purchased a notice that the county has for sale or trade-in property of a specified type, description and quantity, which will be sold or traded in on the same day and hour that the bids on the property to be purchased are opened. Any bidder may include in its offer to sell an offer to accept the designated county property in trade by setting forth in the bid the amount of such allowance.
    b. In determining the lowest and best bid, the county shall consider the net cost to the county after trade-in allowances have been deducted. The county may accept the bid of any bidder without trade-in of the county property, but may not require any such bidder to purchase the county property without awarding the bidder the purchase contract. The county shall consider offers in relation to the trade-in allowances offered to determine the next best sale and purchase combination for the county.
5. **Emergency**. In the event of an emergency, when the interest or property of the county would suffer material injury or damage by disposition in accord with the foregoing provisions, the board, upon declaring the existence of such an emergency, may authorize the sale or lease of such property upon such terms and procedures as to the board may appear to be in the public interest.
6. **Unmarketable Parcels**. A parcel of surplus real property, which in and of itself would have little utilitarian value because of its size, shape or other factors, may be offered and sold to owners of adjoining properties by private negotiation.
7. **Limited-Use Parcels** - Covenant Restrictions. Where restrictive covenants, dedication limitations, grant conditions or other legally enforceable restraints, including such restraints placed upon property by the county or one of its cities or towns therein, limit use of surplus property to a specific public purpose, such property may be conveyed by negotiation upon such terms and conditions as are consistent with such restraint and based upon an opinion of value from a member of the Institute of Real Estate Appraisers or a professional appraiser having similar ethical and professional standards.
8. **Limited-Use Parcels** - Restrictive Characteristics. Property determined to be surplus to the immediate needs of the county, but which because of its location, configuration or other characteristic is especially and uniquely suitable for a particular quasi-public use requiring special legal, financial or technical qualifications, all as determined by the board, may be sold or leased through a public request for proposal process.
9. **Public Purpose Leases**. The board may enter into rental agreements for the use of county property with bona fide nonprofit organizations wherein the organization is to make improvements or provide services to further a recognized county purpose. The agreement may be for less than fair market rental so long as the general public is not unreasonably restricted from access to the improvements or services so provided.
10. **Short-Term Rentals**. A department, upon approval of that department's lead official, may permit use of county facilities by a third party for up to seventy-two (72) hours upon such terms as may be mutually agreed upon; PROVIDED, however, that such use furthers a county purpose.
11. **Established Rental Value**. Where the fair market rental value of county real property has been established by the board, or through delegation to a county employee qualified to make such determination, to be less than One Thousand Five Hundred Dollars ($1,500) per month; or where the fair market value has been established in accord with accepted appraisal methods and standards by a member of the American Institute of Real Estate Appraisers or a professional appraiser having similar ethical and professional qualifications, to be One Thousand Five Hundred dollars ($1,500) or more per month, such property may be leased by private negotiation at no less than the value so established.
12. **Watchman's Property**. Leases that include watchman's responsibility for adjoining county-owned property may be leased by private negotiation.
13. **Real Estate Broker Services**. Notwithstanding any other provisions set forth in this chapter, if in the judgment of the board of county commissioners the sale of real property of the county would be facilitated and a greater value realized through the use of the services of licensed real estate brokers or by such other method as is determined to most likely result in the receipt of full value for such property, a contract for such services may be negotiated and concluded; PROVIDED, that a minimum sales price for such property shall be set by a member of the American Institute of Real Estate Appraisers or professional appraiser having similar ethics and professional qualifications.
14. **Relocation Sales**. The board may authorize the direct sale by private negotiation of county-owned residences to a person being relocated by a county project; provided, that the sale price for such property shall not be less than its appraised value as determined by a member of the Institute of Real Estate Appraisers or professional appraiser having similar ethical and professional standards.
15. **Public Purpose Sales**.
    a. Regarding county personal property, the board of county commissioners may convey title to county personal property which is no longer needed for county purposes, with or without further consideration, to a bona fide nonprofit organization to be used to further a recognized county purpose.
    b. Regarding county real property, the board of county commissioners may convey title to county real property to a bona fide nonprofit organization, with or without further consideration, to be improved and utilized in perpetuity to further a recognized county purpose, in exchange for the promise to continually operate services benefiting the public on the site, subject to the conditions set forth in this section 15; PROVIDED, the conveyance document(s) shall contain appropriate contract provisions and/or deed or deed of trust restrictions and covenants relating to timing of improvements, disposition of revenue, accessibility by the general public, nondiscrimination, compliance with laws, removal of liens, and reversion of title.
    c. Regarding subsection 15(b) above, the deed conveying county real property to a bona fide nonprofit organization must provide for immediate reversion back to the county, along with all facilities constructed thereon, if the nonprofit organization or its nonprofit organization successor ceases to use the property for a bona fide social service nonprofit purpose -- such purpose to include but not be limited to, services for individuals with physical or mental disabilities including nonprofit community centers, close-to-home living units, employment and independent living training centers, vocational rehabilitation centers, developmental disabilities training centers, community homes for individuals with mental illness; and for social and health services for adult and juvenile correction or detention, child welfare, day care, drug abuse and alcoholism treatment, mental health, developmental disabilities, and vocational rehabilitation.
    d. The nonprofit organization is authorized to sell the property acquired under this section 15 only if all of the following conditions are satisfied:
        i. Prior written approval shall first be obtained from the board of county commissioners;
        ii. All proceeds from said conveyance must be applied to the purchase of a different property of equal or greater value than the original;
        iii. Any new property must be used to advance the purpose of the same or another nonprofit organization that provides recognized social services beneficial to the county -- including, but not limited to, those purposes described in subsection 15(c) above;
        iv. The new property must be available for use and accessible to county citizens within one year of the conveyance; and
        v. If the nonprofit organization or its nonprofit organization successor later ceases to use the new property for the social services described, but not limited to, those purposes set forth in subsection 15(c) above, then the nonprofit organization or its nonprofit organization successor must reimburse the county for the value of the original property at the time of conveyance.
    e. If the nonprofit organization ceases to use the original property as a social service organization devoted to such purposes described but not limited to those set out in subsection 15(c) above, then the original property and all facilities constructed thereon shall revert immediately to the county, at which time the county must determine if

the property (or the reimbursed amount if there is a reimbursement under subsection 15(d)(5) above), may be used by another social service program providing social services beneficial to the county.

16. **Mineral Rights**. The sale or lease of mineral rights for extraction of aggregate on county property as a portion of a larger project to prepare such property for future public use may be by request for proposals.
17. **Police Dogs**. Where the sheriff of Kittitas County, in his or her discretion, determines, upon retirement of a police dog from service, that the interest of the animal, its handler, the county or the public would best be served thereby, the sheriff may make any appropriate disposition of such police dog, provided the recipient of the police dog agrees to assume all future liability for its actions, care, maintenance and medical needs . (Ord. 2009-04, 2009)

Title 3 | Revenue and Finance

Chapters

3.02 Budget Transfers
3.04 Sales or Use Tax
3.05 Distressed County Sales or Use Tax
3.06 Criminal Justice and Public Safety Sales and Use Tax
3.08 Real Estate Sales Tax
3.09 Real Estate Sales Excise Tax
3.12 Repealed
3.14 Timber Harvesters Excise Tax
3.16 Leasehold Excise Tax
3.20 Transient Occupancy Tax
3.22 Repealed
3.24 Cumulative Reserve Funds
3.28 Travel Expense Revolving Fund
3.32 Victim/Witness Fund
3.36 Repealed
3.40 Property Tax Refunds
3.44 Repealed
3.45 Enhanced E911 Excise Tax

Chapter 3.02
BUDGET TRANSFERS

Sections:

3.02.010 Policy.

3.02.010 Policy.

1. Budget transfers shall not be required within the budgetary classes having bars numbers 20, 30, 40, 50 or 60. Nothing in this policy shall affect the requirement for action by the board in transfers between said categories.
2. Action by the board shall be required for transfers relating to salaries and benefits. (Ord. 99-04, 1999; Res. 81-8, 1981).

Chapter 3.04
SALES OR USE TAX*

Sections

3.04.010 Imposition.
3.04.020 Rate.
3.04.030 Administration and collection.
3.04.040 Consent to inspection of records.
3.04.050 Credit for tax imposed by any city.
3.04.060 Detention and jail sales/use tax.
3.04.070 Criminal justice sales/use tax.
3.04.080 Retail Car Rental sales/use tax.

* For the statutory provisions regarding the imposition of a one-half percent maximum sales or use tax by counties and cities, see Chapter 82.14 RCW.
Prior ordinance history: Ord. 3-70.
A referendum petition with insufficient number of signatures caused the effective date of Ord. 85-1 to be changed to January 1, 1986, from October 1, 1985.

3.04.010 Imposition.

There is hereby imposed a sales or use tax, as the case may be as authorized by RCW 82.14.030(2), upon every taxable event, as defined in RCW 82.14.020, occurring within the county. The tax shall be imposed upon and collected from those persons from whom the state sales tax or use tax is collected pursuant to Chapters 82.08 and 82.12 RCW. (Ord. 9904, 1999; Ord. 85-1 § 1, 1985).

3.04.020 Rate.

The rate of the tax imposed by KCC 3.04.010 shall be five-tenths of one percent of the selling price or value of the article used, as the case may be. (Ord. 99-04, 1999; Ord. 85-1 § 2, 1985).

3.04.030 Administration and collection.

The administration and collection of the tax imposed by this chapter shall be in accordance with the provisions of RCW 82.14.050. (Ord. 99-04, 1999; Ord. 85-1 § 3, 1985).

3.04.040 Consent to inspection of records.

The county hereby consents to the inspection of such records as are necessary to qualify the county for inspection of records of the Department of Revenue, pursuant to RCW 82.32.330. (Ord. 99-04, 1999; Ord. 85-1 § 4, 1985).

3.04.050 Credit for tax imposed by any city.

A credit is hereby allowed against the tax herein imposed for the full amount of any city sales or use tax imposed under RCW 82.14.030(2) upon the same taxable event up to the tax imposed by this chapter. (Ord. 99-04, 1999; Ord. 85-1 § 5, 1985).

3.04.060 Detention and jail sales/use tax.

1. There is hereby imposed a sales or use tax, as the case may be, as authorized by House Bill 2110 (1995 2nd Special Session, Chapter 10) upon every taxable event, as defined in RCW 82.14.020, occurring within the county. The tax collected shall be imposed upon and collected from those persons from whom the state sales tax or use tax is

collected pursuant to Chapters 82.08 and 82.12 RCW. Such sales or use tax shall be in addition to any other taxes authorized by law.
2. The rate of the tax imposed herein shall be one-tenth of one percent of the selling price or value of the article used, as the case may be.
3. The administration and collection of the tax imposed by this chapter shall be in accordance with the provisions of Chapter 82.14 RCW.
4. The tax collected pursuant to this section shall be used only for such purposes as are authorized pursuant to House Bill 2110 (1995 2nd Special Session, Chapter 10).
5. The county hereby consents to the inspection of such records as are necessary to qualify the county for inspection of records of Department of Revenue, pursuant to RCW 82.32.330. (Ord. 99-04, 1999; Ord. 95-16, 1995).

3.04.070 Criminal justice sales/use tax.

1. There is hereby imposed a sales or use tax, as the case may be, as authorized by RCW 82.14.340, upon every taxable event, as defined in RCW 82.14.020, occurring within the county. The tax collected shall be imposed upon and collected from those persons from whom the state sales tax or use tax is collected pursuant to Chapters 82.08 and 82.12 RCW. Such sales or use tax shall be in addition to any other taxes authorized by law.
2. The rate of the tax imposed herein shall be one-tenth of one percent of the selling price or value of the article used, as the case may be.
3. The administration and collection of the tax imposed by this chapter shall be in accordance with the provisions of Chapter 82.14 RCW.
4. The tax collected pursuant to this section shall be used only for such purposes as are authorized by RCW 82.14.340.
5. The county hereby consents to the inspection of such records as are necessary to qualify the county for inspection of records of Department of Revenue, pursuant to RCW 82.32.330. (Ord. 99-04, 1999; Ord. 95-17, 1995).

3.04.080 Retail Car Rental sales/use tax.

1. There is hereby imposed a sales or use tax, as the case may be, as authorized by RCW 82.14.049, upon every taxable event, as defined therein, occurring within the county. The tax collected shall be imposed upon and collected from those person from whom the state and sales tax or use tax is collected pursuant to Chapters 82.08 and 82.12 RCW. Such sales or use tax shall be in addition to any other taxes authorized by law.
2. The rate of the tax imposed herein shall be one percent of the sale or rental price, as the case may be.
3. The administration and collection of the tax imposed by this chapter shall be in accordance with the provisions of Chapter 82.14 RCW.
4. The tax collected pursuant to this section shall be used only for such purposes as are authorized by RCW 82.14.049(1)(c).
5. The county hereby consents to the inspection of such records as are necessary to qualify the county for inspection of records of Department of Revenue, pursuant to RCW 82.32.330
(Ord. 2013-010, 2013;)

Chapter 3.05
DISTRESSED COUNTY SALES AND USE TAX

Sections

3.05.010 Sales or use tax statutory authorization.
3.05.020 Tax rate.
3.05.030 Credit provision.
3.05.040 Administration and collection of tax.
3.05.050 Use of proceeds.
3.05.060 Effective date and expiration date.
3.05.070 Severability.

3.05.010 Sales or use tax statutory authorization.

Pursuant to Chapter 366, Laws of 1997 and RCW 82.14.370, there is hereby imposed a sales or use tax, as the case may be, upon every taxable event, as defined in RCW 82.14.020, occurring within Kittitas County. The tax shall be imposed upon and collected from those persons from whom the state sales tax or use tax is collected pursuant to RCW 82.08 or RCW 82.12. The tax impose by this section is in addition to those imposed under KCC 3.04.010 and KCC 3.04.020. (Ord. 2007-23, 2007)

3.05.020 Tax rate.

Effective August 1, 2007, the rate of tax imposed by SCC 3.05.010 shall be 0.09 per cent (0.09%) of the selling price or value of the article used, as the case may be. (Ord. 2007-23, 2007)

3.05.030 Credit provision.

The tax imposed by SCC 3.05.010 shall be deducted from the amount of tax otherwise required to be collected or paid over to the Department of Revenue under chapter 82.02 or 82.12 RCW. (Ord. 2007-23, 2007)

3.05.040 Administration and collection of tax.

The tax imposed by this ordinance shall be administered and collected in accordance with RCW 84.14.050, except that in accordance with RCW 82.14.370 (2) administration of this tax shall be at no cost to the County. The Chairperson of the Board of county Commissioners is authorized and directed to execute any contracts with the Department of Revenue that may be necessary to provide for the administration or collection of the tax. (Ord. 2007-23, 2007)

3.05.050 Use of proceeds.

The proceeds from the tax imposed by KCC 3.05.010 shall be deposited in a special fund in Kittitas County known as the distressed area Public Facilities Fund, #108. Monies deposited in such fund shall be used only for the purposes authorized by the laws of the State of Washington including, but not limited to, the cost of construction, acquisition or operation of public facilities or to pay or secure the payment of all or any portion of general obligation bonds or revenue bonds issued for such purposes. (Ord. 2007-23, 2007)

3.05.060 Effective date and expiration date.

Effective Date and Expiration Date. The tax imposed by KCC 3.05.010 shall take effect August 1, 2007 and shall expire June 30, 2023. (Ord. 2007-23, 2007)

3.05.070 Severability.

If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of this chapter or the application of the provisions to other persons or circumstances is not affected. (Ord. 2007-23, 2007)

Chapter 3.06
CRIMINAL JUSTICE AND PUBLIC SAFETY SALES AND USE TAX

Sections

3.06.010 Imposition.
3.06.020 Tax rate.
3.06.030 Administration and Collection of Tax.
3.06.040 Use of Proceeds.
3.06.050 Inspection.
3.06.060 Violation - Penalties.
3.06.070 Effective Date and Expiration Date.
3.06.080 Allocation of Monies Collected.

3.06.090 Severability.

3.06.010 Imposition.
There is imposed a sales and use tax, as the case might be, as authorized by RCW 82.14.450 upon the occurrence of any taxable event within Kittitas County. The tax authorized in this section is in addition to any other taxes authorized by law and shall be collected from those persons who are taxable by the State of Washington under RCW Chapters 82.08 and 82.12 upon the occurrence of any taxable event within Kittitas County. (Ord. 2007-36, 2007)

3.06.020 Tax rate.
Effective January 1, 2008, the rate of tax imposed by KCC 3.06.010 shall be three-tenths of one percent of the selling price in the case of a sales tax, or value of the article used, in the case of a use tax. The retail sale or use of motor vehicles, and the lease of motor vehicles for up to the first thirty-six months of the lease, are exempt from the tax imposed under this section. (Ord. 2007-36, 2007)

3.06.030 Administration and Collection of Tax.
The administration and collection of the tax imposed by this chapter shall be in accordance with the provisions of RCW 82.32.300 and RCW Chapters 82.08 and 82.12. The Chairperson of the Board of County Commissioners of Kittitas County, or a majority of the Board, is authorized to enter into a contract with the Washington State Department of Revenue for the administration of this tax imposed pursuant to this chapter. (Ord. 2007-36, 2007)

3.06.040 Use of Proceeds.
One third of all money received from the tax imposed under this chapter shall be expended exclusively for "criminal justice purposes" as that term is defined in RCW 82.14.450. The remaining two-thirds of all money received from the tax imposed under this chapter shall be expended for public safety purposes. Money raised from the tax imposed under this chapter shall not supplant existing funds used for the purposes set forth in this chapter. (Ord. 2007-36, 2007)

3.06.050 Inspection.
Kittitas County consents to the inspection of such records as are deemed necessary to qualify the County for inspection of records by the Washington State Department of Revenue pursuant to RCW 82.32.330. (Ord. 2007-36, 2007)

3.06.060 Violation - Penalties.
Any person who fails or refuses to collect as required under the terms of this chapter with the intent to violate the provisions of this chapter or to gain some advantage or benefit, either directly or indirectly, and any buyer who refuses to pay any tax due under this chapter, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by imprisonment in the county jail for a maximum term fixed by the court of not more than ninety days, or by fine in the amount fixed by the court of not more than one thousand dollars, or by both such imprisonment and fine. Provided, however, the penalty provided for under the terms of this section shall be in addition to any other penalties as provided for in RCW Chapters 82.08 and 82.14. (Ord. 2007-36, 2007)

3.06.070 Effective Date and Expiration Date.
This chapter took effect at 12:01 a.m. on January 1, 2008. This chapter shall automatically expire on December 31, 2022, unless further authorized by public vote. (Ord. 2013-011, 2013; Ord. 2007-36, 2007)

3.06.080 Allocation of Monies Collected.
Moneys received from the tax imposed under this chapter shall be shared between the County and the incorporated cities as provided for in RCW 82.14.450. (Ord. 2007-36, 2007)

3.06.090 Severability.
If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of this chapter or the application of the provisions to other persons or circumstances is not affected. (Ord. 2007-36, 2007)

Chapter 3.08
REAL ESTATE SALES TAX*

Sections

3.08.010 Sale defined.
3.08.020 Seller defined.
3.08.030 Selling price defined.
3.08.040 Tax levy.
3.08.050 Lien upon property.
3.08.060 Obligation.
3.08.070 Payment - Stamp.
3.08.080 Affidavit - Supersedure.
3.08.090 Tax ascertainment - Security for payment.
3.08.100 Mining property defined - Conditional sale - Lease provisions.
3.08.110 Standing timber sale - Affidavit.
3.08.120 Affidavit filing - Copies.
3.08.130 Tax payment - Interests.
3.08.140 Credit to school fund.
3.08.150 Refunds.

* For the statutory provisions authorizing the board of county commissioners to levy an excise tax upon sales of real estate not exceeding one percent of the selling price, see RCW 28.45.050.

3.08.010 Sale defined.
The board of county commissioners hereby adopts by reference RCW 82.45.010. (Ord. 9904, 1999; Ord. 79-1, 1979; Ord. 77-5, 1977; Ord. 68-1 § 1, Vol. N, p. 531, 1968).

3.08.020 Seller defined.
The board of county commissioners hereby adopts by reference RCW 82.45.020. (Ord. 9904, 1999; Ord. 79-1, 1979; Ord. 77-5, 1977; Ord. 68-1 § 1, Vol. N, p. 531, 1968).

3.08.030 Selling price defined.
"Selling price" means the consideration, including money or anything of value, paid or delivered or contracted to be paid or delivered in return for the transfer of the real property, or estate or interest in real property, and shall include the amount of any lien, mortgage, contract, indebtedness, or other encumbrance, either given to secure the purchase price or any part thereof, or remaining unpaid on such property at the time of sale. "Selling price" does not include the amount of any outstanding lien or encumbrance in favor of the United States, the state, or a municipal corporation for taxes, special benefits or improvements. (Ord. 99-04, 1999; Ord. 79-1, 1979; Ord. 77-5, 1977; Ord. 68-1 § 1, Vol. N, p. 532, 1968).

3.08.040 Tax levy.
There is levied and there shall be collected by the treasurer on each sale of any real property situated in the county a tax equal to one percent of the selling price. (Ord. 99-04, 1999; Ord. 79-1, 1979; Ord. 77-5, 1977; Ord. 68-1 § 2, Vol. N, p. 532, 1968).

3.08.050 Lien upon property.
The tax provided for in KCC 3.08.040 and any interest or penalties thereon shall be a specific lien upon each piece of real property sold from the time of sale until the tax has been paid, which lien may be enforced in the manner prescribed for the foreclosure of mortgages. (Ord. 99-04, 1999; Ord. 79-1, 1979; Ord. 77-5, 1977; Ord. 68-1 § 3, Vol. N, p. 532,

1968).

3.08.060 Obligation.
The tax levied under this chapter shall be the obligation of the seller and either the county treasurer or the county prosecuting attorney may, at his option, enforce the obligation through an action of debt against the seller, or he may proceed in the manner prescribed for the foreclosure of mortgages. Resort to one course of enforcement shall not be an election not to pursue the other. In addition to any interest, costs and/or penalties recoverable in such an action, the county shall be entitled to such attorneys' fees as the court deems reasonable. (Ord. 99-04, 1999; Ord. 79-1, 1979; Ord. 77-5, 1977; Ord. 68-1 § 4, Vol. N, p. 532, 1968).

3.08.070 Payment - Stamp.
The tax hereby imposed shall be paid to and collected by the county treasurer who shall cause a stamp evidencing satisfaction of the lien to be affixed to the instrument of sale or conveyance prior to its recording. A receipt issued by the county treasurer for the payment of the tax imposed under this chapter shall be evidence of the satisfaction of the lien imposed hereunder and may be recorded in the manner prescribed for recording satisfaction of mortgages. No instrument of sale or conveyance evidencing a sale subject to the tax shall be accepted by the county auditor for filing or recording until the tax has been paid and the stamp affixed thereto; in case the tax is not due on the transfer, the instrument shall not be accepted until suitable notation of such fact has been made on the instrument by the treasurer. (Ord. 99-04, 1999; Ord. 79-1, 1979; Ord. 77-5, 1977; Ord. 68-1 § 5, Vol. N, p. 532, 1968).

3.08.080 Affidavit - Supersedure.
It shall be the duty of the seller, within 30 days after the date of sale, to furnish the treasurer, in quadruplicate, on forms to be supplied by the treasurer, an affidavit containing the full name and address of the seller, the full name and address of the purchaser, the description of the real property involved, the date of sale or other transfer, the nature of the transfer, and the sale price, which affidavit shall be subscribed and sworn to by the seller, buyer, or the agent of either, before a notary public, the treasurer, or his authorized deputy; provided, that where the transaction involves in whole or in part any real property or any estate or interest therein, or any contract right thereto for any other real property or estate or interest therein or contract right thereto, there shall be filed by or on behalf of each grantor the above affidavit, which affidavit shall state the fair market value of the property so exchanged, and a tax shall be levied and collected as to each transfer; provided further, that if the Washington State Department of Revenue requires reports contrary or in addition to the requirement imposed by this section, the requirements of the department shall supersede the requirements of this section to that extent. (Ord. 9904, 1999; Ord. 79-1, 1979; Ord. 77-5, 1977; Ord. 68-1 § 6, Vol. N, p. 532, 1968).

3.08.090 Tax ascertainment - Security for payment.
In the case of any sale where the selling price is not separately stated or ascertainable at the time of sale, including leases with option to purchase, rules of the Washington State Department of Revenue relating to ascertainment of the tax and security for payment of the tax shall be administered by appropriate officials. (Ord. 99-04, 1999; Ord. 79-1, 1979; Ord. 77-5, 1977; Ord. 68-1 § 7, Vol. N; p. 532, 1968).

3.08.100 Mining property defined - Conditional sale - Lease provisions.
Where the transaction involved constitutes a conditional sale of mining property in which the buyer has the right to terminate the contract at any time, and/or a lease and option to buy mining property in which the lessee-buyer has the right to terminate the lease and option at any time, said transaction shall be taxable at the time of execution only on the consideration received by the seller or lessor for execution of such contract; provided, that the tax due on any additional consideration paid by the buyer and received by the seller shall be paid to the county treasurer:

1. At the time of termination; or
2. At the time all of the transaction is completed except for the delivery of the deed to the buyer; or
3. At the time when the buyer unequivocally exercises an option to purchase the property, whichever of the three events occur first.

For the purpose of this chapter, "mining property" means property containing or believed to contain metallic minerals and sold or leased under terms which require the purchaser or lessor to conduct exploration or mining work thereon and for no other use; and "metallic minerals" does not include clays, coal, sand and gravel, peat, gypsite, or stone, including limestone. (Ord. 99-04, 1999; Ord. 79-1, 1979; Ord. 77-5, 1977; Ord. 68-1 § 8, Vol. N, p. 533, 1968).

3.08.110 Standing timber sale - Affidavit.
Where the transaction involved constitutes a sale of standing timber under this chapter and the selling price is stated in such conveyance as being determinable in the future on the basis of footage removed or on a stumpage basis, it shall be the duty of the seller to execute and file with the county treasurer the affidavit mentioned in KCC 3.08.080, stating, in addition to the other requirements, the legal description of the real property on which such standing timber is located and an estimate, to the best of his knowledge, of the selling price ultimately to be received, and shall pay to the county treasurer under this chapter a sum equal to one percent of such estimated selling price, which sum shall not be credited by the treasurer to the school fund but shall be retained in a separate account. On the expiration date of such timber contract, if not extended, or at the time cutting and removal is completed, whichever is earlier, it shall be the duty of the seller to execute and file with the county treasurer an additional affidavit in the above form setting price actually paid. In the event such amount results in a tax greater than the sum theretofore paid on the estimate, the seller shall pay such additional amount to the county treasurer, who shall thereupon place this amount, together with the sum originally deposited, to the credit of the school fund in the usual manner. In the event such amount is less than the original estimate, the treasurer is directed to refund the excess payment to the taxpayer and credit the balance to the school fund as above. (Ord. 9904, 1999; Ord. 79-1, 1979; Ord. 77-5, 1977; Ord. 68-1 § 9, Vol. N, p. 533, 1968).

3.08.120 Affidavit filing - Copies.
The treasurer shall retain and file the original of the affidavit mentioned in KCC 3.08.080, and shall furnish one copy to the county assessor. (Ord. 99-04, 1999; Ord. 79-1, 1979; Ord. 77-5, 1977; Ord. 68-1 § 10, Vol. N, p. 533, 1968).

3.08.130 Tax payment - Interests.
The tax imposed hereunder shall become due and payable immediately at the time of sale, and if not so paid within 30 days, shall bear interest at the rate of one percent per month from date of sale. (Ord. 99-04, 1999; Ord. 79-1, 1979; Ord. 77-5, 1977; Ord. 68-1 § 11, Vol. N, p. 533, 1968).

3.08.140 Credit to school fund.
The proceeds of the tax imposed hereunder shall be credited to the county school fund monthly and shall be used exclusively for the support of the common schools; provided, that one percent of the proceeds of this tax shall be credited to the county current expense fund, out of which all cost and expense of administering this chapter shall be paid. (Ord. 99-04, 1999; Ord. 79-1, 1979; Ord. 77-5, 1977; Ord. 68-1 § 12, Vol. N, p. 533, 1968).

3.08.150 Refunds.
If, upon written application by a taxpayer to the treasurer for a refund hereunder, or upon examination of the records by the treasurer without such application, it appears that within one year preceding such application or examination a tax has been charged hereunder in excess of the amount actually due or upon a sale or other transfer herein declared to be exempt from tax hereunder, such excess amount or improper payment shall be refunded by the treasurer to the taxpayer. No refund shall be made with respect to any payment made more than one year before the date of application or examination. (Ord. 99-04, 1999; Ord. 79-1, 1979; Ord. 77-5, 1977; Ord. 68-1 § 13, Vol. N, p. 533, 1968).

Chapter 3.09
REAL ESTATE SALES EXCISE TAX

Sections
3.09.010 Imposition.
3.09.020 Rate.
3.09.030 Disposition and distribution of proceeds.
3.09.040 Taxes lien on property - Enforcement.

3.09.050 Taxes seller's obligation - Choice of remedies.
3.09.060 Payment and collection - Evidence - Recording.

3.09.010 Imposition.
There is hereby imposed an excise tax on each sale of real property in the unincorporated areas of Kittitas County as authorized by RCW 82.46.010(1). (Ord. 99-04, 1999; Ord. 86-6 § 1, 1986).

3.09.020 Rate.
The rate of the tax imposed by KCC 3.09.010 shall be one quarter of one percent of the selling price. (Ord. 99-04, 1999; Ord. 86-6 § 2, 1986).

3.09.030 Disposition and distribution of proceeds.
1. The county treasurer shall place one percent of the proceeds of the tax herewith imposed in the county current expense funds to defray the costs of collection.
2. The remaining proceeds from the tax hereby imposed shall be placed in the county capital improvements fund. (Ord. 99-04, 1999; Ord. 86-6 § 3, 1986).

3.09.040 Taxes lien on property - Enforcement.
The tax hereby imposed and any interest or penalties thereon shall be a specific lien upon each piece of real property sold from the time of sale until the tax is paid, which lien may be enforced in the manner prescribed for the foreclosure of mortgages. (Ord. 99-04, 1999; Ord. 86-6 § 4, 1986).

3.09.050 Taxes seller's obligation - Choice of remedies.
The tax hereby imposed is the obligation of the seller and may be enforced through an action of debt against the seller or in the manner prescribed for the foreclosure of mortgages. Resort to one course of enforcement is not an election not to pursue the other. (Ord. 99-04, 1999; Ord. 86-6 § 5, 1986).

3.09.060 Payment and collection - Evidence - Recording.
The tax herein imposed shall be paid to and collected by the county treasurer. The county treasurer shall cause a stamp evidencing satisfaction of the lien to be affixed to the instrument of sale or conveyance prior to recording or to the real estate excise tax affidavit in the case of used mobile home sales. A receipt issued by the county treasurer for the payment of the tax hereby imposed shall be evidence of the satisfaction of the lien imposed herein and may be recorded in the manner prescribed for recording satisfaction of mortgages. No instrument of sale or conveyance evidencing a sale subject to the tax may be accepted by the county auditor for filing or recording until the tax is paid and the stamp affixed thereto in case the tax is not due on the transfer, the instrument shall not be accepted until suitable notation of this fact is made on the instrument by the county treasurer. (Ord. 99-04, 1999; Ord. 86-6 § 6, 1986).

Chapter 3.12
REAL ESTATE SALES - MINIMUM PRICING SCHEDULE

(Repealed by Ord. 99-04)

Chapter 3.14
TIMBER HARVESTERS EXCISE TAX

Sections
3.14.010 Tax imposed.
3.14.020 Determination of tax.
3.14.030 Administration and collection.
3.14.040 Timber tax account.
3.14.050 Contract with Department of Revenue.
3.14.060 Agreement to inspection of records.
3.14.070 Severability.
3.14.080 Repealer.
3.14.090 Effective date.

3.14.010 Tax imposed.
There is imposed and shall be collected, on and after January 1, 2005, an excise tax on every person in the county engaging in business as a harvester as defined by RCW 84.33.035. The tax shall be paid, collected and remitted to the Department of Revenue of the State of Washington at the time and in the manner prescribed by RCW 84.33.086. (Ord. 2004-45; Ord. 99-04; Ord. 84-3)

3.14.020 Determination of tax
The tax shall be equal to the stumpage value of the timber, as defined in RCW 84.33.035, harvested from privately-owned land within the county, multiplied by a rate of four percent (4%), and harvested from publicly-owned land within the county, multiplied by the following rates:

1. For timber harvested January 1, 2005, through December 31, 2005, 1.2 percent;
2. For timber harvested January 1, 2006, through December 31, 2006, 1.5 percent;
3. For timber harvested January 1, 2007, through December 31, 2007, 1.8 percent;
4. For timber harvested January 1, 2008, through December 31, 2008, 2.1 percent;
5. For timber harvested January 1, 2009, through December 31, 2009, 2.4 percent;
6. For timber harvested January 1, 2010, through December 31, 2010, 2.7 percent;
7. For timber harvested January 1, 2011, through December 31, 2011, 3.1 percent;
8. For timber harvested January 1, 2012, through December 31, 2012, 3.4 percent;
9. For timber harvested January 1, 2013, through December 31, 2013, 3.7 percent;
10. For timber harvested January 1, 2014, and thereafter, 4.0 percent.

Any harvester, as defined in RCW 84.33.035, incurring less than $50.00 tax liability in any calendar quarter, is excused from the payment of the tax imposed by [KCC 3.14.010], but may be required by the Department of Revenue to file a return even though no tax may be due. (Ord. 2004-45; Ord. 99-04; Ord. 84-3)

3.14.030 Administration and collection.
The administration and collection of the tax imposed by this chapter shall be in accordance with the provisions of RCW 84.33 and all sections of RCW 82.32 (as now existing or hereafter amended), except RCW 82.32.045 and 82.32.270, shall apply with reference to the taxes imposed under this ordinance. (Ord. 2004-45; Ord. 99-04; Ord. 84-3)

3.14.040 Timber tax account.
There is created a county timber tax account for deposit of moneys distributed to the county as provided by RCW 84.33.081(1). (Ord. 2004-45; Ord. 99-04; Ord. 84-3)

3.14.050 Contract with Department of Revenue.
The county is authorized to contract with the Department of Revenue (prior to the effective date of this ordinance) for the administration and collection of the tax imposed by [KCC 3.14.010] and to provide in such agreement for payment of the costs of collection and administration incurred by the Department of Revenue as directed by RCW 84.33.081. The Prosecuting Attorney of Kittitas County shall first approve the form and content of the contract. (Ord. 2004-45; Ord. 99-04; Ord. 84-3)

3.14.060 Agreement to inspection of records.
The county agrees to give to the Department of Revenue such facts and information and to permit the Department to inspect its records in connection with the imposition, collection and administration of the tax imposed by [KCC 3.14.010], as may be necessary to permit the county to obtain facts and information from, and inspect the records of, the Department of Revenue to facilitate the administration of the tax and insure the correct distribution of its proceeds as provided by RCW 84.33. (Ord. 2004-45; Ord. 99-04; Ord. 84-3)

3.14.070 Severability.
If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances is not affected. (Ord. 2004-45; Ord. 99-04; Ord. 84-3)

3.14.080 Repealer.
To the extent that any previously enacted Ordinance, adopted by the Board of County Commissioners is inconsistent with the adoption and provisions of this Ordinance, such prior Ordinance(s) or those sections of such Ordinance are repealed. (Ord. 2004-45)

3.14.090 Effective date.
This ordinance shall take effect January 1, 2005. (Ord. 2004-45)

Chapter 3.16
LEASEHOLD EXCISE TAX

Sections
3.16.010 Levy.
3.16.020 Rate - Credits.
3.16.030 Credit for other leasehold excise taxes.
3.16.040 Administration and collection.
3.16.050 Certain leasehold interests exempt.
3.16.060 Records inspection.
3.16.070 Contract for administration and collection authorized.

3.16.010 Levy.
There is levied and there shall be collected a leasehold excise tax on and after January 1, 1976, upon the act or privilege of occupying or using publicly owned real or personal property within the county through a "lease-hold interest," as defined by RCW 82.29A.020. The tax shall be paid, collected, and remitted to the Department of Revenue of the state at the time and in the manner prescribed by RCW 82.29A.050. (Ord. 99-04, 1999; Ord. Vol. 2, p. 135 § 1, 1976).

3.16.020 Rate - Credits.
The rate of the tax imposed by KCC 3.16.010 shall be six percent of the taxable rent (as defined by RCW 82.29A.020); provided, that the following credits shall be allowed in determining the tax payable:

1. With respect to a leasehold interest arising out of any lease or agreement, the terms of which were binding on the lessee prior to July 1, 1970, where such lease or agreement has not been renegotiated (as defined by RCW 82.29A.020) since that date, and excluding from such credit any lease or agreement including options to renew which extends beyond January 1, 1985, as follows:
   a. With respect to taxes due in calendar year 1976, a credit equal to 80 percent of the tax produced by the above rate;
   b. With respect to taxes due in calendar year 1977, a credit equal to 60 percent of the tax produced by the above rate;
   c. With respect to taxes due in calendar year 1978, a credit equal to 40 percent of the tax produced by the above rate;
   d. With respect to taxes due in calendar year 1979, a credit equal to 20 percent of the tax produced by the above rate;
2. With respect to a product lease (as defined by RCW 82.29A.020), a credit of 33 percent of the tax produced by the above rate. (Ord. 99-04, 1999; Ord. Vol. 2, p. 135 § 2, 1976).

3.16.030 Credit for other leasehold excise taxes.
There shall be allowed against the tax otherwise imposed by this chapter a credit for the full amount of any leasehold excise tax authorized by RCW 82.29A.040 and imposed upon the same taxable event by any city or town. (Ord. 99-04, 1999; Ord. Vol. 2, p. 135 § 3, 1976).

3.16.040 Administration and collection.
The administration and collection of the tax imposed by this chapter shall be in accordance with the provisions of Chapter 82.29A RCW. (Ord. 99-04, 1999; Ord. Vol. 2, p. 135 § 4, 1976).

3.16.050 Certain leasehold interests exempt.
Leasehold interests exempted by RCW 82.29A.130, as it now exists or may hereafter be amended, shall be exempt from the tax imposed pursuant to KCC 3.16.010. (Ord. 9904, 1999; Ord. Vol. 2, p. 135 § 5, 1976).

3.16.060 Records inspection.
The county consents to the inspection of such records as are necessary to qualify the county for inspection of records of the Department of Revenue pursuant to RCW 82.32.330. (Ord. 99-04, 1999; Ord. Vol. 2, p. 135 § 6, 1976).

3.16.070 Contract for administration and collection authorized.
The chairman of the board of county commissioners is authorized to execute a contract with the Department of Revenue of the state for the administration and collection of the tax imposed by KCC 3.16.010; provided, that the prosecuting attorney shall first approve the form and content of the contract. (Ord. 99-04, 1999; Ord. Vol. 2, p. 135 § 7, 1976).

Chapter 3.20
TRANSIENT OCCUPANCY TAX

Sections
3.20.010 Tax levy.
3.20.015 Special lodging excise tax levy.
3.20.020 Allowance of credit against tax.
3.20.025 Credit against state sales tax.
3.20.030 Collection by seller.
3.20.040 Selling price.
3.20.050 Payment of tax.
3.20.060 Proceeds to be credited to a special fund - Limitation on use - Investment.

3.20.010 Tax levy.
There is levied and there shall be collected subject to the conditions set forth in this chapter a special excise tax of two percent on the sale of or charge made for the furnishing of lodging by a hotel, motel, rooming house, tourist court, trailer camp, and the granting of any similar license to use real estate, as distinguished from the renting or leasing of real

property; provided, that it shall be presumed that the occupancy of real property for continuous period of one month or more constitutes a rental or lease of real property and not a mere license to use or enjoy the same. (Ord. 99-04, 1999; Ord. 78-2, 1978).

3.20.015 Special lodging excise tax levy.
There is levied and there shall be collected, subject to the conditions set forth in this chapter, a Special Lodging Excise Tax Levy as authorized by RCW 67.28.181 of two percent on the sale of or charge made for the furnishing of lodging by a hotel, motel, rooming house, tourist court, trailer camp, and the granting of any similar license to use real estate, as distinguished from the renting or leasing of real property, provided that it shall be presumed that the occupancy of real property for a continuous period of one month or more constitutes a rental or lease of real property and not a mere license to use or enjoy the same. (Ord. 2009-10, 2009).

3.20.020 Allowance of credit against tax.
A credit is herewith allowed against the taxes imposed herein for the full amount of any city tax imposed pursuant to RCW 67.28.180 or 67.28.181. (Ord. 2009-09, 2009; Ord. 99-04, 1999; Ord. 78-2, 1978).

3.20.025 Credit Against State Sales Tax.
The tax collected under KCC 3.20.010 shall be credited against the amount of sales tax due to the state under chapter 82.08 RCW on the same sale of lodging services. (Ord. 2009-10).

3.20.030 Collection by seller.
The taxes herein imposed shall be collected by every person who makes a sale of the services herein defined whether as an agent, broker, or principal. The percentage of tax herewith imposed shall be imposed upon the full selling price. The collection of taxes imposed by KCC 3.20.015 shall commence upon July 1, 2009, as allowed under RCW 82.14.055 (3)(a). (Ord. 2009-10, 2009; Ord. 99-04, 1999; Ord. 78-2, 1978).

3.20.040 Selling price.
"Selling price" means the consideration, whether money, credits, rights, or other property, expressed in the terms of money, paid or delivered by a buyer to a seller, all without any deduction on account of the cost of labor, interest, discount, delivery costs, taxes, or any other expenses whatsoever, paid or accrued, and without any deduction on account of losses. (Ord. 99-04, 1999; Ord. 78-2, 1978).

3.20.050 Payment of tax.
Any seller, who is required to collect any tax hereunder for Kittitas County, shall pay such tax to such municipality by paying the same over to the Department of Revenue of the state as the same would be paid under Chapter 82.08 RCW. The county herewith designates the Washington State Department of Revenue to perform the collection of such taxes on behalf of the county as provided in Chapter 67.28 RCW. (Ord. 99-04, 1999; Ord. 78-2, 1978).

3.20.060 Proceeds to be credited to a special fund - Limitation on use - Investment.
All taxes levied and collected under this chapter shall be credited to a special fund in the treasury of the county. Such taxes shall be levied only for the purpose of paying all or any part of the cost of acquisition, construction or operating a stadium facilities, convention center facilities, performing arts center facilities and/or visual art center facilities or to pay or secure the payment of all or any portion of general obligation bonds or revenue bonds issued for such purpose or purposes under Chapter 67.28 RCW, or to pay for advertising, publicizing or otherwise distributing information for the purpose of attracting visitors and encouraging tourist expansion within the county, and until withdrawn for use, the moneys accumulated in such fund or funds may be invested in interest-bearing securities by the county treasurer in any manner authorized by law. (Ord. 2009-10, 2009; Ord. 99-04, 1999; Res. 82-4, 1982; Ord. 78-2, 1978).

Chapter 3.22
ADMISSIONS TAX

(Repealed by Ord. 2001-05)

Chapter 3.24
CUMULATIVE RESERVE FUNDS

Sections
3.24.010 Capital projects.
3.24.020 Unemployment compensation tax.
3.24.030 Repealed.
3.24.040 Repealed.
3.24.050 Drug enforcement.

3.24.010 Capital projects.
Closed by Res. 84-96. (Ord. 99-04, 1999; Res. 78-64, 1978).

3.24.020 Unemployment compensation tax.
A fund to be known and designated as the "cumulative reserve fund for unemployment compensation tax" is established. The amount of $28,554 is herewith credited to said fund, and for each successive year hereafter the county shall designate such funds as it deems appropriate to be credited to said fund. (Ord. 99-04, 1999; Res. 78-65, 1978).

3.24.030 Vacation and sick leave.
Repealed by Ord. 99-04. (Res. 78-66, 1978).

3.24.040 Federal anti-recession.
Repealed by Ord. 99-04. (Res. 78-67, 1978).

3.24.050 Drug enforcement.
1. There is established a cumulative reserve fund for the purpose of accumulating funds to be used in drug enforcement activities carried on by law enforcement agencies in Kittitas County relating to the unlawful possession, manufacture and delivery of controlled substances and legend drugs. Such funds shall be known as the "drug enforcement reserve fund."
2. This fund is established under the authority of RCW 36.33.020 through RCW 36.33.040. Any balance in said fund at the end of the budget year shall not lapse nor shall the same be a surplus which may be used for any purpose other than herein specified, except as provided by law.
3. There shall be deposited to the drug enforcement reserve fund such money as may be transferred thereto by order of the board of county commissioners together with such other money as shall be received from the courts under the provisions of RCW 9.95.210(4) and RCW 9.92.060 (4).
4. Funds on deposit in the drug enforcement reserve fund shall be deposited and invested in the manner prescribed by law for the deposit and investment of county funds and any income or increase therefrom shall be paid into the drug enforcement reserve fund.
5. Funds shall be disbursed from the fund to a law enforcement agency only on order of the court and the court shall order disbursement only on the application of the prosecuting attorney or his deputy. For the purpose of this section an order of a court commissioner shall be considered an order of the court. Upon presentation to the county auditor of an order of the court to disburse funds to a local law enforcement agency, the auditor shall forthwith draw a warrant on the drug enforcement reserve fund in favor of the law enforcement agency.
6. Any law enforcement agency receiving funds under the provisions of this section shall within 90 days of receipt of the funds make a return to be filed with the county clerk and

a copy to the prosecuting attorney reporting how said funds were used and returning said funds to the clerk or explaining why said funds cannot be returned.

7. Upon return of funds to the clerk they shall be transmitted to the county treasurer for redeposit to the drug enforcement reserve fund. (Ord. 99-04, 1999; Res. 84-31, 1984).

Chapter 3.28
TRAVEL EXPENSE REVOLVING FUND

Sections

3.28.010 Authorization.
3.28.020 - 3.28.060 Repealed.
3.28.070 Default - Delinquent payment - Unauthorized expenditures.

3.28.010 Authorization.
Pursuant to RCW 42.24.130, there is authorized an advance travel expense revolving fund which shall be used solely for the purpose of making advances for travel expenses to personnel of the county sheriff's department on official business. (Ord. 99-04, 1999; Ord. 7682 § 1, 1976).

3.28.020 Amount deposited.
Repealed by Ord. 99-04. (Ord. 76-82 § 2, 1976).

3.28.030 Signature required.
Repealed by Ord. 99-04. (Ord. 76-82 § 3, 1976).

3.28.040 Register - Accounting.
Repealed by Ord. 99-04. (Ord. 76-82 § 4, 1976).

3.28.050 Advances - Requests.
Repealed by Ord. 99-04. (Ord. 76-82 § 5, 1976).

3.28.060 Advances - Settlement.
Repealed by Ord. 99-04. (Ord. 76-82 § 6, 1976).

3.28.070 Default - Delinquent payment - Unauthorized expenditures.
Any default in accounting for or repaying an advance shall render the full amount which is unpaid immediately due and payable with interest at the rate of 10 percent per year from the date of default until repaid. No advance of any kind may be made to any officer or employee at any time when he is delinquent in accounting for or repaying a prior advance. No such advance shall be considered for any purpose as a personal loan to such officer or employee and any unauthorized expenditure of such funds shall be considered a misappropriation of public funds. (Ord. 99-04, 1999; Ord. 76-82 § 7, 1976).

Chapter 3.32
VICTIM/WITNESS FUND

Sections

3.32.010 Established.
3.32.020 Budget - Expenditures.

3.32.010 Established.
The county treasurer is directed to establish the prosecuting attorney's victim/witness fund, to be used exclusively for the administration of a victim/witness program by the Kittitas County prosecuting attorney. The funds shall not lapse and shall supplement and not supplant any existing funds for the prosecuting attorney. (Ord. 99-04, 1999; Res. 82-10, 1982).

3.32.020 Budget - Expenditures.
The prosecuting attorney shall submit an appropriate budget for the victim/witness funds and that the expenditure of the fund shall be subject to the adoption of the budget and approval of the plan by the Department of Labor and Industries. (Ord. 99-04, 1999; Res. 82-10, 1982).

Chapter 3.36
COMPUTER DEBT SERVICE FUND

(Repealed by Ord. 99-04)

Chapter 3.40
PROPERTY TAX REFUNDS

Sections

3.40.010 Petitions - Filing requirements.
3.40.020 Issuance - Review requirements.

3.40.010 Petitions - Filing requirements.
Petitions for refund of taxes under Chapter 84.69 RCW shall be filed with the treasurer or the assessor on forms provided by the assessor. The assessor shall review all petitions for refund that involve issues within the assessor's statutory responsibilities and determine whether the provisions of RCW 84.69.020 or RCW 84.60.050 are satisfied. The assessor shall forward all petitions to the county treasurer with an indication of whether the assessor determined that the provisions of RCW 84.69.020 or RCW 84.60.050 were satisfied, were not satisfied, or if no such determination was made because the issues involved were not within the assessor's statutory responsibilities. (Ord. 99-04, 1999; Ord. 89-7 § 1, 1989).

3.40.020 Issuance - Review requirements.
If the treasurer receives a petition from the assessor with an indication by the assessor that the provisions of RCW 84.69.020 or RCW 84.60.050 have been satisfied and if the treasurer determines that the petition was filed within the time limits set forth in RCW 84.69.030, the treasurer shall grant the petition and issue a tax refund to the petitioner. If the treasurer receives a petition involving issues outside of the assessor's statutory responsibilities that therefore has not been reviewed to determine whether the provisions of RCW 84.69.020 were satisfied, the treasurer shall make such a review. After review, if the treasurer finds that the provisions of RCW 84.69.020 are satisfied and that the petition was timely filed, the treasurer shall grant the petition and issue a tax refund to the petitioner. (Ord. 99-04, 1999; Ord. 89-7 § 2, 1989).

Chapter 3.44
ENHANCED 911 EXCISE TAX

Repealed by Ordinance O-2010-009, 2010.

Chapter 3.45
ENHANCED E911 EXCISE TAX

Sections

3.45.010 Effective Date of Tax.
3.45.015 Telephone Switched Access Line Excise Tax.
3.45.020 Radio Access Lines Excise Tax.
3.45.025 Interconnected Voice Over Internet Protocol Service Lines Excise Tax.
3.45.030 Use of proceeds.
3.45.035 Tax Collection.
3.45.040 Remittance and Deposit of Taxes.
3.45.045 Notice to Local Exchange Companies, Radio Communications Service Companies, and Interconnected Voice Over Internet Protocol Service Companies.
3.45.050 Severability.

3.45.010 Effective Date of Tax.
The effective date of the tax imposed in this chapter shall be January 1, 2011. (O-2010-009, 2010)

3.45.015 Telephone Switched Access Line Excise Tax.
1. An excise tax in the amount of $0.70 per month for each telephone switched access line, as defined in RCW 82.14B.020 , is imposed on each switched access line in Kittitas County.
2. Taxes imposed under this section shall be collected from the user by the local exchange company, as defined in RCW 82.14B.020 , providing the switched access line. The local exchange company shall state the amount of tax separately on the billing statement which is sent to the user. (O-2010-009, 2010)

3.45.020 Radio Access Lines Excise Tax.
1. An excise tax in the amount of $0.70 per month for each radio access line by subscribers whose place of primary use is Kittitas County is imposed on each radio access line.
2. An excise tax in the amount of $0.70 per retail transaction within Kittitas County for consumers of prepaid wireless telecommunications services.
3. Taxes imposed under this section shall be collected by each radio communications service company, providing radio access lines to end users whose place of primary use is Kittitas County, each company that resells radio access lines to end users whose place of primary use is Kittitas County, and each seller of prepaid wireless telecommunications services. The radio communications service company or seller shall state the amount of tax separately on the billing statement which is sent to the user.
4. The definitions contained in RCW 82.14B.020, and as further amended, are adopted by reference for the purposes of this section. (O-2013-014, 2013; O-2010-009, 2010)

3.45.025 Interconnected Voice Over Internet Protocol Service Lines Excise Tax.
1. An excise tax in the amount of $0.70 per month for each interconnected voice over internet protocol service line, as defined in RCW 82.14B.020 , is imposed on each interconnected voice over internet protocol service line whose place of primary use is Kittitas County.
2. The amount of tax shall be uniform for each line and must be levied on no more than the number of voice over internet protocol service lines on an account that are capable of simultaneous unrestricted outward calling to the public switched telephone network.
3. Taxes imposed under this section shall be collected by each interconnected voice over internet protocol service company providing interconnected voice over internet protocol service to end users whose place of primary use is Kittitas County. The interconnected voice over internet protocol service company shall state the amount of tax separately on the billing statement which is sent to the user.
4. To the extent that a local exchange carrier and an interconnected voice over internet protocol service company contractually jointly provide a single service line, only one service company is responsible for remitting the enhanced 911 excise taxes, and nothing in this Chapter precludes service companies who jointly provide service from agreeing by contract which of them shall remit the taxes collected. (O-2010-009, 2010)

3.45.030 Use of proceeds.
The proceeds of this tax shall be used for an "enhanced 911 telephone system" as defined in RCW 82.14B.020. (O-2010-009, 2010)

3.45.035 Tax Collection.
Kittitas County must contract with the Washington State Department of Revenue for the administration and collection of the excise tax as proscribed in Section 4, Chapter 19, Laws of 2010 1st Special Session. (O-2010-009, 2010)

3.45.040 Remittance and Deposit of Taxes.
Each local exchange company, radio communications service company, each seller of prepaid wireless telecommunications services, and interconnected voice over internet protocol service company shall remit all taxes to the Washington State Department of Revenue ("Department") on a tax return provided by the Department. The taxes are due as provided in RCW 82.14B.061. (O-2013-014, 2013; O-2010-009, 2010)

3.45.045 Notice to Local Exchange Companies, Radio Communications Service Companies, and Interconnected Voice Over Internet Protocol Service Companies.
Notice of the tax shall be provided by Kittitas County to all the local exchange companies, radio communications service companies, each seller of prepaid wireless telecommunications services, and interconnected voice over internet protocol service companies serving in the County at least 60 days in advance of the date on which the first payment is due. (O-2013-014, 2013; O-2010-009, 2010)

3.45.050 Severability.
If any provision or section of this Chapter shall be held invalid, all other parts, provisions and sections of this Chapter shall continue in full force and effect. (O-2010-009, 2010)

Title 4 | Fee Schedules*

Chapters

4.04 Health Department
4.08 Processing Fees
4.12 Sheriff's Fees
4.16 Vacation of County Road Fees

* For provisions on duplication and filing fees of public records, see Chapter 2.56 KCC.

Chapter 4.04
HEALTH DEPARTMENT*

Sections

4.04.010 Established.

* Prior history: Res. 79-9, previously codified in Chapter 8.08 KCC.

4.04.010 Established.
The fee schedules for the activities of the Kittitas County health department shall be set by annual resolution of the Board of Health. (Ord. 2005-27, 2005; Ord. 99-05; Res. 88-7, 1988).

Chapter 4.08
PROCESSING FEES

Sections
4.08.010 Farm and agricultural use classification applications.
4.08.020 Open space use and timber land use classification applications.
4.08.030 Ratification of prior acts.

4.08.010 Farm and agricultural use classification applications.
Commencing January 1, 1990, the county assessor's office is hereby authorized and required to collect a nonrefundable processing fee of $100.00 for each application received on farm and agricultural current use classification applications, as contemplated by RCW 84.34.030 as amended. (Ord. 99-05; Ord. 8912 § 1, 1989).

4.08.020 Open space use and timber land use classification applications.
Commencing January 1, 1990, the county board of commissioners is hereby authorized and required to collect a nonrefundable processing fee of $300.00 for each open space current use classification application and for each timber land current use classification application, as contemplated by RCW 84.34.030 as amended. (Ord. 99-05; Ord. 8912 § 2, 1989).

4.08.030 Ratification of prior acts.
Any act consistent with the authority and prior to the effective date of the ordinance codified in this chapter is hereby ratified and confirmed. (Ord. 99-05; Ord. 89-12 § 3, 1989).

Chapter 4.12
SHERIFF'S FEES

Sections
4.12.010 Established.

4.12.010 Established.
Sheriff's fees and jail costs shall be set by the Kittitas County sheriff's office. (Ord. 99-05; Res. 86-87, 1986).

Chapter 4.16
VACATION OF COUNTY ROAD FEES

Sections
4.16.010 Fees for road vacation.

4.16.010 Fees for road vacation.
The board of county commissioners shall set fees for the application, examination, and publication of a county road vacation by resolution. The fees shall not be below the following amounts:

Application fee
$100.00
Examination fee
$100.00
Publication fee
$100.00

There shall also be an appraisal fee which shall be set at the actual cost for the appraisal. (Ord. 99-05; Ord. 93-17, 1993).

Title 5 | BUSINESS LICENSES AND REGULATIONS*

Chapters
5.04 Auction Sales
5.09 Repealed
5.12 Renumbered
5.16 House and Building Moves
5.20 Event Permits
5.24 Repealed
5.28 Kittitas County Fairgrounds - Regulations and Licensing

* For the statutory provisions regarding the power of county commissioners to fix the rates of ferriage, grant grocery and other licenses as provided by law to be by them granted, see RCW 36.32.120(3). For provisions regarding the business of sewage or waste disposal device cleaning, see Chapter 13.04 KCC.

Chapter 5.04
AUCTION SALES*

Sections
5.04.010 Definitions.
5.04.020 License application.
5.04.030 Bond.
5.04.040 Application - Proceeding statements.
5.04.050 Municipal license.
5.04.060 Compliance required.

5.04.070 Sales not included.

* For the statutory provisions regarding the power of the board of commissioners to issue a license to persons engaged in auctioneering, see RCW 36.71.080.

5.04.010 Definitions.
The following terms shall have the following meanings wherever used in this chapter:

Goods, wares, and merchandise
Includes new furniture, new clothing, new hardware items, new office supplies, new office machines, new stationery, new books, and all new items of any type and nature commonly sold in retail stores, but does not include new jewelry as defined in RCW 18.12.010, and new appliances as defined in RCW 18.12.010.

Auction
The sale of goods, wares, and merchandise at private or public sale upon oral or written bids to the highest bidder and shall include all such sales although denominated as "action" sales or by any similar words.

(Ord. 99-06, 1999; Ord. Vol. L, p. 559 § 1, 1958).

5.04.020 License application.
The application for a license shall be in writing and shall be verified by the applicant under oath or affirmation. All the data and statements in the application and attached documents shall be true and correct. The application shall show the following:

1. That the sale is to be had at the applicant's regularly established place of business or at the place wherein his or her regular business has been operating for a period of at least one year prior to the application;
2. That neither applicant or any employee of applicant, who is being employed in any manner in the conduct of the auction sale, has been convicted of any violation of law relating to auction sales, auctioneering or the licensure thereof, within a period of six years precedent to the day of application;
3. The applicant's name, residence, and business address; the purpose for which the sale is to be held, the type of business in which he was engaged during the prior two years, if any, and its location; whether the applicant will personally participate at the auction sale; whether any additions to the stock to be sold at the auction have been made within a 60-day period and the name, address and occupational history for the preceding two years of any person who will participate in conducting the sale;
4. The application shall have attached thereto a detailed inventory listing each article to be sold together with an inventory number for each article;
5. The application shall also indicate whether the applicant will make or permit additions to be made to the stock described in the inventory; whether he has conducted an auction or auctions within a period of five years, and if so, a statement of where and when each of said auctions occurred. (Ord. 99-06, 1999; Vol. L, p. 559 § 2, 1958).

5.04.030 Bond.
The applicant shall file with the county commissioners a bond, in a form to be approved by them, executed by a surety company authorized to do business in the state, in an amount equal to one-half of the cost value of the articles inventoried for sale. The bond shall be approved by the county commissioners and shall run to the state and shall be conditioned that it is for the use and benefit of any person who may be damaged by a violation of this chapter, by the licensee, his or her employees or agents, or who may have a cause of action against said licensee, his or her employees, or agents by reason of any matters arising out of the conduct of the auction sale. The bond shall further provide that any person shall have, in addition to any other right of action, a right of action on such bond for all damages not exceeding $1,000, but the aggregate liability of the surety upon the bond for all claims which may arise thereunder, shall not exceed the specified amount of the bond. (Ord. 99-06, 1999; Vol. L, p. 560 § 3, 1958).

5.04.040 Application - Proceeding statements.
The application shall contain statements to the effect that the applicant in the conduct of any auction sale will either refrain from proceedings as hereinafter set out, or will proceed as hereinafter set out as the case may be:

1. No article will be sold unless listed in the inventory unless it is listed on a supplemental inventory subsequently approved by the majority of the board of county commissioners;
2. No article shall be listed in the inventory or sold at the auction when purchased or stocked by the applicant within 60 days prior to the application for license unless specifically approved by the board of county commissioners. At the auction the applicant, or his or her employees or agents, shall represent to the public the true material, quality, and kind of article auctioned and will, if requested by anyone, show a copy of the inventory and supplemental inventory, if any;
3. No article shall be sold and auctioned which has been falsely described or concerning which any false statement was made by the applicant, his or her employees, or agents;
4. The applicant shall cause to be displayed, in a prominent place on the premises where the auction is to be conducted, notice that any article purchased may be returned for the amount paid if it is at the time, in the same condition as when purchased, and if returned within 48 hours from time of purchase. Said notice shall be prominently displayed and shall be of sufficient size to be readily discernible by the bidders;
5. Any failure to comply with any of the above provisions shall be good cause for the revoking of any license issued. (Ord. 99-06, 1999; Vol. L. p. 560 § 4, 1958).

5.04.050 Municipal license.
A license requirement by the ordinance of any municipality in which the sale is to be held, shall not amount to a compliance with this chapter, but rather such municipal license shall be considered to be in addition to the county license to be issued after terms and conditions to this chapter have been complied with. (Ord. 99-06, 1999; Vol. L, p. 560 § 5, 1958).

5.04.060 Compliance required.
The applicant will be responsible for compliance with this chapter whether he is present at or absent from the auction sale. (Ord. 99-06, 1999; Vol. L, p. 560 § 6, 1958).

5.04.070 Sales not included.
This chapter shall not apply to any sale of livestock or to any sale of secondhand articles of any type, judicial sales or government sales or sales by any executor, administrator, guardian, receiver or trustee in bankruptcy, authorized to sell by any court of competent jurisdiction. (Ord. 99-06, 1999; Vol. L, p. 561 § 7, 1958).

Chapter 5.09
DANCING AND DANCE HALLS

(Repealed by Ord. 99-06)

Chapter 5.12
FOOD HANDLING ESTABLISHMENTS

(Renumbered to Ch. 8.08 by Ord. 99-06)

Chapter 5.16
HOUSE AND BUILDING MOVES*

Sections
5.16.010 Definitions.
5.16.020 Outside city limits - Permit required.
5.16.030 Building move permit.
5.16.040 Moving permit - House mover.

5.16.050 Discretion of engineer.
5.16.060 Violation - Penalty.
5.16.070 Bond challenge - Compliance hearing.

* Prior legislation: Vol. M, pp. 220 - 222, 239, 240, 426, 1960; Ord. 60-1.

5.16.010 Definitions.

County
Kittitas County, Washington.

Building department
The department of building inspector and fire marshal.

County engineer
The director of public works or his designee.

Applicant
The owner of the house or building to be moved.

House mover
The person responsible for moving a house or building or other overlegal load over or across a county road, street, alley or bridge, except:

1. House trailers and machinery used for farming, road construction, or road maintenance shall be allowed to move over a standard overlegal permit;
2. A house or building or other overlegal load which has a width of less than 12 feet, a length of less than 20 feet, and a height of less than 14 feet when loaded, and which is placed on a single vehicle shall be allowed to move with a standard overlegal permit, including an overlength load longer than 20 feet if the load does not extend more than four feet beyond the rear of a regularly licensed vehicle. (Ord. 99-06, 1999; Ord. 94-8, 1994).

5.16.020 Outside city limits - Permit required.
It is unlawful for any person to transport or move a building or structure in the county to a location outside of any corporate city or town in the county if the building or structure:

1. Was or will be used for human habitation;
2. Will be located within 500 feet of any place of human habitation except that of the owner; or
3. Will be located within 500 feet of a residential subdivision platted and recorded by the county auditor, without having first secured a permit for such movement or transportation. (Ord. 99-06, 1999; Ord. 94-8, 1994).

5.16.030 Building move permit.
Applicants must obtain a building relocation permit pursuant to KCC 14.04.030. (Ord. 2000-03; Ord. 99-06, 1999; Ord. 98-23, 1998; Ord. 94-8, 1994).

5.16.040 Moving permit - House mover.

1. No moving permit shall be issued to the "house mover" until the county engineer is satisfied that the "applicant" has obtained from the building department a permit for such move or transfer as required by KCC 5.16.030, unless it should appear that the provisions of KCC 5.16.020 do not apply.
2. A house mover shall, before being issued a permit for house moving, place on file at the county engineer's office:
   a. A bond in a sum to be determined by the county engineer payable to the county on account of any damages the county might suffer as the result of the exercise of such permit, and on account of any expense the county may be caused in removing or replacing any of its signs, delineators, bridge railings, or any other county property or facilities to accommodate the moving of any building or overlegal load along or across the county roads, streets, alleys, and bridges involved; said bond shall be kept on file with the department of public works until the following has occurred:
      i. House mover has completed said move and the county engineer has determined that no damage has been caused by the house mover to the roads, utilities, mailboxes, or other facilities along the route used.
      ii. The bond shall be held for 10 days from date of compliance pursuant to KCC 5.16.070.
   b. A certificate of insurance to cover public liability and property damage in the following amounts:
      i. Five thousand dollars for property damage;
      ii. Ten thousand dollars for a single injury or death;
      iii. Twenty thousand dollars for multiple injuries or deaths, any of which might be caused by the permittee while engaged in such business as a house mover.
3. A house mover shall, in order to be eligible for a house moving permit, have pneumatic rubber tires on all of his or her equipment which is to travel on county roads, streets, alleys, and bridges. No hard rubber tires or metal wheels will be allowed.
4. Permit Fees.
   a. Permits will be issued for one building or load only to be moved one time only.
   b. Fees for moving permits shall be set by resolution of the board of county commissioners. (Ord. 99-06, 1999; Ord. 94-8, 1994).

5.16.050 Discretion of engineer.

1. The county engineer shall have the right to refuse to issue a house moving permit if the roads or bridges which are to be used are deemed by him or her to be incapable of supporting the proposed load, or for other reasons, which he or she deems to be in the best interest of the county, and the county engineer shall have the right when issuing a permit to specify the following:
   a. The size and number of tires supporting the load;
   b. Flagmen, pilot car, flares, signs, or any other safety devices or procedures deemed necessary by him or her;
   c. The route to be used;
   d. The time of the movement under the permit;
   e. The speed of the vehicles involved.
2. The county engineer may refuse to issue a permit if previous damage caused to county properties by the house mover or any of his or her employees has not been paid in full at the time of application. (Ord. 99-06, 1999; Ord. 94-8, 1994).

5.16.060 Violation - Penalty.
Any person who moves a house or building or other overlegal load in violation of this chapter is guilty of a misdemeanor and is punishable as provided for in Chapter 1.16 KCC. (Ord. 99-06, 1999; Ord. 94-8, 1994).

5.16.070 Bond challenge - Compliance hearing.

1. The department holding the bond in escrow shall continue to hold the bond for 10 additional days following the approval by said department of compliance with the provisions governing the release of the said bond. This 10-day period shall allow for any county official or citizen of the county to challenge the validity of the compliance for just cause during the 10-day period by notifying the department holding said bond in writing of his or her challenge and stating the reasons for so doing.
2. Where such challenge has been made, the board of county commissioners shall call for a public hearing and shall cause to be advertised the time and place of said hearing in the manner usually provided for that purpose. The bond shall be held in escrow pending a decision by the board of county commissioners upon the issue of compliance with this chapter.
3. The board of county commissioners shall hear testimony upon the issue of whether the applicant or house mover has complied with the regulations applicable to the bond under challenge and shall notify the department to release the bond if they find the applicant or house mover has complied with the regulations governing said bond, or shall notify the department to forfeit the bond if they find the applicant has failed to comply with the regulations governing the bond. (Ord. 99-06, 1999; Ord. 94-8, 1994).

Chapter 5.20
EVENT PERMITS

Sections

5.20.005 Legislative intent.
5.20.010 Basic clause.
5.20.015 Exceptions.
5.20.020 Permit application - Approval - Denial.
5.20.030 Application form.
5.20.040 Repealed.
5.20.041 Repealed.
5.20.050 Repealed.
5.20.060 Repealed.
5.20.070 Repealed.
5.20.080 Inspection - Enforcement.
5.20.090 Permit required - Fee - Regulations.
5.20.100 Penal bond - Bond of indemnity.
5.20.110 Posting.
5.20.120 Applicant age.
5.20.130 Statement of right to revoke on permit.
5.20.140 Grounds for revocation.
5.20.150 Revocation not exclusive penalty.
5.20.160 Closing hours.
5.20.170 Repealed.
5.20.180 Preserving order - Operator's duty.
5.20.190 Building construction.
5.20.200 Distance from habitation.
5.20.210 Permit posting - Nontransferability.
5.20.220 Permit application.
5.20.230 Violation - Penalty.
5.20.240 Compliance.
5.20.250 Enforcement.
5.20.260 Reservation.
5.20.270 Severability and saving.

5.20.005 Legislative intent.

The Board of County Commissioners declares it to be the public interest, and for the protection of the health, welfare and property of the residents of the county of Kittitas to provide for the orderly and lawful conduct of any assembly of persons for the primary purpose of entertainment, amusement, or sporting events or shows to be held within Kittitas County by assuring that the proper sanitary, health, fire, safety and police measures are provided and maintained. (Ord. 2009-22, 2009)

5.20.010 Basic clause.

It is unlawful for any person, corporation, organization, landowner, or lessor to allow, encourage, organize, promote, conduct, permit or cause to be advertised an entertainment, amusement, sporting event, or show or assembly of persons wherein the primary purpose will be entertainment, amusement, sporting event, or show unless a valid county permit has been obtained for the operation of said public amusement, entertainment or assembly. One such permit shall be required for each public entertainment or other amusement events. Criminal or civil liability for failure to comply with the provisions of this chapter shall rest in all persons, corporations, organizations, landowners or lessors who are responsible for obtaining permits under this section. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 9217, 1992; Ord. 69-11 § 2, Vol. O, p. 129, 1969)

5.20.015 Exceptions.

The requirement of KCC 5.20.010 to obtain a permit shall not apply to:

1. De Minimus Exception
   Persons, corporations, organizations, landowners or lessors believing that an event falling under KCC 5.20.010 will attract less than 300 person and will comply with all other county ordinances and laws of the State of Washington, assuming that such belief is reasonable.
2. Conditional Use Permit Exception
   Events that occur on a parcel or parcels with a valid Conditional Use Permit that specifically contemplates and authorizes gatherings of more than 300 persons.
3. The Kittitas County Fair, events conducted on the Kittitas County Fairgrounds, or Events conducted by Kittitas County or its subdivisions.
4. Events held in connection with and upon the same lot as a building that has been permitted, including a passing final inspection, for occupancy of at least as many individuals as are reasonably anticipated at the event, inclusive of any persons that will be at the building or on the lot even if not in connection with the event. Provided that such building has received a passing fire and life safety inspection from the Kittitas County Fire Marshall's Office within the last year.

Note: The exceptions in this section only waive the requirement of obtaining a permit found in KCC 5.20.015, not the requirement for a public assembly/special event permit from the Fire Marshal, or any other requirement of this Chapter or State or local law. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 9217, 1992; Ord. 69-11 § 2, Vol. O, p. 129, 1969)

5.20.020 Permit application - Approval - Denial.

Written application for event permits shall be made to the Board of County Commissioners and the application must be submitted 60 or more days prior to the day upon which such event is to be or may be held. When available, the application should include a completed Event Application Form. Approval or denial of permits as provided for in this chapter shall be made within 45 days after application. The board of county commissioners may waive or shorten any deadlines set out in this chapter upon the request of the applicant. Denial of the permit or waiver or shortening of deadlines by the Board of County Commissioners shall be in writing with reasons for the same stated therein. Any denial of the permit shall be subject to appeal to the superior court by action filed within 10 days of the denial.

When any type of physical facility is required or subject to approval hereunder, preliminary approval may be granted based upon specific plans proposed and submitted by the applicant. All such facilities shall be in existence five or more days before event for which an application is submitted shall begin and shall be subject to inspection by the approving agencies or departments at their convenience. The inspections shall be made and approval or disapproval granted on or before the fifth day preceding the event. Failure to act by the County within said period constitutes a waiver of the before mentioned inspection by the County. Should the actual facility or construction fail to meet the standards approved in the proposed plans, such preliminary approval shall be withdrawn and any and all permits granted subject to such approval shall be withdrawn. No inspection fee or approval fee shall be charged other than the general permit fee required hereunder.

Every application made under this chapter shall be accompanied by plans for sanitary facilities, food and drink services and facilities, solid waste disposal, fire safety and protection, traffic control, parking, security, liability insurance and a statement of the anticipated impact, including noise, of the public entertainment, amusement or assembly on the citizens and public agencies of Kittitas County.

Upon receipt of the application, the clerk for the Board of County Commissioners shall submit copies of the application to the following officers, agencies or elected officers of Kittitas County or other governmental or regulatory agencies for their input on the following:

1. The County Health Officer regarding the plan for sanitary facilities, food and drink services and facilities; and
2. The County Fire Marshal regarding fire protection and safety; and
3. The County Sheriff regarding traffic control, parking, security, noise and any other health and safety problems; and
4. The County Prosecuting Attorney regarding liability insurance; and

5. The County Auditor regarding filings or registrations for the payment of any county taxes related to the application; and
6. The County Public Works Department regarding potential impacts on roads; and
7. The County Solid Waste Programs Department regarding solid waste disposal.

The application must provide written approval of any other federal, state or local agency if the application involves an event, activity or instrumentality regulated by such agency. If any of the above county officers, agencies or elected officials of Kittitas County do not approve of the portions of the applicant's plans submitted to them; they shall set forth in writing the details supporting their disapproval. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 92-17, 1992; Ord. 69-11 § 3, Vol. O, p. 129, 1969)

5.20.030 Application form.
Event Application Form: The Clerk of the Board of County Commissioners is hereby charged with creation of a standard "Event Application Form." The Clerk should consult with the county Health Officer, Fire Marshal, Sherriff, Prosecutor, Auditor, Public Works Director and the Solid Waste Director to ensure that the Event Application Form solicits the information necessary for them to make a recommendation on the issues enumerated in KCC 5.20.020. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 92-17, 1992; Ord. 6911 § 4, Vol. O, p. 129, 1969)

5.20.040 Sanitary facilities.
Repealed by Ord. 92-17. (Ord. 69-11 § 5, Vol. O, pp. 129, 130, 1969)

5.20.041 Health, safety and administrative elements of application.
Repealed by Ord. 2009-22, 2009. (Ord. 99-06, 1999; Ord. 92-17, 1992)

5.20.050 Fire facilities.
Repealed by Ord. 92-17. (Ord. 69-11 § 6, Vol. O, p. 130, 1969)

5.20.060 Traffic control - Crowd protection.
Repealed by Ord. 92-17. (Ord. 69-11 § 7, Vol. O, p. 130, 1969)

5.20.070 Parking facilities.
Repealed by Ord. 92-17. (Ord. 69-11 § 8, Vol. O, p. 130, 1969)

5.20.080 Inspection - Enforcement.
No permit shall be granted hereunder unless the applicant shall in writing upon the application for such a permit consent to allow the law enforcement, public health, fire control, and other officers of the County to come upon the premises for which the permit has been granted for the purpose of inspection and enforcement of the terms and conditions under which the permit is granted. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 9217, 1992; Ord. 69-11 § 9, Vol. O, p. 130, 1969)

5.20.090 Permit required - Fee - Regulations.
No public assembly of persons for the primary purpose of entertainment, amusement, or sporting events or shows may be held in the county outside the limits of incorporated cities and towns unless the person or persons sponsoring said event shall first obtain a permit as hereinafter provided and shall comply with all regulations and approvals herein provided and that the fee for such permit to meet the cost of administering the same shall be set by resolution of the Board of County Commissioners, but shall initially be $200.00 for each event. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 92-17, 1992; Ord. 69-11 § 10, Vol. O, pp. 130, 131, 1969)

5.20.100 Penal bond - Bond of indemnity.
No permit shall be issued hereunder until the applicant has on deposit with the county treasurer the sum of $5,000 cash or bond as an indemnity to save and protect the streets, pavements, bridges, road signs and other property of the county from any and all damage that may be caused by vehicles, employees, or participants in such amusement, entertainment or assembly and to be used, if necessary, to restore the ground where such amusement, entertainment or assembly is held to a sanitary condition and pay all charges and losses to the county for damage to the streets, pavements, bridges and other property; provided further, that should the licensed event necessitate the deployment of additional county personnel, such added expense, which together with other county expense that exceeds the original permit fee shall be recoverable from the principal and/or its surety. The deposit or its balance is to be returned when the board of county commissioners certifies to the treasurer that no damage has been done and that the county did not incur additional expenses due to said licensed event or that the costs of the above have been paid by the licensee. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 92-17, 1992; Ord. 69-11 § 11, Vol. O, p. 131, 1969)

5.20.110 Posting.
The ordinance codified in this chapter shall at all times be kept posted in a conspicuous place where an entertainment, amusement, sporting event, or show or assembly of persons wherein the primary purpose will be entertainment, amusement, sporting event, or show is being conducted. (Ord. 2009-22, 2009; Ord. 9906, 1999; Ord. 92-17, 1992; Ord. 69-11 § 12, Vol. O, p. 131, 1969)

5.20.120 Applicant age.
No permit shall be issued to any person under 18 years of age. Alcohol shall be prohibited at any event where applicant is under 21 years of age at the time of the event. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 92-17, 1992; Ord. 69-11 § 13, Vol. O, p. 131, 1969)

5.20.130 Statement of right to revoke on permit.
Every permit issued under the provisions of this chapter shall state in substance that such permit is issued as a police, sanitary and fire requisition measure, and that the right of the board of county commissioners to revoke such permit without notice or formal hearing is a consideration of its issuance. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 92-17, 1992; Ord. 69-11 § 14, Vol. O, p. 131, 1969)

5.20.140 Grounds for revocation.
Any permit granted hereunder to conduct an event may be revoked without notice or formal hearing by the board of county commissioners upon their finding that any police, sanitary, or fire regulation provided for in this chapter or in the state law has been violated by the permittee, and the action of said board in revoking any such permit shall be final and conclusive. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 92-17, 1992; Ord. 6911 § 15, Vol. O, p. 131, 1969)

5.20.150 Revocation not exclusive penalty.
The revocation of any permit granted under the provisions of this chapter shall not preclude the imposition of further penalties as provided for in this chapter and the state law, but shall be considered merely as a part of the penalties imposed for violation of the rules and regulations provided for herein and in the state law. (Ord. 2009-22, 2009; Ord. 92-17, 1992; Ord. 69-11 § 16, Vol. O, p. 131, 1969)

5.20.160 Closing hours.
All events shall not be open to the public before the hour of 10:00 a.m., and shall remain open to the public until such time as approved by the board of county commissioners in the application process. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 92-17, 1992; Ord. 69-11 § 17, Vol. O, p. 131, 1969)

5.20.170 Intoxicating liquor prohibited.
Repealed by Ord. 2009-22, 2009 (Ord. 99-06, 1999; Ord. 92-17, 1992; Ord. 69-11 § 18, Vol. O, p. 131, 1969)

5.20.180 Preserving order - Operator's duty.
It is the intention to put the burden of preserving order upon the operator of the entertainment, amusement, sporting event, or show or assembly of persons wherein the primary purpose will be entertainment, amusement, sporting event, or show in the county is not being operated in accordance with the rules and regulations prescribed in this chapter and set forth in the state law, the permittee shall be subject to revocation of his or her permit, and the permittee or other individual responsible subject to such other punishment as the law and this chapter provides. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 92-17, 1992; Ord. 69-11 § 19, Vol. O, p. 131, 1969)

5.20.190 Building construction.
If the entertainment, amusement, sporting event, or show or assembly of persons wherein the primary purpose will be entertainment, amusement, sporting event, or show is held within a permanent building or structure, such must be of fireproof construction when over one story in height. All buildings to which the public is admitted must have a sufficient number of exits to permit a safe evacuation of all persons therein. All exit doors in buildings of a permanent nature must be equipped with crash hardware. All canvas used in any tent or as a part of any structure must be so treated as to be fire resistant at the time the same is in use. All highly inflammable or explosive liquids or materials are to be kept in a well ventilated location and adequate fire fighting equipment must be maintained in the immediate area. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 9217, 1992; Ord. 69-11 § 20, Vol. O, p. 132, 1969)

5.20.200 Distance from habitation.
No entertainment, amusement, sporting event, or show or assembly of persons wherein the primary purpose will be entertainment, amusement, sporting event, or show shall be operated in a location which is closer than 1,000 feet from any schoolhouse, church or residence; provided, however, that this section shall not apply if the owner of each residence or the governing body of each schoolhouse and/or church within said 1,000 feet shall waive its requirement in writing and the board of county commissioners specifically approves such location in the permit process. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 92-17, 1992; Ord. 69-11 § 21, Vol. O, p. 132, 1969)

5.20.210 Permit posting - Non-transferability.
Any permit issued as provided in this chapter shall be kept posted in a conspicuous place and no such permit shall be transferable or assignable without the consent of the board of county commissioners; and no rebate or refund of money paid for a permit shall be made. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 92-17, 1992; Ord. 6911 § 22, Vol. O, p. 132, 1969)

5.20.220 Permit application.
An application for a permit to conduct such an event in the county outside the limits of incorporated cities and towns shall be made in writing to the board of county commissioners, and shall be accompanied by a deposit of the fee herein required. It shall be signed and verified upon oath. If the application is made on behalf of a co-partnership the names of the copartners in full, shall be given with their residences and post office addresses for a period of six months immediately prior to the date of the application, together with the location of principal office or place of business of such corporation. The application shall state the location to be occupied; and shall also state that the applicant or applicants will abide by all rules and regulations of this chapter and the state law for the protection of health, morals and safety of the persons employed therein, and for the patrons or participants thereof and for the public. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 92-17, 1992; Ord. 69-11 § 23, Vol. O, p. 132, 1969)

5.20.230 Violation - Penalty.
Any person who violates or fails to comply with any provision of this chapter or who shall counsel, aid or abet such a violation or failure to comply shall be deemed guilty of a misdemeanor and shall be punished as provided in RCW 9A.20.021(3). Violation of this chapter shall also subject the holder of a Conditional Use Permit to revocation of that permit under KCC 17.60A.100. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 92-17, 1992; Ord. 69-11 § 24, Vol. O, p. 132, 1969)

5.20.240 Compliance.
Compliance with the terms and conditions of this chapter shall constitute minimum health, sanitation and safety provisions and failure to comply with the terms and conditions shall constitute a public nuisance and shall be subject to all criminal, civil and equitable remedies as such. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 92-17, 1992; Ord. 69-11 § 25, Vol. O, p. 132, 1969).

5.20.250 Enforcement.
Enforcement of this Chapter shall be through the procedure and in accordance with Title 18 KCC. (Ord. 2009-22, 2009)

5.20.260 Reservation.
The County reserves the right to add conditions or waive requirements or conditions of this Chapter as it determines to be in the best interests of the public. It shall give great weight to health and safety concerns in making conditions or granting waivers. (Ord. 2009-22, 2009)

5.20.270 Severability and savings.
If any provision of this chapter or its application to any person or property is held invalid, the remainder of this chapter or the application of the provision to other persons or property is not affected and if for any reason this code should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect. (Ord. 2009-22, 2009)

Chapter 5.24
POOL ROOMS, BILLIARD HALLS, BOWLING ALLEYS

(Repealed by Ord. 99-06)

Chapter 5.28
KITTITAS COUNTY FAIRGROUNDS - REGULATIONS AND LICENSING

Sections
5.28.010
5.28.020 Literature, signs and soliciting signatures - Identification badges.
5.28.030 Soliciting funds and sales.
5.28.040 Activities of those not authorized by booth vendors or concessionaires.
5.28.050 Restriction on the use of designated areas.
5.28.060 Penalty.

5.28.010 Purpose.
The purpose of this chapter is to authorize the Kittitas County fair board and the general manager of the Kittitas County Fair to license and control the use of the Kittitas County Fairgrounds to further the peaceful conduct of the Kittitas County Fair and other events on the fairgrounds, and to preserve the public safety and orderly movement of fair patrons without abridging the freedom of expression of anyone attending the fair. (Ord. 99-06, 1999; Ord. 9218 § 1, 1992).

5.28.020 Literature, signs and soliciting signatures - Identification badges.
No person shall distribute literature, display signs or solicit petition signatures without an identification badge issued by the general manager of the fairgrounds. The general manager shall issue an identification badge upon presentation of a written application containing the following information:

1. The name, address, and telephone number of the applicant and sponsoring organization, if any;
2. A description of the proposed activity; and
3. The date, hour, and duration of the proposed activity. (Ord. 99-06, 1999; Ord. 92-18 § 2, 1992).

5.28.030 Soliciting funds and sales.
No person on the Kittitas County Fairgrounds shall solicit funds or offer any merchandise or services for sale unless they have been authorized and licensed as a booth vendor or concessionaire. (Ord. 99-06, 1999; Ord. 9218 § 3, 1992).

5.28.040 Activities of those not authorized by booth vendors or concessionaires.

No person on the Kittitas County Fairgrounds, unless participating in a scheduled event or activity or unless separately licensed as a booth vendor or concessionaire or authorized by some other licensing agreement, shall:

1. Employ a sound or voice amplifying device for any purpose;
2. Use a table, chair, stand, or other structure to conduct activities described in KCC 5.28.020;
3. Store literature, signs, petitions, or related materials on the fairgrounds; or
4. Engage in a dance, chant, or other performance intended to attract public notice. (Ord. 99-06, 1999; Ord. 92-18 § 4, 1992).

5.28.050 Restriction on the use of designated areas.
The activities described in KCC 5.28.020 shall be confined to areas of the fairgrounds that are open to the general public. None of the activities described in KCC 5.28.020 shall be permitted in the following areas:

1. Parking areas;
2. Areas within 15 feet of animal enclosures, ticket counters, booths or other concession facilities, and patrons waiting in line; and
3. Restaurants, washrooms, and areas subject to separate licensing agreements. (Ord. 99-06, 1999; Ord. 92-18 § 5, 1992).

5.28.060 Penalty.
Violation of this chapter is punishable by a fine of not more than $250.00 and a term in jail not exceeding 30 days. (Ord. 99-06, 1999; Ord. 92-18 § 6, 1992).

Title 6 | Animals

(Repealed by Ord. 99-07)

Title 8 | Health, Welfare, and Sanitation

Chapters
8.04 Food Handling Rules and Regulations
8.08 Health Permits - Food Handling Establishments
8.12 Flood and Mudslide Control
8.20 Depositing Garbage in Designated Places
8.24 Smoking in Public Places

Chapter 8.04
FOOD HANDLING RULES AND REGULATIONS*

Sections
8.04.010 Adoption by reference.
8.04.020 Penalty.
8.04.030 Savings clause.

* For the statutory provisions authorizing local boards of health to enact local regulations necessary to preserve public health and to provide for the control of contagious diseases, see RCW 70.05.060(3) and 70.05.060(4).

8.04.010 Adoption by reference.
The Board of County Commissioners hereby adopts by reference the Washington State Board of Health Rules and Regulations for Food Service Standards (Chapter 246-215 WAC) effective May 2, 2005, and as hereafter amended. (Ord. 2005-27, 2005; Ord. 99-08, 1999).

8.04.020 Penalty.
In addition to the penalties provided in WAC 246-215, any person, firm, or corporation violating any provision of these regulations or WAC 246-215 shall be guilty of a misdemeanor as defined in RCW 9A.20.021. (Ord. 2005-27, 2005).

8.04.030 Savings clause.
If any provision of this ordinance or its application to any person, entity or circumstance is for any reason held invalid, the remainder of the ordinance, or the application of the provision to other persons, entities or circumstances shall not be affected. (Ord. 2005-27, 2005).

Chapter 8.08
HEALTH PERMITS - FOOD HANDLING ESTABLISHMENTS*

Sections
8.08.010 Food handling establishment defined.
8.08.020 Permit required - Exceptions.
8.08.030 Permit issuance.
8.08.040 Fees.
8.08.050 Nontransferable - Annual renewal.
8.08.060 Violation - Penalty.

* Editor's note: The fee schedule adopted by Res. 79-9, previously codified in Chapter 8.08 KCC, has been superseded by the fee schedule attached to Res. 88-7, which is codified in Chapter 4.04 KCC.

8.08.010 Food handling establishment defined.
As used in this chapter "food handling establishment" means and includes any place where food and drink are served to or provided for the public with or without charge, such as hotels; restaurants; cafes; cafeterias; boarding houses; street vendors, or stalls; private, public, parochial or Sunday schools; churches and public institutions; railway stations; recreational and labor camps; bars; taverns; soda fountains; itinerant restaurants operating for a temporary period in connection with a fair, circus, public exhibition, or some similar gathering; food markets, meat markets, or any place, wholesale or retail, where foods or meats in bulk or package form, are provided for the public for preparation and service elsewhere; and any other establishment not otherwise described, but which is included in the definition of "Food establishment" in Chapter 246-215 WAC, except, that slaughterhouses and meat packing plants which are inspected by either the United States Government or by the state for sanitation purposes shall be exempt from this chapter. (Ord. 2005-27, 2005; Ord. 99-08, 1999; Res. 64-19, Vol. N, p. 38, 1964; Vol. L, p. 577 § 1, 1958. Formerly 5.12.010).

8.08.020 Permit required - Exceptions.
It is unlawful for any person, firm or corporation to operate any food handling establishment, as defined in KCC 8.08.010, in the county, without first having secured and paid for a license or food handling establishment permit to operate such establishment; except, that parochial schools, Sunday schools, churches, and public institutions serving food and drink to the public, with or without charge, shall not be required to pay a fee to obtain a license or food handling establishment permit. (Ord. 99-08, 1999; Vol. L, p. 577 § 2, 1958.

Formerly 5.12.020).

8.08.030 Permit issuance.
The license or food handling establishment permit shall be obtained from the county health officer or designee after application therefore has been made to such health officer. No such license or food handling establishment permit shall be issued to any person, firm or corporation whose place of business does not comply with section KCC 8.04.010 of this code. (Ord. 2005-27, 2005; Ord. 99-08, 1999; Vol. L, p. 577 § 3, 1958. Formerly 5.12.030).

8.08.040 Fees.
The application process, period of validity and fee for such license or food handling establishment permit shall be set by annual resolution of the Board of Health. (Ord. 2005-27, 2005; Ord. 9908, 1999; Ord. 67-3, Vol. N, p. 377, 1967; Vol. L, p. 577 § 4, 1958. Formerly 5.12.040).

8.08.050 Nontransferable - Annual renewal.
Such licenses or food handling establishment permits shall be nontransferable and the same shall be renewed annually. (Ord. 99-08, 1999; Vol. L, p. 577 § 5, 1968. Formerly 5.12.050).

8.08.060 Violation - Penalty.
Any person, firm or corporation violating any provisions of this chapter shall be guilty of a misdemeanor and shall be punished as provided in RCW 9A.20.021. (Ord. 2005-27, 2005; Ord. 99-08, 1999; Vol. L, p. 577 § 6, 1968. Formerly 5.12.060).

Chapter 8.12
FLOOD AND MUDSLIDE CONTROL

Sections
8.12.010 Legislative action.
8.12.020 Responsibility for annual progress report.

8.12.010 Legislative action.
The board of county commissioners assures the Federal Insurance Administration that it will take legislative action as follows:

1. Submit a copy of the land use and control measures the county has adopted in order to meet the requirements of 1910.3 and/or 1910.4 of the National Flood Insurance Regulations;
2. Take such other official action as may be reasonably necessary to carry out the objectives of the program. Such actions will include but not be limited to:
   a. Delineating or assisting the administrator, at his request, in delineating the limits of the areas having special flood and/or mudslide hazards on available local maps of sufficient scale to identify the location of building sites;
   b. Providing such information as the administrator may request concerning present uses and occupancy of the flood plain and/or mudslide area;
   c. Maintaining for public inspection and furnishing upon request, with respect to each area having special flood hazards, information on elevations (in relation to mean sea level) of the lowest floors of all new or substantially improved structures and, where there is a basement, the distance between the first floor and the bottom of the lowest opening where water flowing on the ground will enter; and
   d. Providing the name of the individual and the office that will be responsible for furnishing the first floor elevation information;
   e. Cooperating with federal, state, and local agencies and private firms which undertake to study, survey, map, and identify flood plain or mudslide areas, and cooperate with neighboring communities with respect to management of adjoining flood plain and/or mudslide areas in order to prevent aggravation of existing hazards. (Ord. 99-08, 1999; Res. 73-10, 1973).

8.12.020 Responsibility for annual progress report.
The board of county commissioners appoints the Kittitas County planning director with the responsibility, authority and means to submit on the anniversary date of the county's initial eligibility, an annual report to the administrator on the progress made during the past year within the community in the development and implementation of flood plain and/or mudslide area management measures and to implement all other commitments made herein. (Ord. 99-08, 1999; Res. 73-10, 1973).

Chapter 8.20
DEPOSITING GARBAGE IN DESIGNATED PLACES*

Sections
8.20.010 Permitted areas.
8.20.015 Dropping from vehicle.
8.20.020 Penalty for violation.

* Statutory provisions: See Chapter 36.58 RCW, Solid Waste Disposal.

8.20.010 Permitted areas.
It is unlawful for any person to throw, drop, or to leave any discarded object, debris, or any waste, upon any public or private property in this county, or in any waters in this county, unless:

1. Such property is designated by the federal government, state, county or city/town within Kittitas County for the disposal of garbage and refuse, and such person is authorized to use such property for such purpose;
2. Into a litter receptacle or container installed on such property by any governmental agencies described in subsection (1) of this section or installed with their consent;
3. He is the owner or a tenant in lawful possession of such property. (Ord. 99-08, 1999; Ord. 94-21, 1994)

8.20.015 Dropping from vehicle.
It is unlawful to drive or move any vehicle on any public road or highway within the county which is hauling any discarded object, debris, or any waste or garbage unless such vehicle is either constructed or loaded in such a manner as to prevent any of its load from dropping, sifting, leaking, blowing or otherwise escaping therefrom. If any discarded object, debris, or any waste or garbage drops, sifts, leaks, blows or escapes from any vehicle on any public road or highway, it shall be prima facie evidence that the vehicle was loaded in violation of this chapter. (Ord. 99-08, 1999; Ord. 94-21, 1994)

8.20.020 Penalty for violation.
Any person violating any of the provisions of this chapter shall be punished by a fine of not more than $1,000 or by imprisonment in the county jail for a period not exceeding 90 days. (Ord. 99-08, 1999; Ord. 94-21, 1994)

Chapter 8.24
SMOKING IN PUBLIC PLACES

Sections
8.24.010 Definitions.

8.24.020 Smoking prohibited in public places or places of employment.
8.24.030 Owners, lessees to post signs prohibiting smoking.
8.24.040 Intent of chapter as applied to certain private workplaces.
8.24.050 Intentional violation of chapter - Removing, defacing, or destroying required sign - Fine - Enforcement.
8.24.060 Giving away tobacco products prohibited.
8.24.070 Severability.

8.24.010 Definitions.
As used in this chapter, the following terms have the meanings indicated unless the context clearly indicates otherwise.

1. "Smoke" or "smoking" means the carrying or smoking of any kind of lighted pipe, cigar, cigarette, or any other lighted smoking equipment.
2. "Public place" means that portion of any building or vehicle used by and open to the public, regardless of whether the building or vehicle is owned in whole or in part by private persons or entities, the state of Washington, or other public entity, and regardless of whether a fee is charged for admission, and includes a presumptively reasonable minimum distance, as set forth in RCW 70.160.075, of twenty-five feet from entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited. A public place does not include a private residence unless the private residence is used to provide licensed child care, foster care, adult care, or other similar social service care on the premises.

   Public places include, but are not limited to: Schools, elevators, public conveyances or transportation facilities, museums, concert halls, theaters, auditoriums, exhibition halls, indoor sports arenas, hospitals, nursing homes, health care facilities or clinics, enclosed shopping centers, retail stores, retail service establishments, financial institutions, educational facilities, ticket areas, public hearing facilities, state legislative chambers and immediately adjacent hallways, public restrooms, libraries, restaurants, waiting areas, lobbies, bars, taverns, bowling alleys, skating rinks, casinos, reception areas, any place where tobacco or tobacco products are sold, and no less than seventy-five percent of the sleeping quarters within a hotel or motel that are rented to guests. A public place does not include a private residence. This chapter is not intended to restrict smoking in private facilities which are occasionally open to the public except upon the occasions when the facility is open to the public.
3. "Place of employment" means any area under the control of a public or private employer which employees are required to pass through during the course of employment, including, but not limited to: Entrances and exits to the places of employment, and including a presumptively reasonable minimum distance, as set forth in RCW 70.160.075, of twenty-five feet from entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited; work areas; restrooms; conference and classrooms; break rooms and cafeterias; and other common areas. A private residence or home-based business, unless used to provide licensed child care, foster care, adult care, or other similar social service care on the premises, is not a place of employment. (Ord. 2009-13, 2009)

8.24.020 Smoking prohibited in public places or places of employment.
No person may smoke in a public place or in any place of employment. (Ord. 2009-13, 2009)

8.24.030 Owners, lessees to post signs prohibiting smoking.
Owners, or in the case of a leased or rented space the lessee or other person in charge, of a place regulated under this chapter shall prohibit smoking in public places and places of employment and shall post signs prohibiting smoking as appropriate under this chapter. Signs shall be posted conspicuously at each building entrance. In the case of retail stores and retail service establishments, signs shall be posted conspicuously at each entrance and in prominent locations throughout the place. (Ord. 2009-13, 2009)

8.24.040 Intent of chapter as applied to certain private workplaces.
This chapter is not intended to regulate smoking in a private enclosed workplace, within a public place, even though such workplace may be visited by nonsmokers, excepting places in which smoking is prohibited by the chief of the Washington state patrol, through the director of fire protection, or by other law, ordinance, or regulation. (Ord. 2009-13, 2009)

8.24.050 Intentional violation of chapter - Removing, defacing, or destroying required sign - Fine - Enforcement.
1. Any person intentionally violating this chapter by smoking in a public place or place of employment, or any person removing, defacing, or destroying a sign required by this chapter, is subject to penalties and enforcement under Title 18 KCC, except that a notice of correction under Chapter 18.02 KCC shall not be required. Any person passing by or through a public place while on a public sidewalk or public right-of-way has not intentionally violated this chapter.
2. Any person intentionally violating section 030 of this chapter, is subject to penalties and enforcement under Title 18 KCC, except that a notice of correction under Chapter 18.02 KCC shall not be required and the minimum penalty shall be $100 for each day of violation under this chapter, not including statutory assessments. This penalty may not be waived, reduced, or suspended below the $100.
3. Nothing in this Chapter shall in any way limit Local health departments, Local Law enforcement agencies and the county prosecutor from seeking to enforce Chapter 70.160 RCW. (Ord. 2009-13, 2009)

8.24.060 Giving away tobacco products prohibited.
Giving away tobacco and tobacco products is prohibited. No retailer shall give away tobacco or tobacco products to any person. No person shall give away or offer to give away tobacco products to any person. (Ord. 2009-13, 2009)

8.24.070 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. (Ord. 2009-13, 2009)

Title 9 | Public Peace, Safety and Morals

Chapters

9.04 Repealed
9.08 Repealed
9.10 Boating Safety
9.12 Repealed
9.16 Motor Boats Prohibited on Cooper Lake
9.17 Boating on Gladmar Pond and Lavender Lake
9.18 Boating on Little Kachess Lake
9.20 Hunting Restrictions with High Powered Rifles
9.21 Supervised Hunting
9.24 Repealed
9.28 Repealed
9.30 Fireworks
9.32 Repealed
9.40 Firearms
9.45 Noise
9.50 Parks
9.60 Repealed

Chapter 9.04
CURFEW

(Repealed by Ord. 99-09)

Chapter 9.08
DEPOSITING TRASH IN PUBLIC LAKES

(Repealed by Ord. 94-21)

Chapter 9.10
BOATING SAFETY

Sections

9.10.010 Legislative findings - Purpose.
9.10.020 Definitions.
9.10.025 Public access area signs and buoys.
9.10.030 Prohibition.
9.10.035 Unlawful wake zone.
9.10.040 Violation - Penalty.

9.10.010 Legislative findings - Purpose.

Recreational use of waters in Kittitas County has grown rapidly. Residents and visitors of Kittitas County use the waters of Kittitas County for swimming, boating, floating, wading, fishing and other recreational purposes. It is expressly the purpose of this Chapter to provide for and promote the health, safety and welfare of the general public. This Chapter is not intended to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by its terms. (Ord. 2011-02, 2011; Ord. 99-09, 1999; Ord. 93-5 § 1, 1993).

9.10.020 Definitions.

Terms in this chapter shall mean as follows:

Motor Driven Vessels
All boats and vessels which are self-propelled by a motor. This does not include boats or vessels that are driven by wind energy or human effort. "Motor Driven Vessels" mentioned throughout the Chapter shall also include "personal watercraft" as defined herein.

Official motorized vessel
Any motor driven vessel which is operated by a person who is under the control, supervision or administrative authority of any local, state, or federal agency. "Official motorized vessel" includes private and governmental vessels which are engaged in search and rescue activities under the direction of the Sheriff of Kittitas County.

Operator
An individual who steers, directs, or otherwise has physical control of a vessel that is underway or exercises actual authority to control the person at the helm.

Personal watercraft
A vessel of less than sixteen feet that uses a motor powering a water jet pump as its primary source of motive power and that is designed to be operated by a person sitting, standing, or kneeling on, or being towed behind the vessel, rather than in the conventional manner of sitting or standing inside the vessel.

Vessel
Every description of watercraft on the water, other than a seaplane, used or capable of being used as a means of transportation on the water. However, it does not include inner tubes, air mattresses, sailboards, small rafts, flotation devices or toys customarily used by swimmers.

Yakima River
The flowing portion of the Yakima River and any waters which result from the flow of the Yakima River and are connected to the Yakima River by water except for irrigation canals. The "Yakima River" includes its sloughs, backwaters and dammed portions. (Ord. 2011-02, 2011; Ord. 99-09, 1999; Ord. 93-5 § 2, 1993)

9.10.025 Public access area signs and buoys.

Upon all waters in the County at public access areas where the waters are used extensively for swimming, launching and removing boats, and water skiing, there shall be designated by proper signs and markers locations of boat launching ramps, skiing areas, and swimming areas, as well as appropriately marked safety buoys as required to separate and define the said boat ramp approaches, skiing areas, and swimming areas for the safety of the public. The county road engineer may have such markers installed. It is unlawful for any unauthorized person to move or tamper with such buoys. (Ord. 2011-02, 2011)

9.10.030 Prohibition.

1. There is established in the immediate vicinity of the Bureau of Land Management Roza Access Area a "zone" in which boat speed limit is five miles per hour and in which no wakes shall be created by motor driven vessels which are not official motorized vessels. The boundaries of this "zone" shall be determined and designated and signed jointly by the area manager of the Bureau of Land Management and the Kittitas County Sheriff's Office.
2. The operation of motor driven vessels which are not official motorized vessels is prohibited on the Yakima River from the upstream boundary of the boat speed "zone" established in subsection (1) of this section, to a line drawn by the downstream edge of the railroad trestle owned by Central Washington Railroad, which is southwest of SR 821 and visible from SR 821 at Mile Post 23.
3. A restrictive permit to allow short term operation of motor driven vessels on the Yakima River in areas previously unauthorized may be requested through the Sheriff or his designee. Such permit system will be operated in such a manner as to allow only persons with demonstrable needs for access to the restricted zone. Such persons would be allowed one yearly permit that could be activated upon appropriate notification to the Sheriff of activated dates. Permits would allow motor driven vessel operation only during the hours of daylight. Permits would be issued through the Sheriff's Office only after a written request is submitted and authorized. Any request for a permit must state specifically the reason for the request. Approval or denial of the permit request would rest solely with the Sheriff or his designee. Once authorized, motor driven vessels operating under this permit shall be limited to 20MPH. Any substantiated allegations of negligent or reckless vessel operation by any permit holder shall result in the immediate revocation and suspension of the permit and any related privileges. (Ord. 2011-02, 2011; Ord. 9909, 1999; Ord. 93-5 § 3, 1993; Ord. 2003-08, 2003)

9.10.035 Unlawful wake zone.

It is unlawful for any person to operate a motor driven vessel at a speed of more than five miles per hour and create any wakes when said motor driven vessel is within 150 feet of any swimmer, shoreline, dock, float, launching ramp, or non-motorized vessel. Exceptions to this subsection are the Yakima and Cle Elum Rivers and their tributaries. (Ord. 2011-02, 2011)

9.10.040 Violation - Penalty.

Any person, firm, or corporation who violates any of the sections of this Chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment in the county jail for a maximum term fixed by the court of not more than ninety days, or by a fine in an amount fixed by the court of not more than one thousand dollars per violation, or both such imprisonment and fine. (Ord. 2011-02, 2011; Ord. 99-09, 1999; Ord. 93-5 § 4, 1993).

Chapter 9.12

MOTOR BOAT LICENSING - REGULATION OF OPERATION

(Repealed by Ord. 2011-02, 2011)

Chapter 9.16
MOTOR BOATS PROHIBITED ON COOPER LAKE

Sections

9.16.010 Violation.
9.16.020 Motor driven boats and vessels defined.
9.16.030 Penalty.
9.16.040 Purpose.

9.16.010 Violation.

It is unlawful and a violation of this chapter to operate any motor driven boat, vessel or aircraft of any type on Cooper Lake located in Township 22 North, Range 13 East, Kittitas County, Washington. (Ord. 2011-02, 2011; Ord. 99-09, 1999; Ord. 63-1 § 1, Vol. M, p. 517, 1963).

9.16.020 Motor driven boats and vessels defined.

For the purpose of this chapter "Motor driven boats and vessels" are defined as all boats and vessels which are self-propelled by a motor. This does not include boats or vessels that are driven by wind energy or human effort. "Vessel" includes every description of watercraft on the water, other than a seaplane, used or capable of being used as a means of transportation on the water. However, it does not include inner tubes, air mattresses, sailboards, small rafts, flotation devices or toys customarily used by swimmers. (Ord. 2011-02, 2011; Ord. 99-09, 1999; Ord. 63-1 § 2, Vol. M, p. 517, 1963).

9.16.030 Penalty.

Any person, firm, or corporation who violates any of the sections of this Chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment in the county jail for a maximum term fixed by the court of not more than ninety days, or by a fine in an amount fixed by the court of not more than one thousand dollars per violation, or both such imprisonment and fine. (Ord. 2011-02, 2011).

9.16.040 Purpose.

It is expressly the purpose of this Chapter to provide for and promote the health, safety and welfare of the general public. This Chapter is not intended to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by its terms. (Ord. 2011-02, 2011)

Chapter 9.17
BOATING ON GLADMAR POND AND LAVENDER LAKE

Sections

9.17.010 Repealed. (Ord. 2011-02, 2011)
9.17.015 Gasoline-powered motor driven boats and vessels - Prohibited.
9.17.017 Gasoline-powered motor driven boats and vessels defined.
9.17.020 Gasoline-powered motor boats - Penalty for violation.
9.17.030 Purpose.

9.17.015 Gasoline-powered motor driven boats and vessels - Prohibited.

It is unlawful and a violation of this chapter to operate any gasoline-powered motor driven boat or vessel on Lavender Lake, an inland body of water located within the borders of Kittitas County Township 20 North, Range 14 East. (Ord. 2011-02, 2011; Ord. 2006-42, 2006)

9.17.017 Gasoline-powered motor driven boats and vessels defined.

For the purpose of this chapter "Gasoline-Powered Motor driven boats and vessels" are defined as boats and vessels which are self propelled by gasoline motors. "Vessel" includes every description of watercraft on the water, other than a seaplane, used or capable of being used as a means of transportation on the water. However, it does not include inner tubes, air mattresses, sailboards, small rafts, flotation devices or toys customarily used by swimmers. (Ord. 2011-02, 2011)

9.17.020 Gasoline-powered motor boats - Penalty for violation.

Any person, firm, or corporation who violates any of the sections of this Chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment in the county jail for a maximum term fixed by the court of not more than ninety days, or by a fine in an amount fixed by the court of not more than one thousand dollars per violation, or both such imprisonment and fine. (Ord. 2011-02, 2011; Ord. 9909, 1999; Ord. 82-1 § 2, 1982).

9.17.030 Purpose.

It is expressly the purpose of this Chapter to provide for and promote the health, safety and welfare of the general public. This Chapter is not intended to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by its terms. (Ord. 2011-02, 2011)

Chapter 9.18
BOATING ON LITTLE KACHESS LAKE

Sections

9.18.010 Speed of motor boats - Limited.
9.18.015 Motor driven boats and vessels defined.
9.18.020 Speed of motor boats - Penalty for violation.
9.18.030 Purpose.

9.18.010 Speed of motor boats - Limited.

It is unlawful and a violation of this chapter to operate any motor driven boat or vessel in excess of 10 miles per hour on Little Kachess lake, said lake being located in the northeast quarter and the northeast quarter of the southeast quarter of the southeast quarter of Section 32 and in Sections 17, 20 and 29, all in Township 22, Range 13 EWM, Kittitas County, Washington. (Ord. 2011-02, 2011; Ord. 99-09, 1999; Ord. 82-5 § 1, 1982)

9.18.015 Motor driven boats and vessels defined.

For the purpose of this chapter "Motor driven boats and vessels" are defined as all boats and vessels which are self-propelled by a motor. This does not include boats or vessels that are driven by wind energy or human effort. "Vessel" includes every description of watercraft on the water, other than a seaplane, used or capable of being used as a means of transportation on the water. However, it does not include inner tubes, air mattresses, sailboards, small rafts, flotation devices or toys customarily used by swimmers. (Ord. 2011-02, 2011)

9.18.020 Speed of motor boats - Penalty for violation.

Any person, firm, or corporation who violates any of the sections of this Chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by

imprisonment in the county jail for a maximum term fixed by the court of not more than ninety days, or by a fine in an amount fixed by the court of not more than one thousand dollars per violation, or both such imprisonment and fine. (Ord. 2011-02, 2011; Ord. 9909, 1999; Ord. 82-5 § 2, 1982)

9.18.030 Purpose.
It is expressly the purpose of this Chapter to provide for and promote the health, safety and welfare of the general public. This Chapter is not intended to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by its terms. (Ord. 2011-02, 2011)

Chapter 9.20
HUNTING RESTRICTIONS WITH HIGH POWERED RIFLES*

Sections
9.20.010 Areas closed to use of high powered rifles.
9.20.020 Carrying loaded rifles unlawful.
9.20.030 Big game hunting exempt.
9.20.040 Penalty for violations.

* For the statutory provisions regarding game and game fish, see RCW Title 77, generally.

9.20.010 Areas closed to use of high powered rifles.
During any special or regular deer or elk high powered rifle hunting season in Kittitas County, the following areas in Kittitas County shall be closed to use of high powered rifles:

1. **Area No. 1 - West Side, Lower Kittitas Valley.**
   That area of Kittitas County bounded by a line, commencing at a point where the Taneum Creek enters the Yakima River, following the said Taneum Creek up stream to a point where the south branch of the Highline Canal crosses over said Creek, thence easterly along the south branch of the Highline Canal to the Umptanum Canyon, thence from said Umptanum Canyon in an easterly direction following along the south boundaries of all irrigated lands to the Yakima River and thence westerly along the Yakima River to the point of beginning.
2. **Area No. 2 - Cle Elum, Roslyn and Ronald.**
   The south one-half of Section 30, Township 20 North, Range 16 E.W.M. That portion of Section 36 which lies north of highway Interstate 90; that portion of Section 25, 26, 27 and 22 which lies south of the Maple Valley Rocky Reach power line; the northwest one-quarter and the east one-half of Section 28; the south one-half and the northwest one-quarter of Section 21, the southwest one-quarter and the west one-half of the northwest one-quarter of Section 16; the north one-half and the southeast one-quarter of Section 18; and the southwest one-quarter of Section 7, all in Township 20 North, Range 15 E.W.M. The east one-half of the east one-half of the south one-half of Section 12 and the east one-half of the northeast one-quarter of Section 13, all in Township 20 North Range 14 E.W.M.
3. **Area No. 3 - South Cle Elum, PeohPoint.**
   That portion of Section 33 which lies east of the Yakima River. All of Sections 34, 35 and 36, Township 20 North, Range 15 E.W.M. All of Sections 1, 2, 3, 4, 5, 6, 8 and 12, Township 19 North, Range 15 E.W.M., and all of Section 6, Township 19 North, Range 16 E.W.M.
4. **Area No. 4 - North Side, Lower Kittitas Valley.**
   That area of Kittitas County bounded by a line, commencing at a point on the Yakima River at the intake of the Cascade Canal in Section 28, Township 19 N., Range 17 E.W.M., thence following the Cascade Canal until it intersects the Dry Creek Road, also known as State Highway 2-I in Section 8, Township 18 North, Range 18 E.W.M.; thence northerly along the said Dry Creek Road until it intersects with the north branch of the Highline Canal in Section 25, Township 19 North, Range 17 E.W.M., thence southeasterly along the centerline of the north branch of the Highline Canal until it intersects with the west R/W line of Wilson Creek Road; thence north along said west R/W line of Wilson Creek Road to the intersection with the north R/W line of the Farrel Road; thence east along the north R/W line of the Farrel Road and Charlton Road to its intersection with the west section line of Section 27, T. 19 N., R. 19 E.W.M.; thence south along the west section line of Section 27, and 34, T. 19 N., R. 19, E.W.M., to the intersection with the north R/W line of the Carlson Road; thence easterly along the north R/W line of the Carlson Road to the intersection of the east R/W line of the Fairview Road; thence south along the east R/W line of the Fairview Road to the intersection with the centerline of the north branch of the Highline Canal; thence southeasterly along the said centerline of the north branch of the Highline Canal to the intersection with the north line of the SW 1/4 SE 1/4, Section 11, T. 18 N., R. 19 E.W.M.; thence east along the 1/16 line to a point intersecting the west R/W line of the Cooke Canyon Road; thence north along the west R/W line of the Cooke Canyon Road to the intersection with the 1/4 line of Section 6, T. 18, R. 20 W.M. Thence east along said 1/4 line to the intersection of the east section line of said Section 6, thence south along the said section line to the SE corner of said Section 6. Thence east along the south section line of Section 5, T. 18 N., R. 20 E.W.M. to a point intersecting the east R/W line of the Colockum Road; thence south along the east R/W line of the Colockum Road to the centerline of the north branch of the Highline Canal; thence southeasterly along the centerline of said north branch of the Highline Canal to the intersection with the Vantage Highway in Section 3, T. 17 N., R. 20 E.W.M., thence southerly along the Turbine Ditch to a point where the Turbine Ditch intersects the north line of Section 4, Township 16, Range 20 E.W.M.; thence east along said north line of Section 4 and along the north boundary of Section 3 to the northeast corner of Section 3, thence south along the east boundary of Sections 3, 10, 15 and 22 to a point where the east line of said Section 22 intersects the pump lateral of the Kittitas County Reclamation District; thence northwesterly along the pump lateral to a point where said pump lateral intersects the east line of Section 4, Township 16 North, Range 19 E.W.M.; thence north along the east line of said Section 4, to the northeast corner of said Section 4, thence west along the north line of Sections 4 and 5 to the northwest corner of Section 5, thence north along the east line of Section 31, Township 17 North, Range 19 E.W.M., to the northeast corner of the southeast one-quarter of Section 31; thence west along the north line of the south one-half of Section 31 to a point where it intersects the Yakima River, thence up stream along the Yakima River to the point of beginning.

(Ord. 99-09, 1999; Ord. 73-1 § 1, 1973).

9.20.020 Carrying loaded rifles unlawful.
During the deer and elk hunting season it is unlawful to carry loaded rifles of legal caliber for said hunting in said areas by any person or persons. (Ord. 99-09, 1999; Ord. 73-1 § 2, 1973).

9.20.030 Big game hunting exempt.
This chapter shall not apply to the hunting of big game under such seasons as may be established by the Washington State Department of Game for bow and arrow hunting and further shall not apply to the lawful use of shotguns for big game hunting. (Ord. 99-09, 1999; Ord. 73-1 § 3, 1973).

9.20.040 Penalty for violations.
Any violation of this chapter is a misdemeanor and upon conviction shall be punished by not more than 30 days in the county jail and/or a fine of not more than $250.00, or both. (Ord. 99-09, 1999; Ord. 73-1 § 5, 1973).

Chapter 9.21
SUPERVISED HUNTING

Sections
9.21.010 Department of Wildlife supervised hunts authorized.
9.21.020 Twenty-four hours prior notice of special hunts required.

9.21.010 Department of Wildlife supervised hunts authorized.
Notwithstanding any other provision in this code, it shall not be unlawful to discharge a firearm in any area of the county if such discharge is done under the supervision and control of Washington State Department of Wildlife in the course of special hunts authorized by the Department of Wildlife to protect property or to manage wildlife populations. (Ord. 99-09, 1999; Ord. 91-6, 1991).

9.21.020 Twenty-four hours prior notice of special hunts required.
No Department of Wildlife special hunts shall be conducted in areas otherwise restricted or controlled to the use of firearms unless the Department of Wildlife agent has notified the Kittitas County sheriff, in writing, at least 24 hours prior to such special hunt. (Ord. 99-09, 1999; Ord. 91-6, 1991).

Chapter 9.24
TOPLESS WAITRESSES AND ENTERTAINERS

(Repealed by Ord. 99-09)

Chapter 9.28
HARVESTING AND TRANSPORTING FIREWOOD

(Repealed by Ord. 99-09)

Chapter 9.30
FIREWORKS*

Sections
9.30.010 Purpose.
9.30.020 Definitions.
9.30.030 Prohibition against discharge.
9.30.040 Sale limits.
9.30.050 Type of fireworks allowed without permit.
9.30.060 Seizure of fireworks.
9.30.070 Penalty.
9.30.080 Other liabilities and legal rights not affected.
9.30.090 Effective date.

* Prior legislation: Ords. 92-13 and 94-12.

9.30.010 Purpose.
The board of county commissioners of Kittitas County recognizes that there are inordinately high risks to public health and safety within the unincorporated areas of Kittitas County due to fire hazards resulting from the sale and discharge of fireworks. It is necessary to protect the public health and safety by limiting the days upon which the sale of Class C (common) fireworks can occur in limiting the time during which said fireworks may be ignited. (Ord. 99-09, 1999; Ord. 95-6, 1995).

9.30.020 Definitions.
The words and phrases used for the purpose of this chapter shall have the meanings respectively ascribed to them in this section, except in those instances where the context clearly indicates a different meaning.

Common fireworks
Includes any fireworks which are designed primarily for sale at retail to the public during prescribed dates which produce visible or audible effects through combustion and are classified as common fireworks by the U.S. Bureau of Explosives or in the regulations in the U.S. Department of Transportation and designated at U.N. 0336 1.4G.

Person
Includes individual, firm, partnership, joint venture, association, concern, corporation, estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit.

Public display of fireworks
An entertainment feature where the public is admitted or permitted to view the display or discharge of special fireworks.

Sale at retail
Includes any sale or transfer, including contracts or orders for sales or transfers, wherein any person at a fixed location or place of business sells, transfers or gives fireworks to a consumer or user.

Sale at wholesale
Includes a sale or transfer to a retailer or any other person for resale, and which also includes any sale or transfer of special fireworks to public display licensees.

Agricultural and wildlife fireworks
Includes fireworks devices distributed to farmers, ranchers, and growers, through a wildlife management program administered by the United States Department of Interior.

Fireworks
Any composition or device, in a finished state, containing any combustible or explosive substance for the purposes of producing a visible or audible effect by combustion, explosion, deflagration, or detonation, and classified as common or special fireworks by the United States Bureau of Explosives or contained in the regulations of the United States Department of Transportation and designated at U.N. 0335 1.3G or U.N. 0336 1.4G.

Special fireworks
Includes any fireworks designed primarily for exhibition display which produce visible or audible effects and classified as such by the U.S. Bureau of Explosives or in the regulations of the U.S. Department of Transportation and designated at U.N. 0335 1.3G.

Pyrotechnics
Any combination of chemical elements or chemical compounds capable of burning independently of the oxygen of the atmosphere and designed and intended to produce an audible, visual, mechanical, or thermal effect as a necessary part of a motion picture, radio or television production, theatrical, or opera.

Pyrotechnic operator
Includes any individual who by experience and training has demonstrated the required skill and ability for safety setting up and discharging public displays of special fireworks.

(Ord. 99-09, 1999; Ord. 95-6, 1995).

9.30.030 Prohibition against discharge.
The county of Kittitas prohibits the ignition or discharge of fireworks within the unincorporated areas of Kittitas County except between the period from 9:00 a.m. to 11:59 p.m. on July 4th and from 9:00 a.m. December 31st to 1:00 a.m. of the following day (January 1st) of each year. (Ord. 99-09, 1999; Ord. 956, 1995).

9.30.040 Sale limits.
The county of Kittitas limits the sale of Class C (common) fireworks within the unincorporated areas of Kittitas County prior to 9:00 a.m. on July 1st or after 11:00 p.m. on July 4th and prior to 9:00 a.m. on December 31st or after 11:00 p.m. on December 31st of each year. (Ord. 99-09, 1999; Ord. 95-6, 1995).

9.30.050 Type of fireworks allowed without permit.

Only Class C (Common Fireworks USDOT 0336 1.4G) will be allowed to be sold, offered for sale, used, discharged, or possessed in Kittitas County, without additional permits and licenses as required by state law. All other types of fireworks, special, agricultural, wildlife, and public display will require additional permits from local officials. (Ord. 99-09, 1999; Ord. 95-6, 1995).

9.30.060 Seizure of fireworks.
Any fireworks which are illegally sold, offered for sale, used, discharged, possessed or transported in violation of the provisions of this chapter shall be subject to seizure by the director of public works, through the fire marshal, sheriff's department or code enforcement, or their deputies. Any fireworks seized under this section may be disposed of by the director of public works, through the fire marshal, by summary destruction at any time subsequent to 30 days from such seizure or 10 days from the final termination of proceedings under the provisions of RCW 70.77.440, whichever is later. (Ord. 99-09, 1999; Ord. 95-6, 1995).

9.30.070 Penalty.
Any person violating the provisions of this chapter is guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than $1,000 and by imprisonment for not more than 90 days, or by both such fine and imprisonment. (Ord. 99-09, 1999; Ord. 95-6, 1995).

9.30.080 Other liabilities and legal rights not affected.
Nothing in this chapter shall add to or diminish any other legal rights, or liabilities, either civil or criminal, arising out of the negligent, reckless, knowing or intentional conduct of any person. (Ord. 99-09, 1999; Ord. 95-6, 1995).

9.30.090 Effective date.
Ordinance 95-6, codified in this chapter, shall be effective June 27, 1996, which is one year from the date of its adoption. (Ord. 99-09, 1999; Ord. 95-9, 1995).

Chapter 9.32
SHOOTING IN GRAVEL PITS

(Repealed by Ord. 99-09)

Chapter 9.40
FIREARMS*

Sections
9.40.010 Exemption from state law.

* See RCW 9.41.050(4) relating to restrictions about carrying firearms.

9.40.010 Exemption from state law.
The jurisdiction of Kittitas County is and shall be exempt from the prohibitions set forth in Subsection (4) [RCW 9.41.050(4)] as enacted and as may be hereafter modified or recodified. This exemption is made under the authority of RCW 9.41.050(6). (Ord. 99-09, 1999; Ord. 94-16 § 1, 1994).

Chapter 9.45
NOISE

Sections
9.45.010 Public disturbance noises.
9.45.020 Noise disturbances enumerated.
9.45.030 Presumption.
9.45.040 Exemptions.
9.45.050 Penalty.
9.45.060 Variances.

9.45.010 Public disturbance noises.
It is unlawful to create, or to allow property in one's possession or control to be used so as to create any loud, unpleasant, or raucous noise which unreasonably disturbs the peace, comfort, or repose of others. (Ord. 99-09, 1999; Ord. 95-14 § 1, 1995).

9.45.020 Noise disturbances enumerated.
Noise disturbances referred to in KCC 9.45.010 may include but are not limited to continuous or repetitive:

1. Operating motors, engines, motorcycles and snowmobiles in a capricious manner, to be plainly audible within any dwelling unit which is not the source or is generated within 200 feet of any dwelling unit;
2. Playing amplified or otherwise loud music and voice amplification either live or recorded;
3. Yelling or shouting at a continuous loud level of sound;
4. Allowing domestic animals to bark, howl or otherwise make noise either on private or commercial premises for extended periods of time;
5. Use of noise making fireworks except for duly authorized or approved public displays. (Ord. 99-09, 1999; Ord. 95-14 § 2, 1995).

9.45.030 Presumption.
It shall be a rebuttable presumption that any activities enumerated herein disturb the peace, comfort, or repose of others when they take place between the hours of 10:30 p.m. and 7:00 a.m. in a residential area or one containing hospitals, hostelries, convalescent centers, or other places of repose. (Ord. 99-09, 1999; Ord. 95-14 § 3, 1995).

9.45.040 Exemptions.
1. The noises or sounds produced by the operations of agricultural, silviculture and mining equipment for the purpose of production or protection of crops and or other legitimate commercial products or materials are exempt from this chapter.
2. The noises or sounds produced from or in the raising of or production of livestock including the raising of livestock guardian dogs, horses, cattle, sheep, pigs, and poultry are exempt from this chapter.
3. The noise and sounds emanating from legitimate training activities located within the boundaries of the "Yakima Training Center." (Ord. 99-09, 1999; Ord. 95-14 § 4, 1995).

9.45.050 Penalty.
Any person violating this chapter shall, upon conviction therefore, be punishable by fine not to exceed $500.00 or imprisonment not to exceed 90 days, or both. (Ord. 99-09, 1999; Ord. 95-14 § 5, 1995).

9.45.060 Variances.
From time to time, upon application to the board of county commissioners, further specific exemptions may be granted to this chapter on a fact and date specific basis. An example is the request for and granting of a festival permit. All such exemptions shall be made through proper application to the board of county commissioners and in conformance with existing provisions of the Kittitas County Code, as it now exists, or as amended in the future. (Ord. 99-09, 1999; Ord. 95-14 § 7, 1995).

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.

9.50.010 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. 954, 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).

Chapter 9.60
WEAPONS FREE AREAS IN COUNTY BUILDINGS

(Repealed by Ord. 2009-02. Weapon restricted areas of the Courthouse are designated by judicial order.)

Title 10 | Vehicles and Traffic

Chapters
10.04 Uniform Standards for Road Signs and Traffic-Control Devices
10.05 Emergency Routes on County Roads and Public Rights-of-Way
10.06 Parking on County Property
10.07 No Parking Areas
10.08 Speed Limits on County Roads
10.12 Stop and Yield Streets
10.16 Permit Fees for Overweight Vehicles
10.20 Permits for Logging Trucks (Repealed)
10.24 All-Terrain Vehicles
10.28 Seasonal Weight Restrictions
10.32 Snowmobiles
10.36 Off-Road Vehicles (Repealed)
10.37 Off-Road and Non-highway Vehicles (Repealed)
10.38 Electric Vehicle Charging Stations

* For the statutory provisions regarding the power of the State Highway Commission to designate uniform state standards with respect to traffic-control devices, see RCW 47.36.030; for provisions requiring local authorities to place and maintain such traffic-control devices upon public highways, see RCW 47.36.060.

Chapter 10.04
UNIFORM STANDARDS FOR ROAD SIGNS AND TRAFFIC-CONTROL DEVICES*

Sections
10.04.010 Policy.

10.04.010 Policy.
The following policy and procedure shall be adhered to throughout the county:

1. The latest edition of the Manual on Uniform Traffic Control Devices as approved by the Federal Highway Administration, establishing certain standards for road signs and traffic control devices, is adopted by the county;
2. The need for all existing road signs and traffic-control devices on county roads is accepted;
3. All signs and traffic-control devices erected on county roads shall be according to the standards set forth in aforesaid manual;
4. All road signs and traffic-control devices shall be posted in a permanent record to be kept on file in the office of the county engineer. Said record shall contain the following information:
    a. Date placed,
    b. Location,
    c. Type of sign and standard number,
    d. By whom requested,
    e. If replacement, type sign replaced,

f. Reason erected, distance from intersection and other remarks necessary for clarification,
g. An illustrative sketch;
h. Assessment of sign retroreflectivity, the minimum level of retroreflectivity, and the expected sign life.

5. All county road signs and traffic control devices shall be so erected at the recommendation of the county engineer and approved by the board of commissioners. (Ord. 2012-003, 2012; Vol. L, p. 95, 1954).

Chapter 10.05
EMERGENCY ROUTES ON COUNTY ROADS AND PUBLIC RIGHTS-OF-WAY

Sections

10.05.010 Purpose.
10.05.020 Designation of routes.
10.05.030 Designation of no parking areas.
10.05.040 Penalty for parking in designated no parking areas on emergency routes.
10.05.050 Signing.

10.05.010 Purpose.

The declared purpose of this chapter is to provide for designated emergency routes on county roads and public roads and to prohibit parking in designated areas of the emergency routes. No maintenance shall be performed upon any of the roads designated as emergency routes that are not adopted onto the county maintained system unless authorized by the board of county commissioners or under the jurisdiction of the director of emergency management during an official declared emergency. The department of public works shall set the priority schedule for all adopted maintained county roads designated as emergency routes. (Ord. 97-09 (part), 1997).

10.05.020 Designation of routes.

The emergency routes shall be designated by resolution adopted by the board of county commissioners. (Ord. 97-09, (part) 1997).

10.05.030 Designation of no parking areas.

The no parking areas contained on an emergency route shall be designated by resolution adopted by the board of county commissioners. Any costs for signing on a designated emergency route not on the county maintained system shall be at the recommendation and direction of emergency management and shall be paid from the appropriate fund. (Ord. 97-09 (part), 1997).

10.05.040 Penalty for parking in designated no parking areas on emergency routes.

Any vehicle parking in violation of this chapter in any no parking area as designated in this chapter and adopted by resolution shall be civilly liable in an amount up to but not exceeding one thousand dollars. The vehicle may also be towed and impounded at the owner's expense. (Ord. 97-09 (part), 1997).

10.05.050 Signing.

Designated no parking areas on emergency routes shall be signed:

Emergency Route - No Parking - Ord. 97-09 - Fine up to $1,000

The adopted designated areas will become effective upon the installation of the appropriate signs. (Ord. 97-09 (part), 1997).

Chapter 10.06
PARKING ON COUNTY PROPERTY

Sections

10.06.010 Purpose.
10.06.020 Definitions.
10.06.030 Issuance of parking permits to county employees.
10.06.040 Restrictions in county parking areas.
10.06.050 Towing and impounding vehicles violating parking restrictions.
10.06.060 Policy regulating employee and public parking on county properties.

10.06.010 Purpose.

The declared purposes of this chapter are to provide parking for the public who are doing business at the Kittitas County Courthouse, to designate certain areas for parking for county employees and county vehicles and to prohibit parking by non-employees in certain designated areas. (Ord. 891 (part), 1989).

10.06.020 Definitions.

County Parking Area A
Includes all of the parking spaces on county property immediately to the south of the Kittitas County Courthouse.

County Parking Area B
Includes all of the parking spaces on county property to the west of the Kittitas County Courthouse.

County Parking Area C
Includes all of the parking spaces on county property on the Ellensburg city block bordered by 6th Avenue to the north, the north boundary of the adjacent business to the south, the alley to the west and Pearl Street to the east.

(Ord. 89-1 (part), 1989).

10.06.030 Issuance of parking permits to county employees.

A parking permit shall be issued to each county employee working in the courthouse or the public safety building at the employee's request and at no charge by the accounting department of the office of the Kittitas County auditor. (Ord. 89-1 (part), 1989).

10.06.040 Restrictions in county parking areas.

1. "County Parking Area A" is set aside exclusively for non-employees doing business at the Kittitas County Courthouse during normal business hours.
2. "County Parking Area B" is reserved exclusively for county vehicles and parking by elected officials or designated staff and shall be signed accordingly.
3. "County Parking Area C" is reserved for parking by county employees working in courthouse or the public safety building displaying permits on their vehicles and for county vehicles. Reserved spaces for certain vehicles owned by the county shall be identified and signed accordingly; county employees are prohibited from parking in these reserved spaces. (Ord. 89-1 (part), 1989).

10.06.050 Towing and impounding vehicles violating parking restrictions.

Any vehicle parking in any county parking area in violation of this chapter shall be towed and impounded at the owner's expense. (Ord. 89-1 (part), 1989).

10.06.060 Policy regulating employee and public parking on county properties.

The following shall be the policy regulating employee and public parking on certain county properties:

1. Permits will be issued only to county employees for their use while working at the Kittitas County Courthouse or Kittitas County Public Safety Building.
2. Permits will be issued yearly by the accounting department of the office of Kittitas County auditor.
3. Signing will be installed at Parking Lot "C" (6th and Pearl Street):

   Parking by Permit Only - 8:00 a.m. to 5:00 p.m. Monday - Friday

   (with contracted towing company's sign attached).
4. Signs will be installed at Parking Lot "A: (south of courthouse):

   Public Parking for County Business Only - 8:00 a.m. to 5:00 p.m. Monday - Friday

   (with contracted towing company's sign attached).
5. Spaces will be provided and proper signage installed for 10 county owned vehicles. This provides space for two vehicles from the road department, five vehicles from the assessor's office, one vehicle from the juvenile department, and two vehicles from cooperative extension. The space reserved for county vehicles shall be signed as follows:

   County Vehicles Only

   (with contracted towing company's sign attached). (Res. 89-58, 1989).

Chapter 10.07
NO PARKING AREAS

Sections

10.07.010 Areas designated.
10.07.020 Winter areas designated.
10.07.025 No overnight parking areas designated.
10.07.030 School areas - Bus stops.
10.07.040 Thirty-minute parking zone.
10.07.050 Turnaround areas on county roads.
10.07.060 Towing and impounding of vehicles violating parking restrictions.

10.07.010 Areas designated.

The board of county commissioners, in the best interest of the public, directs the director of public works to post the following roads with "No Parking":

1. Anderson Road, from Umptanum Road to Ellensburg City limits on west side.
2. Umptanum Road, from Anderson Road to Yakima River Bridge on north side.
3. Umptanum Road, from Anderson Road to I-90 overpass on south side.
4. Lake Cle Elum Dam Road, at dam (end of road), in turnaround area.
5. Mill Creek Road, both sides entire road.
6. Pfenning Road, from First Avenue to Third Avenue on east side.
7. Via Kachess Road, from milepost 0.85 to milepost 2.22 (end of road) both sides.
8. Kachess Lake Road, from milepost 2.895 to milepost 2.940, both sides
9. Huntzinger Road, from milepost 2.66 to milepost 2.78, both sides.
10. Huntzinger Road, from milepost 3.00 to milepost 3.30 on east side.
11. Wilson Creek Road, at milepost 8.90, in turnaround area.
12. Thorp Highway from milepost 6.65 to milepost 6.80, 8:00 a.m. to 4:00 p.m., except Saturday, Sunday and legal holidays, on north side.
13. All roads contained in the Hyak RID No. 96-1.
14. Ringer Loop Road from mile post 0.53 to 0.82 on the east side of Ringer Loop and from mile post 0.82 to mile post 1.15 on the north side of Ringer Loop.
15. Canyon Road, from Stone Road south 0.25 miles, both sides.

(Ord. 2013-004, 2013; Ord. 2008-02, 2008; Ord. 2007-24, 2007; Ord. 2000-20, 2000; Ord. 99-02 § 2, 1999; Ord. 98-12, 1998; Ord. 98-06, 1998; Ord. 96-21 (part), 1996; Ord. 94-11, 1994; Ord. 92-22 (part), 1992; Ord. 91-2, 1991; Ord. 87-2, 1987; Ord. 86-5, 1986; Ord. 85-3 § 1, 1985; Ord. 83-1 (part), 1983; Res. DPW-2-82, 1982; Res. DPW-75-81, 1981; Res. DPW-74-81, 1981; Res. DPW-67-80, 1980).

10.07.020 Winter areas designated.

1. It shall be unlawful to park any vehicle from November 1 each year until the following April 30 on:
   - Via Kachess Road from mile post 0.00 to mile post 0.85
   - Middle Fork Teanaway Road at the turn around on the northerly end
   - Yellowstone Trail from mile post 0.12 to mile post 0.74
   - Woods and Steele Road on the north side from mile post 0.65 to mile post 0.79 and the turn-around at the southwest end of the county portion of said road
   - In the turn-around area at approximately milepost 1.70, Teanaway Road, North Fork
   - Salmon La Sac Road - the specific area to be designated shall be determined by the department of public works and will become effective upon installation of the appropriate signs.
   - The west side of North Lake Cabins Road; the board of county commissioners may direct the removal or covering of the signs for short periods of time to allow parking during special periods or events
   - In the turn-around area at the end of the county portion of Kachess Lake Road, and on the northwesterly side of Kachess Lake Road between the intersection with Via Kachess Road and the turn-around at the end of the county portion of Kachess Lake Road
   - In the turnaround area at the intersection of Cabin Creek Road and Prentice Avenue in Easton (Cabin Creek Road mile post 0.31)
2. A special winter recreation parking area permit is required to park on the southeasterly side of said portion of Kachess Lake Road specified in subsection (b) of this section between November 1 and April 30 each year.
3. Special winter recreational/emergency parking areas shall be allowed as determined by the department of public works and will become effective upon installation of the appropriate signs. (Ord. 2012-003, 2012; Ord. 97-01, 1997; Ord. 94-30, 1994; Ord. 94-23, 1994; Ord. 94-5, 1994; Ord. 92-31, 1992; Ord. 92-23, 1992; Ord. 85-3 § 2, 1985; Ord. 83-7 (part), 1983; Ord. 83-1 (part), 1983; Ord. 82-13, 1982).

10.07.025 No overnight parking areas designated.

It shall be unlawful to park any vehicle overnight on the below listed roads: Gladmar Road, entire length (Ord. 98-07, 1998).

10.07.030 School areas - Bus stops.

1. "No parking" zones shall be established on the below listed roads at the locations indicated, between the hours of 7:00 a.m. to 8:00 a.m. and from 3:30 p.m. to 4:30 p.m., Monday through Friday, during the school year only:
   a. Camas Lane in cul-de-sac

b. Cedar Cove Road in cul-de-sac
c. Charlton Road in cul-de-sac
d. Cooke Canyon Road in cul-de-sac
e. Fields Road in cul-de-sac
f. Lower Peoh Point Road turnaround at milepost 4.28
g. Naneum Road in cul-de-sac
h. Payne Road in cul-de-sac
i. Pioneer Road in cul-de-sac
j. Stone Road in cul-de-sac
k. Susan Road in cul-de-sac
l. Umptanum Road at its intersection with South Riverbottom Road
m. Umptanum Road in Shushuskin Ridge Road Turnaround
n. Upper Green Canyon Road in cul-de-sac

2. Deleted by Ord. 92-22.

(Ord. 2012-003, 2012; Ord 2004-02, 2004; Ord. 93-16 (part), 1993; Ord. 92-22 (part), 1992; Ord. 86-3, 1986; Ord. 84-1, 1984).

10.07.040 Thirty-minute parking zone.
Thirty-minute parking zone from 8:00 a.m. to 4:00 p.m., except Saturday, Sunday and legal holidays, is established on the south side of the Thorp Highway from milepost 6.65 to mile post 6.80 (in front of the Thorp Schools). (Ord. 9222 (part), 1992).

10.07.050 Turnaround areas on county roads.
"No Parking" zones shall be established on county road turnarounds. The specific area designated shall be determined by the department of public works and will become effective upon installation of the appropriate signs. (Ord. 95-1, 1995).

10.07.060 Towing and impounding of vehicles violating parking restrictions.
Any vehicle parking in violation of this chapter in any no parking area or no parking zone designated in this chapter shall be towed and impounded at the owner's expense. (Ord. 96-16, 1996).

Chapter 10.08
SPEED LIMITS ON COUNTY ROADS

Sections
10.08.010 Twenty-five miles per hour.
10.08.020 Thirty-five miles per hour.
10.08.025 Forty miles per hour.
10.08.030 Fifty miles per hour.
10.08.040 School safety zones - Twenty miles per hour.
10.08.045 Hyak RID No. 96-1 - Twenty miles per hour.
10.08.050 Construction zones - Twenty five miles per hour.

10.08.010 Twenty-five miles per hour.
The following roads or portions thereof shall have a maximum speed limit of twenty-five miles per hour:

- 1st Street (Easton), entire road.
- 1st Street (Ronald), entire road.
- 1st Street (Thorp), entire road.
- 2nd Street (Easton), entire road.
- 2nd Street (Thorp), entire road.
- 3rd Street (Ronald), entire road.
- 3rd Street (Thorp), entire road.
- Alley Street (Ronald), entire road.
- All Seasons Drive, entire road
- Alliance Road, from MP 0.00 to MP 0.07
- Arctic Avenue (Ronald), entire road.
- Atlantic Avenue (Ronald), entire road.
- Bakers Road, entire road.
- Beech Road (airport), entire road.
- Boat Ramp Road (Vantage), entire road.
- Bowers Business Loop, entire road.
- Bowers Road (airport), from Airport Road to end of county road.
- Broadview Road, entire road.
- Brown Street (Vantage), entire road.
- Burke Road, entire road.
- Cabin Creek Road, from Railroad Street (Easton) to MP 0.51.
- Camas Lane, entire road.
- Carek Road, entire road.
- Cessna Road (airport), entire road.
- Chester Street (Thorp), entire road.
- Clearview Drive, entire road.
- Cohoe Road, entire road.
- Columbia Avenue (Vantage), entire road.
- Cooke Canyon Road, from Coleman Creek Road to end of county road.
- Creeksedge Way, entire road.
- Cross Street (Easton), entire road.
- Danko Road, entire road.
- Delta Street, entire road.
- Depot Street (Easton), entire road.
- Dodge Road, from Thrall Road to milepost 0.25.
- Elmview Road (airport), entire road.
- Emerick Road, entire road.
- Evergreen Valley Loop Road, entire road.
- Falcon Road (airport), entire road.

- Fanhouse Road (Ronald), entire road.
- Fieldstone Court, entire road.
- First Avenue (Grasslands), entire road.
- Fourth Avenue (Ronald), entire road.
- Fowler Creek Road, entire road.
- Frost Mountain Drive, entire road.
- Ginkgo Avenue (Vantage), entire road.
- Gobbler's Knob Road, entire road.
- Goodwin Road (Thorp), from Main Street to First Street.
- Grindrod Road, from milepost 0.46 to Venture Road.
- Groeschell Road, entire road.
- Hannah Road, entire road.
- Hidden Valley Road, from Emerick Road to end of road
- Holiday Avenue (Vantage), entire road.
- Hungry Junction Road, milepost 2.15 to milepost 2.33.
- Huntzinger Road, from milepost 4.88,1000 feet North of Wanapum Dam access to milepost 5.14, 370 feet South of Wanapum Dam access
- Joyce Street (Vantage), entire road.
- Kachess Avenue (Easton), entire road.
- Kittitas Highway, from milepost 5.49, 800 feet West of Kittitas City Limits to Kittitas City Limits.
- Kittitas Street (Vantage), entire road.
- Lake Cabins Road, entire road.
- Lakeview Avenue (Vantage), entire road.
- Ley Road, from milepost 0.70 to end of road.
- Liberty Road, from milepost 1.48, east to end of road.
- Locust Street (Ellensburg), Kittitas County portion, Washington Avenue to Seattle Street.
- Lookout Mountain Drive (Grasslands), entire road.
- Main Street (Thorp), entire road.
- Martin Road (Roslyn), entire road.
- Matthews Road, entire road.
- McDonald Road, entire road.
- Meadow View Drive, entire road.
- Middlecrest Drive, entire road.
- Mill Creek Road, entire road.
- Morel Road, entire road.
- Mt. Baldy Lane, entire road.
- Mt. Daniels Drive (Grasslands), entire road.
- Mt. Stuart Avenue (Grasslands), entire road.
- Nelson Dairy Road, entire road.
- No. 245 Road (Roslyn), entire road.
- No. 81 Road, from Clerf Road to milepost .10.
- Orchard Road, entire road.
- Pacific Avenue (Ronald), entire road.
- Pasco Road, entire road.
- Patrick Mine Road, entire road.
- Patrick's Park Drive, entire road.
- Peakview Drive, entire road.
- Pease Road, entire road.
- Pelton Avenue (Easton), entire road.
- Perry Road, entire road.
- Pfenning Road, from Oak Street to Vantage Highway.
- Pioneer Road, entire road.
- Piper Road (airport), entire road.
- Quartz Mountain Drive (Grasslands), entire road.
- Railroad Street (Easton), from milepost .83, Bridge #03112 to Cabin Creek Road.
- Ranch Road, entire road.
- Range View Road, entire road.
- Red Bridge Road, entire road.
- Red Cedar Drive, entire road.
- Red Mountain Drive (Grasslands), entire road.
- Riverbottom Road, from milepost 0.00 (Umptanum Road) to milepost 0.35.
- Seaton Road, entire road.
- Shaft Street, entire road.
- Silver Trail, entire road.
- Silverton Road, entire road.
- Sinclair Rod, entire road.
- Smith Drive, entire road.
- South Cle Elum Way, from Cle Elum city limits to South Cle Elum city limits.
- Stingley Road, entire road.
- Sunlight Drive, entire road.
- Table Mountain Drive (Grasslands), entire road.
- Third Avenue (Grasslands), entire road.
- Thorp Highway, from milepost 6.42 (First Street, Thorp) to milepost 6.90.
- Valley View Drive, entire road.
- Vantage Park Road (Vantage), entire road.
- Via Kachess Road, entire road.
- Village Drive (Grasslands), entire road.
- Wayne Street (Vantage), entire road.
- Westside Road, from Golf Course Road to Nelson Siding Road.
- White Pine Drive, entire road.
- White Road, entire road.
- Willis Road, East, entire road.
- Yellowstone Road, entire road.

(O-2014-003, 2014; O-2014-002, 2014; O-2014-001, 2014; Ord. 2011-008 , 2011; Ord. 2009-14, 2009; Ord. 2009-08, 2009; Ord. 2008-10, 2008; Ord. 2007-31, 2007; Ord. 2006-62, 2006; Ord. 2006-52, 2006; Ord. 2006-51, 2006; Ord. 2006-50, 2006; Ord. 2006-45, 2006; Ord. 2006-43, 2006; Ord. 2006-24, 2006; Ord. 2006-08, 2006; Ord. 2004-37, 2004; Ord. 2004-34, 2004; Ord. 2004-06, 2004; Ord. 2003-20, 2003; Ord. 2002-21, 2002; Ord. 98-05, 1998; Ord. 97-06, 1997; Ord. 95-12 (part), 1995; Ord. 94-37 (part), 1994; Ord. 94-31, 1994; Ord. 94-20 (part), 1994; Ord. 93-13, 1993; Ord. 93-11 (part), 1993; Ord. 92-19 (part), 1992; Ord. 92-15 (part), 1992; Ord. 91-5, 1991; Ord. 91-1, 1991; Ord. 90-4A, 1990; Ord. 87-6, 1987; Ord. 85-3 § 3 (part), 1985; Ord. 83-6-A, 1983; Ord. 83-6 (part), 1983; Ord. 83-4 (part), 1983; Ord. 82-11 (part), 1982: Ord. 82-9 (part), 1982; Res. DPW-80-81, 1981; Res. DPW-78-81, 1981; Res. DPW-66-81, 1981; Res. RD-68-79, 1979; Res. RD-39-79 (part), 1979; Res. RD-59-78, 1978; Res. RD-82-77, 1977; Res. RD-39-75, 1975; Res. RD-32-75, 1975; Res. RD-68-74, 1974; Res. RD-20-74, 1974; Res. RD-71-73 (part), 1973; Res. RD-46-71 (part), 1971.)

10.08.020 Thirty-five miles per hour.

The following roads or portions thereof shall have a maximum speed limit of thirty-five miles per hour:

- Airport Road (Cle Elum), entire road.
- Airport Road (Ellensburg), from Ellensburg city limits to Bowers Road.
- Anderson Road, from Umptanum Road to Ellensburg city limits.
- Ballard Hill Road, entire road.
- Bender Road, from Reecer Creek Road to Ellensburg city limits.
- Bettas Road, entire road.
- Bowers Road, from Reecer Creek Road to Airport Road.
- Brick Mill Road, from Naneum Road to Fairview Road.
- Brick Road, from milepost 0.624 to Sanders Rd.
- Brown Road, Hanson Road to Barnes Road intersection.
- Bull Road, from Ellensburg city limits south to cul de sac.
- Bullfrog Road, milepost 0.0, I-90 to milepost .72.
- Cabin Creek Road, from Hiline Canal to end of Kittitas County portion, milepost 2.92.
- Caribou Road, entire road.
- Cassasa Road, entire road.
- Chandler Road, entire road.
- Clarke Road, from US 97 to Lower Green Canyon Road.
- Cove Road, from Thorp Highway to Robinson Canyon Road.
- Dry Creek Road, from Ellensburg city limits to SR 97.
- Faust Road, from MP 0.00 to Bridge #88212.
- Game Farm Road, from Brick Road to Wilson Creek Road.
- Gladmar Road, entire road.
- Golf Course Road, entire road.
- Goodwin Road, First Street to end of road.
- Hanson Road, from Cove Road, west to end of county road.
- Hidden Valley Road, from SR 970 to Emerick Road.
- Horlick Road, entire road.
- Horvatt Road, from SR 903 to Roslyn city limits.
- Hundley Road, entire road.
- Hungry Junction Road from milepost 1.15 to milepost 1.70.
- Judge Ronald Road, entire road.
- Kachess Lake Road, entire road.
- Kittitas Highway, 450 feet west of Fairview Road, milepost 5.30, to 800 feet west of Kittitas City Limits, milepost 5.49.
- Kittitas Highway, from milepost 1.03 to milepost 1.34.
- Klocke Road, entire road.
- Lake Cle Elum Dam Road, entire road.
- Lambert Road, from SR 970 to Taylor Road.
- Ley Road, Swauk Prairie Road to milepost 0.70.
- Liberty Road, from SR 97 to milepost 1.48.
- Lower Peoh Point Road, entire road.
- Main Street (Vantage), from I-90 Interchange to Recreation Drive.
- Manastash Road, milepost 4.31, .55 west of Cove Ln to end of road.
- Markovich Road, entire road.
- Masterson Road, entire road.
- McCullough Road, entire road.
- McManamy Cut-off, entire road.
- McManamy Road, entire road.
- Mohar Road, entire road.
- Naneum Road, from Vantage Highway to Watson Road.
- No. 81 Road, from milepost .10 to Vantage Highway.
- O'Neil Road, entire road.
- Pays Road, entire road.
- Pfenning Road, from Vantage Highway to Game Farm Road.
- Railroad Street, from Cabin Creek Road, east to end of road.
- Railroad Street, from west I90 overpass east to Bridge #03112 milepost .83 (Easton).
- Recreation Drive (Vantage), entire road.
- Reecer Creek Road, from University Way to Bender Road.
- Ringer Loop, entire road.
- Riverbottom Road, from milepost 0.35 to milepost 3.06 (Umptanum Road).
- Salmon La Sac Road, from SR 903 to end.
- Sanders Road, entire road.
- Sisters Road, entire road.
- Sparks Road, entire road.
- Storie Lane, entire road.
- Strande Road, from Barnes Road to Manastash Road.
- Susan Road, entire road.
- Swauk Prairie Road, entire road.
- Talmadge Road, entire road.
- Taneum Road, East, from Thorp Highway to milepost 1.00.
- Taneum Road, West, entire road.
- Thorp Highway, from milepost 5.16, 950 feet south of I-90, to milepost 6.42 (First Street, Thorp).
- Thorp Highway, milepost 6.90 to Taneum Road, East, milepost 7.69.

- Umptanum Road, from Ellensburg City Limits to milepost 0.75.
- Upper Peoh Point Road, entire road.
- Vantage Highway, from the Ellensburg city limits to 0.10 east of Pfenning Road.
- Watson Cutoff Road, entire road.
- West Sparks Road, entire road.
- Westside Road, from South Cle Elum City Limits to Golf Course Road.
- Wilson Creek Road, from Vantage Highway to Game Farm Road.
- Woodhouse Loop, entire road.
- Woods & Steele Road, entire road.
- Zrebiec Road, entire road.

(Ord. 2014-003, 2014; Ord. 2013-007, 2013; Ord. 2012-008, 2012; Ord. 2011-010 , 2011; Ord. 2011-008 , 2011; Ord. 2007-31, 2007; Ord. 2007-15, 2007; Ord. 2006-52, 2006; Ord. 2006-45, 2006; Ord. 2005-33, 2005; Ord. 2005-28, 2005; Ord. 2003-19, 2003; Ord. 97-15, 1997; Ord. 97-07, 1997; Ord. 9613, 1996; Ord. 96-11, 1996; Ord. 96-7, 1996; Ord. 95-12 (part), 1995; Ord. 95-11(A) (part), 1995; Ord. 95-3, 1995; Ord. 94-37 (part), 1994; Ord. 94-34, 1994; Ord. 94-20 (part), 1994; Ord. 94-6, 1994; Ord. 93-14, 1993; Ord. 93-11 (part), 1993; Ord. 92-21, 1992; Ord. 92-19 (part), 1992; Ord. 92-15 (part), 1992; Ord. 88-3, 1988; Ord. 87-3, 1987; Ord. 86-2 (part), 1986; Ord. 85-3 § 3 (part), 1985; Ord. 85-2 (part), 1985; Ord. 83-6 (part), 1983; Ord. 83-5, 1983; Ord. 83-4 (part), 1983; Ord. 82-11 (part), 1982; Ord. 82-9 (part), 1982; Ord. 82-6, 1982; Res. DPW77-81, 1981; Res. DPW-59-81, 1981; Res. DPW-75-80, 1980; Res. DPW-71-80, 1980; Res. RD-105-79, 1979; Res. RD-39-79 (part), 1979; Res. RD-71-78, 1978; Res. RD-58-78, 1978; Res. RD-55-78, 1978; Res. RD-79-77, 1977; Res. RD-48-77, 1977; Res. RD-32-77, 1977; Res. RD-47-75, 1976; Res. RD-85-75, 1975; Res. RD-84-75, 1975; Res. RD-61-75, 1975; Res. RD-71-73 (part), 1971; Res. RD-473, 1973; Res. RD-46-71 (part), 1971).

Publisher's note: Added periods to the end of items to correct scrivener's errors in Ordinance 2014-003.

10.08.025 Forty miles per hour.
The following roads or portions thereof shall have a maximum speed limit of forty miles per hour:

1. University Way, Kittitas County portion, from Ellensburg city limits westerly to Bridge #88342.

(Ord. 2007-31, 2007; Ord. 84-4, 1984).

10.08.030 Fifty miles per hour.
1. The board of county commissioners orders the speed limit for the entire Kittitas County road system to be limited to a maximum of fifty miles per hour per RCW 46.61.400.
2. The following roads or portions thereof shall have a maximum speed limit of fifty miles per hour:
   a. Canyon Road, from Ellensburg City Limits to Thrall Road.
   b. Cove Road, from Robinson Canyon Road to End of Road.
   c. Taneum Road, East, from milepost 1.00 to milepost 2.84.
   d. Thorp Prairie Road, entire road.
   e. Cleman Road, Kittitas County portion, Badger Pocket Road to Thrall Road.

(Ord. 2014-003, 2014; Ord. 2007-31, 2007; Ord. 95-11(A) (part), 1995; Ord. 86-2 (part), 1986; Ord. 85-2 (part), 1985; Res. RD-77-73 (part), 1973).

10.08.040 School safety zones - Twenty miles per hour.
The following roads sections are school speed zones and have a maximum speed limit of twenty miles per hour on "school days" from 7:30 a.m. to 4:00 p.m.:

1. Thorp School District.
   a. Thorp Highway, North from MP 6.55 to MP 6.91
2. Easton School District.
   a. 1st Street (Easton) from MP 0.14 to MP 0.26
   b. Railroad Street (Easton) from MP 1.09 to MP 1.32
   c. Cabin Creek Road from MP 0.03 to MP 0.09
3. Damman School District.
   a. Manastash Road from MP 0.00 to MP 0.14
   b. Riverbottom Road from MP 0.00 to 0.12
   c. Umptanum Road from MP 1.56 to MP 1.80
4. Kittitas School District.
   a. Kittitas Highway from Kittitas City Limits, Milepost 5.64, west 300 feet, Milepost 5.59

The following road section is a school speed zone and has a maximum speed limit of twenty miles per hour on "school days" from 7:30 a.m. to 4:00 p.m. or when lights are flashing:

5. Ellensburg School District.
   a. Pfenning Road from MP 0.16 to MP 0.68

The following road section is a school speed zone and has a maximum speed limit of twenty miles per hour when lights are flashing:

6. Cle Elum - Roslyn School District.
   a. State Route 903 from Milepost 3.76 to Milepost 3.87

"School days" as referenced herein are the days that school is in session (including "makeup" days due to school closures) as established by the school district referenced to each road. "MP" refers to "mile post" number designation of county roads. These roads are to be posted with signage substantially as follows:

"SCHOOL SPEED LIMIT 20" and "SCHOOL DAYS 7:30 AM TO 4:00 PM", or

"SCHOOL SPEED LIMIT 20" and "SCHOOL DAYS 7:30 AM TO 4:00 PM OR WHEN FLASHING", or

"SCHOOL SPEED LIMIT 20 WHEN FLASHING"

The Director of Public Works is authorized to post such additional advisory signage, warnings, or lights as deemed appropriate in the vicinity of these school areas to warn of the presence of a school and/or children.

This section is enacted pursuant to RCW 46.61.415 and RCW 46.61.440, in which the county is authorized to create a school speed zone that may extend three hundred feet from the border of the school property. A person found to have committed any infraction relating to speed restrictions within a school shall be assessed a monetary penalty equal to twice the penalty assessed under RCW 46.63.110. This penalty may not be waived, reduced, or suspended. (Ord. 2010-04, 2010 ; Ord. 2007-17, 2007; Ord. 2006-45, 2006; Ord. 2002-12, 2002: Ord. 2001-20, 2001; Res. RD46-71 (part), 1971).

10.08.045 Hyak RID No. 96-1 - Twenty miles per hour.
The following roads or portions thereof shall have a maximum speed limit of twenty miles per hour:

1. Keechelus Drive.
2. Romans Court.
3. Rampart Drive.
4. Keechelus Drive.
5. Cascade Place.
6. Snoqualmie Drive.
7. Garmisch Place.
8. Hyak Drive East.
9. Kendall Place.
10. Kitzbuhel Place.
11. Chamonix Place.
12. St. Moritz Place.
13. Arlberg Place.
14. Innsbruck Drive.

(Ord. 2014-003, 2014; Ord. 2009-17, 2009; Ord. 96-21 (part), 1996).

Publisher's note: Added periods to the end of items to correct scrivener's errors in Ordinance 2014-003.

10.08.050 Construction zones - Twenty-five miles per hour.

1. A roadway construction zone is an area where construction, repair, or maintenance work is being conducted by public employees or private contractors, on or adjacent to any public roadway.
2. The Kittitas County director of public works may, after a written determination to the Kittitas County board of commissioners that there exists a safety hazard for workers in a construction zone, erect traffic control devices, including signs limiting the maximum speed to twenty-five miles per hour.
3. No person may drive a vehicle in a roadway construction zone at a speed greater than that allowed by traffic control devices.
4. A person found to have committed any infraction relating to speed restrictions in a posted roadway construction zone shall be assessed a monetary penalty equal to twice the penalty assessed under RCW 46.63.110. This penalty may not be waived, reduced, or suspended.
5. A person who drives a vehicle in a roadway construction zone in such a manner as to endanger or be likely to endanger any persons or property, or who removes, evades, or intentionally strikes a traffic safety or control device is guilty of reckless endangerment of roadway workers and may be punished under the provisions of Chapter 9A.20 RCW. (Ord. 94-19, 1994).

Chapter 10.12
STOP AND YIELD STREETS

Sections

10.12.010 Stops and yields designated.
10.12.011 Stop or yield signs at railroad crossings.
10.12.020 Signs installation.
10.12.030 Enforcement.

10.12.010 Stops and yields designated.

The board of county commissioners approves and adopts for Kittitas County Roads, the said plan of "Yield and Stop signs," at road intersections, as per the attached listings, and as shown on aerial photographs:

1. The following are stop intersections:
    - 1st Street (Thorp) at Goodwin Road
    - 1st Street (Thorp) at Thorp Highway
    - 2nd Street (Easton) at Cabin Creek Road
    - 2nd Street (Thorp) (Northbound) at Main Street (Thorp)
    - 2nd Street (Thorp) (Northbound) at Thorp Highway
    - 2nd Street (Thorp) (Southbound) at Main Street (Thorp)
    - 2nd Street (Thorp)(Southbound) at Thorp Highway
    - 3rd Street (Thorp) at Main Street
    - Airport Road at Bowers Road
    - All Seasons Drive at Woods & Steele Road
    - Allegro Way at Hanson Road
    - Anderson Road at Umptanum Road
    - Arlberg Place at Snoqualmie Drive
    - Aspen Drive at Cove Road
    - Badger Pocket (Northbound) at Thrall Road
    - Badger Pocket (Southbound) at Thrall Road
    - Badger Pocket Road at Cleman Road
    - Badger Pocket Road at Fourth Parallel Road
    - Ballard Hill Road at Swauk Prairie Road
    - Bar 14 Road at Naneum Road
    - Bar 14 Road at Wilson Creek Road
    - Bare Road at Thrall Road
    - Barnes Road at Brown Road
    - Barnes Road at Hanson Road
    - Bender Road at Reecer Creek Road
    - Bently Road at Stevens Road
    - Berry Road at Tjossem Road
    - Boat Ramp Road (Vantage) at Main Street (Vantage)
    - Bohannon Road, North at Upper Badger Pocket Road
    - Bohannon Road, South at Upper Badger Pocket Road
    - Borland Road at Upper Badger Pocket Road
    - Boston Road at Prater Road
    - Bowers Business Loop at Airport Road
    - Bowers Business Loop at Bowers Road
    - Bowers Road at Reecer Creek Road
    - Boylston Road at Prater Road
    - Boylston Road at Stevens Road
    - Brick Mill Road (Eastbound) at Fairview Road

- Brick Mill Road (Eastbound) at Look Road
- Brick Mill Road (Eastbound) at Wilson Creek Road
- Brick Mill Road (Westbound) at Fairview Road
- Brick Mill Road (Westbound) at Look Road
- Brick Mill Road (Westbound) at Wilson Creek Road
- Broadview Road at Kittitas Highway
- Brondt Road at Manastash Road
- Brown Road (Westbound) at Brown (Northbound) and Brondt Road
- Brown Road at Hanson Road
- Brown Road at Umptanum Road
- Brown Road Connection at Brown Road
- Cabin Creek Road (Northbound) at Railroad Street (Easton)
- Cabin Creek Road (Southbound) at Railroad Street (Easton)
- Camas Lane at Hanson Road
- Camion Road a Fourth Parallel Road
- Camion Road at Morrison Road
- Camozzy Road at Prater Road
- Carek Road at Shaft Street Road
- Caribou Road (Northbound) at Vantage Highway
- Caribou Road (Southbound) at Vantage Highway
- Caribou Road at Clerf Road
- Caribou Road at Lyons Road
- Carraher Road at Thorp Highway
- Carroll Road (Eastbound and Westbound) at Prater Road
- Carroll Road at Badger Pocket Road
- Casassa Road at Upper Peoh Point Road
- Cascade Place at Snoqualmie Drive
- Cedar Cove Road at Cove Road
- Chamonix Place at Snoqualmie Drive
- Chandler Road at Woods & Steele Road
- Charlton Road (Eastbound and Westbound) at Naneum Road
- Charlton Road at Wilson Creek Road
- Christensen Road at Fox Road
- Clarke Road at Faust Road
- Clarke Road (Eastbound) at Lower Green Canyon Road
- Clarke Road (Westbound) at Lower Green Canyon Road
- Clearview Drive at Creeksedge Way (North and South Intersections)
- Clearview Drive at Dry Creek Road
- Clearview Drive at Old Highway Ten
- Cleman Road at Thrall Road
- Clerf Road at No. 81 Road
- Clerf Road at Parke Creek Road
- Cohoe Road at No. 6 Road
- Colockum Road at Brick Mill Road
- Cooke Canyon Road at Brick Mill Road
- Cove Lane at Manastash Road
- Cove Road (Northbound and Southbound) at Manastash Road
- Cove Road (Northbound) at Robinson Canyon Road
- Cove Road (Southbound)at Robinson Canyon Road
- Cove Road at Thorp Highway
- Coyote Road at Upper Badger Pocket Road
- Cross Street at Railroad Street (Easton)
- Curlew Road at Game Farm Road
- Danko Road at White Road
- Delta Street at Quartz Mountain Drive
- Denmark Road (Northbound and Southbound) at Tjossem Road
- Denmark Road (Northbound) at Thrall Road
- Denmark Road (Southbound) at Thrall Road
- Depot Street (Northbound) at Railroad Street (Easton)
- Depot Street (Southbound) at Railroad Street (Easton)
- Dodge Road (Northbound) at Orchard Road
- Dodge Road (Northbound) at Thrall Road
- Dry Creek Road (Eastbound) at Reecer Creek Road
- Dry Creek Road (Westbound) at Reecer Creek Road
- Dudley Road at Thorp Highway
- Elk Heights Road at Thorp Prairie Road
- Elmview Road at Airport Road
- Emerson Road at Thrall Road
- Evergreen Valley Loop Road (north and south ends) at Bakers Road
- Evergreen Valley Loop Road at the intersection with Red Cedar Drive
- Fairview Road (Northbound) at Kittitas Highway
- Fairview Road (Northbound) at Vantage Highway
- Fairview Road (Southbound) at Kittitas Highway
- Fairview Road (Southbound) at Vantage Highway
- Falcon Road at Airport Road
- Faust Road (Northbound and Southbound) at Dry Creek Road
- Faust Road (Northbound) at Hungry Junction Road
- Faust Road (Southbound) at Hungry Junction Road
- Ferguson Road, North (Northbound and Southbound) at Kittitas Highway
- Ferguson Road, North (Northbound) at Vantage Highway
- Ferguson Road, South (Northbound) at Tjossem Road
- Ferguson Road, South (Southbound) at Tjossem Road
- Ferguson Road, South at Sorenson Road

- Fields Road at Vantage Highway
- Fieldstone Court at Range View Road
- First Ave (Grasslands) (Eastbound and Westbound) at Mt. Daniels Drive
- First Ave (Grasslands) at Lookout Mountain Drive
- First Ave (Grasslands) at Pfenning Road
- Fourth Parallel Road (Eastbound) at Upper Badger Pocket Road
- Fourth Parallel Road (Westbound) at Upper Badger Pocket Road
- Fowler Creek Road at Westside Road
- Fox Road at Vantage Highway
- Frost Mountain Drive at Quartz Mountain Drive
- Gage Road at Cooke Canyon Road
- Gage Road at Colockum Road
- Game Farm Road (Eastbound) at Wilson Creek Road
- Game Farm Road (Westbound) at Wilson Creek Road
- Game Farm Road at Brick Road
- Game Farm Road at Naneum Road
- Garmisch Place at Cascade Place
- Gilbert Road at Brick Mill Road
- Gilbert Road at Lyons Road
- Ginkgo Avenue (Vantage) at Main Street (Vantage)
- Ginny Lane at Brown Road
- Gladmar Road at Thorp Highway
- Glover Road at Prater Road
- Gobblers Knob Road (East End) at Westside Road
- Gobblers Knob Road (West End) at Westside Road
- Godawa Lane at Lower Peoh Point Road
- Golf Course Road at Westside Road
- Goodwin Road at Main Street (Thorp)
- Graham Road at Mohar Road
- Grindrod Road at Gilbert Road
- Groeschell Road at Pays Road
- Groeschell Road at Upper Peoh Point Road
- Hannah Road at Bender Road
- Hanson Road (Eastbound) at Cove Road
- Hanson Road (Westbound) at Cove Road
- Hanson Road at Thorp Highway
- Harold Road at Fourth Parallel Road
- Hart Road at Taylor Road
- Hayes Road at Bynum Road
- Hayes Road at Morrison Road
- Hayward Road at Bettas Road
- Hemingston Road (Northbound) at Parke Creek Road
- Hidden Valley Road at Emerick Road
- Horlick Road at Thorp Prairie Road
- Howard Road at Smithson Road
- Hungry Junction Road (Eastbound) at Reecer Creek Road
- Hungry Junction Road (Westbound) at Reecer Creek Road
- Hungry Junction Road at Look Road
- Hunter Road at Killmore Road
- Hyak Drive East (Northbound) at Snoqualmie Drive (2)
- Hyak Drive East (Southbound) at Snoqualmie Drive (2)
- Judge Ronald Road at Pfenning Road
- Judge Ronald Road at Wilson Creek Road
- Kachess Avenue at Railroad Street Road (Easton)
- Kachess Dam Road at West Sparks Road
- Kachess River Road at West Sparks Road
- Kamiakin Road at Upper Badger Pocket Road
- Katen Road at Upper Badger Pocket Road
- Kaynor Road at Fourth Parallel Road
- Keechelus Drive at Hyak Drive East
- Keechelus Drive at Rampart Drive
- Kendall Place at Hyak Drive East
- Kerr Road at Hungry Junction Road
- Kevina Road at Brown Road
- Killmore Road at Thorp Highway
- Kitzbuhel Place at Snoqualmie Drive
- Koffman Road at Parke Creek Road
- Lake Cle Elum Dam Road at Lake Cabins Road
- Larsen Road at Fourth Parallel Road
- Lawrence Road at Fourth Parallel Road
- Lenes Road at Look Road
- Lester Road at Brick Mill Road
- Locust Street at Pfenning Road
- Look Road at Sanders Road
- Lookout Mountain Drive at Quartz Mountain Drive
- Lower Green Canyon Road (Northbound) at Smithson Road
- Lower Green Canyon Road (Southbound) at Smithson Road
- Lyons Road (Eastbound and Westbound) at No. 81 Road
- Lyons Road (Eastbound) at Fairview Road
- Lyons Road (Eastbound) at Naneum Road
- Lyons Road (Westbound) at Fairview Road
- Lyons Road (Westbound) at Naneum Road
- Lyons Road at Wilson Creek Road

- Main Street (Thorp) at 1st Street (Thorp)
- Main Street (Thorp) at Thorp Highway
- Manastash Road (Eastbound) at Umptanum Road
- Mansperger Road at Stevens Road
- Markovich Road at Upper Peoh Point Road
- Martin Road at Shaft Street
- Masterson Road at Airport Road (Cle Elum)
- Masterson Road at Red Bridge Road
- Matthews Road at Kittitas Highway
- Matthews Road at Mt Daniels Drive
- McCullough Road at No. 6 Road
- McDonald Road at Lower Peoh Point Road
- McDowell Road at Fourth Parallel Road
- McManamy Cutt-off Road at McManamy Road
- Meadow View Drive at Robinson Canyon Road
- Meadowbrook Lane at Look Road
- Mellergaard Road at Manastash Road
- Middle Fork Teanaway Road at West Fork Teanaway Road
- Middlecrest Drive at Creeksedge Way
- Mill Creek Road at Lake Cabins Road
- Mission Road at Watt Canyon Road
- Moe Road at Thrall Road
- Moe Road at Tjossem Road
- Mohar Road at Upper Peoh Point Road
- Mohar Road at Westside Road
- Moreau Road at Brick Mill Road
- Mt Daniels Drive (Northbound and Southbound) at First Ave (Grasslands)
- Mt Stuart Ave (Northbound and Southbound) at Third Ave (Grasslands)
- Mt Stuart Avenue at First Ave (Grasslands)
- Mt. Daniels Drive at Third Ave (Grasslands)
- Naneum Road (Northbound and Southbound) at Brick Mill Road
- Naneum Road at Vantage Highway
- Nelson Siding Road at Golf Course Road
- No. 6 Road (Northbound) at Kittitas Highway
- No. 6 Road (Northbound) at Tjossem Road
- No. 6 Road (Southbound) at Kittitas Highway
- No. 6 Road (Southbound) at Tjossem Road
- No. 6 Road at Thrall Road
- No. 6 Road at Vantage Highway
- No. 81 Road (Northbound) at Vantage Highway
- No. 81 Road (Southbound) at Vantage Highway
- No. 81 Road at Brick Mill Road
- No. 245 Road at Shaft Street Road
- Oak Street at Pfenning Road
- Old Highway Ten at Reecer Creek Road
- Orchard Road at Dodge Road
- Orchard Road at Thrall Road
- Pacific Ave (Northbound and Southbound) at 3rd Street (Ronald)
- Parke Creek Road (Northbound and Southbound) at Vantage Highway
- Patrick's Park Drive at Evergreen Valley Loop Road
- Payne Road at Thrall Road
- Pays Road at Lower Peoh Point Road
- Pays Road at Upper Peoh Point Road
- Peakview Drive at Middlecrest Drive
- Pease Road at Lower Peoh Point Road
- Pfenning Road (Northbound) at Vantage Highway
- Pfenning Road (Southbound) at Vantage Highway
- Pfenning Road at Game Farm Road
- Pioneer Road at Bender Road
- Quail Valley Road at Lambert Road
- Quartz Mtn Drive at Mt Daniels Drive
- Rader Road (Eastbound) at Fairview Road
- Rader Road (Eastbound) at Naneum Road
- Rader Road (Westbound) at Fairview Road
- Rader Road (Westbound) at Naneum Road
- Rader Road at Schnebly Road
- Rader Road at Wilson Creek Road
- Rampart Drive at the intersection with Hyak Drive East
- Recreation Drive (Vantage) at Vantage Highway
- Red Bridge Road at Masterson Road
- Red Bridge Road at Teanaway Road
- Red Cedar Drive (Northwest bound) at White Pine Drive
- Red Cedar Drive (Southeast bound) at White Pine Drive
- Red Mountain Drive at First Ave (Grasslands)
- Reecer Creek Road at University Way
- Rein Road at No. 6 Road
- Ringer Loop Road (North End) at Canyon Road
- Ringer Loop Road (South End) at Canyon Road
- Riverbottom Road (North end) at Umptanum Road
- Riverbottom Road (South end) at Umptanum Road
- Robbins Road at Reecer Creek Road
- Robinson Canyon Road at Killmore Road
- Robinson Canyon Road at Thorp Highway

- Romans Court at Rampart Drive
- Ross Road (Northbound and Southbound) at Morrison Road
- Ross Road at 4th Parallel Road
- Schnebly Road at Brick Mill Road
- Seaton Road at Lambert Road
- Shaft Street at Alliance Road
- Silica Road at Upper Badger Pocket Road
- Silver Trail at West Sparks Road
- Silverton Road at the intersection with Robinson Canyon Road
- Sinclair Road at the intersection with Faust Road
- Sisters Road at Thorp Cemetery Road
- Smith Drive at West Sparks Road
- Smithson Road (Eastbound and Westbound) at Robbins Road
- Smithson Road (Eastbound) at Reecer Creek Road
- Smithson Road (Westbound) at Reecer Creek Road
- Snodgrass Road at No. 81 Road
- Snoqualmie Drive at Hyak Drive East
- Snoqualmie Drive (Northbound) at Innsbruck Drive
- Snoqualmie Drive (Southbound) at Snoqualmie Drive
- Sorenson Road (Eastbound and Westbound) at Denmark Road
- Sorenson Road (Eastbound) at Badger Pocket Road
- Sorenson Road (Eastbound) at Cleman Road
- Sorenson Road (Westbound) at Badger Pocket Road
- Sorenson Road (Westbound) at Cleman Road
- Sparks Road at West Sparks Road
- St. Moritz Place at Cascade Place
- Stevens Road at Parke Creek Road
- Stingley Road at Clerf Road
- Stone Road at Canyon Road
- Storie Lane at Nelson Siding Road
- Strande Road at Barnes Road
- Strande Road (Northbound) at Manastash Road
- Strande Road (Southbound) at Manastash Road
- Strange Road at Vantage Highway
- Stuart View Lane at Taneum Road East
- Sunlight Drive at Thorp Prairie Road
- Susan Road at Strande Road
- Table Mountain Drive at Third Avenue
- Talmadge Road at Nelson Siding Road
- Taneum Road, East at Thorp Cemetery Road
- Taneum Road, East at Thorp Highway
- Taylor Road at Lambert Road
- Third Ave (Grasslands) at Pfenning Road
- Thomas Road (Eastbound and Westbound) at Naneum Road
- Thomas Road at Wilson Creek Road
- Thorp Cemetery Road at Thorp Highway
- Thorp Depot Road at Goodwin Road
- Thorp Depot Road at Thorp Highway
- Thorp Prairie Road at Taneum Road, East
- Thrall Road (Eastbound and Westbound) at Hamilton Road
- Thrall Road (Westbound) at Upper Badger Pocket Road
- Tipton Road at Hungry Junction Road
- Tjossem Connection at No. 6 Road
- Tjossem Road at Canyon Road
- Tjossem Road at Cleman Road
- Tolman Road at Pfenning Road
- Tozer Road (Northbound) at the intersection of Orchard Road
- Tyler Rd at Reecer Creek Road
- Upper Badger Pocket Wye Road at Thrall Road
- Upper Badger Pocket Wye Road at Upper Badger Pocket Road
- Upper Peoh Point Road at Lower Peoh Point Road
- Valley View Drive at Camas Lane
- Vanderbilt Road at Fourth Parallel Road
- Vantage Park Road (Vantage) at Main Street (Vantage)
- Via Kachess Road at Kachess Lake Road
- View Lane Road at Carroll Road
- Village Drive at Third Ave
- Wade Road at Gladmar Road
- Watson Cutoff Road at Lower Peoh Point Road
- Watson Cutoff Road at Upper Peoh Point Road
- Watson Road at Fairview Road
- Watson Road at Naneum Road
- Watt Canyon Road at Thorp Cemetery Road
- Weaver Road (Eastbound) at Cove Road
- Weaver Road (Westbound) at Cove Road
- Weaver Road at Thorp Highway
- West Fork Teanaway Road at Teanaway Road
- West Sparks Road at Sparks Road
- West Sparks Road at West Sparks Road
- West Willis Road at No. 6 Road
- Westside Road at Nelson Siding Road
- White Pine Drive at the intersection with Patrick's Park Drive
- White Pine Drive at Red Cedar Drive

- White Road at Cle Elum Airport Road
- Willett Road at Vantage Highway
- Willis Road East at No. 6 Road
- Willowdale Road at Wilson Creek Road
- Wilson Creek Road at Alford Road
- Wilson Creek Road at Vantage Highway
- Woodhouse Loop (North End) at Canyon Road
- Woodhouse Loop (South End) at Canyon Road
- Woods & Steele Road at West Side Road
- WPA Road at Upper Badger Pocket Road
- Zrebiec Road at Westside Road

2. The following are yield intersections:
   - Alkali Road at Emerson Road
   - Alkali Road at Moe Road
   - Bakers Road (Westbound) on Morel Road
   - Ballard Hill Road at Teanaway Road (2)
   - Brown Street at Gingko Avenue
   - Buffalo Lane at Upper Badger Pocket Road
   - Busch Road at Hamilton Road
   - Bynum Road at Upper Badger Pocket Road
   - Cattail Road at Howard Road
   - Fern Road at No. 6 Road
   - Green Spur Road at Lower Green Canyon Road
   - Grindrod Road at Venture Road
   - Hamilton Road (Southbound) at Upper Badger Pocket Road
   - Hamilton Road at Sorenson Road
   - Hemingston Road (Southbound) at Parke Creek Road
   - Hemingston Road at Clerf Road
   - Indermuhle Road at Parke Creek Road
   - Joyce Street (Vantage) at Main Street (Vantage)
   - Kern Road at Lawrence Road
   - Ley Road at Ballard Hill Road and Swauk Prairie Road
   - Lower Green Canyon Road at Reecer Creek Road
   - Martensen Road at Carroll Road
   - Morrison Road at Upper Badger Pocket Road
   - O'Neil Road at McManamy Road
   - Parke Creek Road at Christensen Road
   - Perry Road at Orchard Road
   - Prater Road at Parke Creek Road
   - Pumping Plant Road at Larsen Road
   - Robbins Road at Robbins Wye Road
   - Schnebly Road at Cooke Canyon Road
   - Shale Pit Road at Stevens Road
   - Smithson Road (Westbound) at Robbins Wye Road
   - Sones Road at Parke Creek Road
   - Sorenson Road (Westbound) at Prater Road
   - Thorp Prairie Cut-Off Road at Thorp Prairie Road
   - Tipton Road at Look Road
   - Tjossem Connection at Tjossem Road
   - Upper Green Canyon Road at Reecer Creek Road
   - Venture Road at Lyons Road
   - Wayne Street (Vantage) at Main Street (Vantage)

(O-2014-001, 2014; Ord. 2012-007, 2012; Ord. 2011-008 , 2011; Ord. 2011-007 , 2011; Ord. 2009-17, 2009; Ord. 2009-08, 2009; Ord. 2008-16, 2008; Ord. 2008-10, 2008; Ord. 2006-62, 2006; Ord. 2006-52, 2006; Ord. 2006-51, 2006; Ord. 2006-50, 2006; Ord. 2006-23, 2006; Ord. 2005-25, 2005; Ord. 2005-22, 2005; Ord. 2005-19, 2005; Ord. 2005-07, 2005; Ord. 2004-40, 2004; Ord. 2004-39, 2004; Ord. 2004-36, 2004; Ord. 2004-35, 2004; Ord. 2004-30, 2004; Ord. 2004-19, 2004; Ord. 2004-17, 2004; Ord. 2004-05, 2004; Ord. 2003-21, 2003; Ord. 2003-11, 2003; Ord. 2002-11, 2002; Ord. 2002-10, 2002; Ord. 2000-05, 2000; Ord. 99-02 § 1, 1999; Ord. 9811, 1998; Ord. 98-09, 1998; Ord. 98-04, 1998; Ord. 98-03, 1998; Ord. 98-02, 1998; Ord. 9801, 1998; Ord 97-18, 1997; Ord. 97-16, 1997; Ord. 97-14, 1997; Ord. 97-05, 1997; Ord. 96-21 (part), 1996; Ord. 95-11(B), 1995; Ord. 94-26, 1994; Ord. 94-7, 1994; Ord. 93-16 (part), 1993; Ord. 93-9, 1993; Ord. 93-7, 1993; Ord. 92-12, 1992; Ord. 90-4, 1990; Ord. 90-2, 1990; Ord. 89-8, 1989; Ord. 87-8, 1987; Ord. 86-4, 1986; Ord. 86-1, 1986; Ord. 85-3 § 4, 1985; Ord. 8210, 1982; Ord. 82-8, 1982; Res. DPW-81-81, 1981; Res. DPW-69-81, 1981; Res. DPW-6881, 1981; Res. DPW-51-81, 1981; Res. DPW-881, 1981; Res. RD-51-80, 1980; Res. RD-5080, 1980; Res. RD-94-79, 1979; Res. RD-8279, 1979; Res. RD-50-79, 1979; Res. 49-79, 1979; Res. RD-48-79, 1979; Res. RD-41-79, 1979; Res. RD-40-79, 1979; Res. RD-34-79, 1979; Res. RD-33-79, 1979; Res. RD-32-79, 1979; Res. RD-31-79, 1979; Res. RD-29-79, 1979; Res. RD-25-79, 1979; Res. RD-83-78, 1978; Res. RD-70-78, 1978; Res. RD-60-78, 1978; Res. RD-51-78, 1978; Res. RD-111-77, 1977; Res. RD-110-77, 1977; Res. RD-108-77, 1977; Res. RD-88-77, 1977; Res. RD-71-77, 1977; Res. RD-63-77, 1977; Res. RD-62-77, 1977; Res. RD-61-77, 1977; Res. RD-60-77, 1977; Res. RD-27-77, 1977; Res. RD-60-76, 1976; Res. RD-59-76, 1976; Res. RD-58-76, 1976; Res. RD-57-76, 1976; Res. RD-50-76, 1976; Res. RD-48-76, 1976; Res. RD-57-75, 1975; Res. RD-56-75, 1975; Res. RD-55-75, 1975; Res. RD-54-75, 1975; Res. RD-53-75, 1975; Res. RD-52-75, 1975; Res. RD-50-75, 1975; Res. RD-48-75, 1975; Res. RD-12-75, 1975; Res. RD-11-75, 1975; Res. RD-59-74, 1974; Res. RD-47-74, 1974; Res. RD-45-74, 1974; Res. RD-40-74, 1974; Res. RD-37-74, 1974; Res. RD-36-74, 1974; Res. 30-74, 1974; Res. RD-82-73 (part), 1973).

10.12.011 Stop or yield signs at railroad crossings.
Stop or yield signs shall be posted at railroad crossings on county roads which are not otherwise signalized in accordance with the Manual on Uniform Traffic Control Devices. (MUTCD). (Ord. 97-04, 1997).

10.12.020 Signs installation.
The county engineer is instructed to install the required road signs to comply with this chapter as soon as possible. (Res. RD-82-73 (part), 1973).

10.12.030 Enforcement.
The enforcement of this chapter will be made upon installation of the designated signs. (Res. RD-82-73 (part), 1973).

Chapter 10.16
PERMIT FEES FOR OVERWEIGHT VEHICLES*

Sections
10.16.010 Permit, fee schedule.

10.16.020 State Highway Commission permit.
10.16.030 Permit issuance - Fee collection.
10.16.040 Penalties.
10.16.050 Fee schedule - General instructions.

* For the statutory provisions regarding permits for overlegal loads, see RCW 46.44.090 - 46.44.095.

10.16.010 Permit, fee schedule.
The schedules of permits and fees as set forth in RCW 46.44 for use on state primary and secondary highways shall be adopted as the schedule of permits and fees for all county roads. (Vol. M, p. 27, 1959).

10.16.020 State Highway Commission permit.
Any applicant who has secured the necessary permit and paid the scheduled fees to the State Highway Commission for vehicular movement into the county may be issued a similar permit to continue said vehicular movement over county roads as designated by the county engineer or his representative and no additional fee will be charged. (Vol. M, p. 27, 1959).

10.16.030 Permit issuance - Fee collection.
All said permits for vehicular movement originating on county roads shall be issued by the county engineer or his representative, and fees as scheduled in RCW 46.44 shall be collected and deposited in the county road fund. (Vol. M, p. 27, 1959).

10.16.040 Penalties.
Penalties for failure to comply with the restrictions set forth in Sections 10.16.010 through 10.16.030 shall conform to RCW 46.44. (Vol. M, p. 27, 1959).

10.16.050 Fee schedule - General instructions.
The following schedule of fees and outline of procedure for issuing permits in the county is adopted:

Overlegal Permits

1. County Permits.
   a. Log tolerance, per truck, five dollars each.
   b. Overload permits (seasonal - emergency), one dollar each.
   c. Overweight: minimum charge is five dollars or rate per mile, whichever is greater.

Pounds overweight	Amount Per Mile
6,000	$.10
12,000	.20
18,000	.30
24,000	.50
36,000	.90
over 36,000	1.10

   d. Overlength, overheight, and excessive overhang - issue permit, no charge,
   e. Overwidth: three-dollar charge for one trip or one hundred fifty dollars for annual permit per vehicle - twelve feet maximum.
2. County Permission on State Permits.
   a. Building fourteen feet or over, additional charge: ten dollars for county permit,
   b. Other permits, validate back of permit and make entry on county record sheet: no charge;
3. General Instructions.
   a. Permits shall be issued for one vehicle and one trip only; except, overwidth permit may be issued on annual basis per vehicle.
   b. In the case of an overlegal permit with more than one overlegal aspect, the charge will be for one overlegal aspect only, whichever is higher.
   c. Permits must be paid in cash or by checks payable to the Kittitas County Department of Public Works before they are validated.
   d. Permits shall be issued at the office of the department of public works, Room 108, Kittitas County Courthouse, Ellensburg, Washington, from eight a.m. to five p.m. Monday through Friday, except legal holidays.
   e. Overlegal moving on county roads will be allowable during daylight hours only Monday through Saturday at noon, excluding all holidays, unless otherwise specified by the director of public works. (Res. DPW-1-82, 1982: Res. RD-51-79: Res. RD-26-79, 1979: Res. RD-6111, Vol. M, p. 324, 1961).

Chapter 10.20
PERMITS FOR LOGGING TRUCKS

(Repealed by Resolution 85-48)

Chapter 10.24
ALL-TERRAIN VEHICLES

Sections

10.24.010 Plan adopted.
10.24.020 Wheeled all-terrain vehicle operation on county roads.

10.24.010 Plan adopted.
The board of county commissioners adopts the Kittitas County All-Terrain Vehicle Action Plan. (Res. 75-67, 1975).

10.24.020 Wheeled all-terrain vehicle operation on county roads.
The operation of wheeled all-terrain vehicles, as described in RCW 46.09, with the additional requirement that wheeled all-terrain vehicles have head lights that are utilized at all times, shall be allowed on county maintained roads that have posted speed limits of 35 miles per hour or less. (Ord. 2014-006, 2014;)

Chapter 10.28
SEASONAL WEIGHT RESTRICTIONS

Sections

10.28.010 Declaration of purpose.
10.28.020 Scope and construction of terms.
10.28.030 Definitions.
10.28.040 Emergency load limitations.

10.28.050 Special permits for authorized vehicles.
10.28.060 Maximum speed permitted on posted roads.
10.28.070 Penalty.
10.28.080 Action for damage.

10.28.010 Declaration of purpose.

It is the policy of the board of county commissioners to:

1. Establish general emergency load limitations upon county roads during load sensitive periods;
2. Establish special load limitations for school buses, motor trucks transporting perishable commodities or commodities necessary to the health and welfare of county residents, and motor vehicles providing services necessary for health and welfare, when such emergency load limitations are in effect;
3. Request the Washington State Patrol's assistance with weight control enforcement. (Ord. 92-10 (part), 1992).

10.28.020 Scope and construction of terms.

The definitions in this chapter shall control the meaning of terms used in this chapter. Where no definition is expressly stated in this chapter, a term shall have that meaning clearly indicated by, or reasonably implied from, the context in which such term is used. (Ord. 92-10 (part), 1992).

10.28.030 Definitions.

Authorized emergency vehicle
Any vehicle of any fire department, police department, sheriff's office, coroner, prosecuting attorney, Washington State Patrol, ambulance service, public or private, which need not be classified, registered, or authorized by the State Patrol.

Commodity necessary for health and welfare
Any thing provided to the public which is necessary to provide essential shelter, food or fuel to people and animals.

County road
Every public highway or part thereof, outside the limits of cities and towns, and which has not been designated as a state highway.

Director of public works
The county director of public works, the county engineer or his/her designee.

Gross weight
The total vehicle weight including load.

Perishable commodity
A product of agriculture, aquaculture, or manufacture which by its nature is subject to destruction, decay, deterioration or spoilage except under proper conditions.

Person
Includes every natural person, firm, copartnership, corporation, association or organization.

Pneumatic tire
Includes every tire of rubber or other resilient material designed to be inflated with compressed air to support the load thereon.

School bus
Every motor vehicle used regularly to transport children to and from school or in connection with school activities, which is subject to the requirements set forth in the most recent edition of "Specifications for School Buses" published by the State Superintendent of Public Instruction, but does not include buses operated by common carriers in urban transportation of school children.

Service necessary for health and welfare
Any service provided to the public which is necessary to maintain essential power, gas, communications, garbage, sewer and water services for the public.

Tire width
In the case of pneumatic tires, means the maximum overall normal inflated width, as stipulated by the manufacturer, when inflated to the pressure specified and without load thereon.

Truck
Any motor vehicle designed or used for the transportation of commodities, merchandise, produce, freight, animals or other things.

Vehicle
Includes every device capable of being moved upon a public highway and in, upon or by which any person or property is or may be transported or drawn upon a public highway.

(Ord. 92-10 (part), 1992).

10.28.040 Emergency load limitations.

1. When the director of public works determines that during load sensitive periods, vehicles whose gross tire loads exceed those described in this section will seriously damage or destroy a county road, the director of public works may impose the following limits on vehicle weights, except for authorized emergency vehicles:

Conventional Pneumatic Tires		**Tubeless or Special Pneumatic Tires with .5 Marking**	
Tire Width	**Gross Load Each Tire**	**Tire Width**	**Gross Load Each Tire**
7.00*	1800 lbs.	8-22.5*	1800 lbs.
7.50	1800 lbs.	9-22.5	1900 lbs.
8.25	1900 lbs.	10-22.5	2250 lbs.
9.00	2250 lbs.	11-22.5	2750 lbs.
10.00	2750 lbs.	11-24.5	2750 lbs.
11.00**	3000 lbs.	12-22.5**	3000 lbs.

*And Under
**And Over

2. The emergency load limitations imposed by this section shall become effective upon the erection and maintenance by the director of public works of signs designating the load limitations (visible to the operator of a vehicle as he/she enters the restricted area), and shall remain in effect until the load sensitive period ends and such signs are removed by the director of public works. (Ord. 92-10 (part), 1992)

10.28.050 Special permits for authorized vehicles.

1. In accordance with RCW 46.44.092 and 46.44.093, the county director of public works is authorized, during load sensitive periods, to issue special permits for the operation (upon any county road within the county) of a vehicle or combination of vehicles exceeding the maximum loads specified in Section 10.28.040, to the following classes of vehicles:
   a. School buses (no extracurricular activities);
   b. Milk trucks with dual tires on rear axles and on trailers;

c. Trucks hauling perishable commodities. To obtain a permit, drivers must show proof that at least fifty percent of their load is fresh produce and/or perishables;
d. Garbage vehicles making pickups required for health, e.g., schools, hospitals and institutions;
e. Dead animal services required for health reasons;
f. Vehicles or emergency equipment vendors hauling medical supplies (gases, drugs, etc.);
g. Feed trucks - one trip basis only;
h. Fuel trucks - one trip basis only, allowed to haul one-half loads on emergency basis;
i. Vehicles engaged in septic tank pumping - emergency basis, one trip only;
j. Public transportation vehicles;
k. Vehicles providing service necessary for health and welfare;
l. Authorized emergency vehicles.

2. A permit issued to a vehicle in one of the classes of vehicles listed in subsection (1) of this section shall be subject to the following conditions:
   a. The gross weight of such vehicle shall not exceed that amount determined by multiplying the total number of tires concentrated upon the surface of the road times the maximum allowable gross weight per tire;
   b. No allowance shall be made for any second gear axle suspended from the frame of the vehicle independent of the regular driving axle, otherwise known as "rigid tail-axles";
   c. Allowance will be made for single tires only on the front of a vehicle;
   d. The load distribution on any axle of a vehicle shall be such that it will not load the tires on said axle in excess of the prescribed load, as set forth above, and any loading in excess of the specified maximum will be considered a violation of this chapter;
   e. In an attempt to comply with requirements of this section, the power unit of any combination shall be sufficiently designed to lawfully handle the designated weight;
   f. The special permit shall be clearly displayed in the lower right hand corner of the vehicle's windshield while moving on any restricted county road;
3. The following limits on vehicle weights shall apply to vehicles receiving permits under this section:

Tubeless or Special Conventional Pneumatic Tires		Pneumatic Tires with .5 Marking	
Tire Width	**Gross Load Each Tire**	**Tire Width**	**Gross Load Each Tire**
7.00*	1800 lbs.	8-22.5*	1800 lbs.
7.50	2000 lbs.	9-22.5	2200 lbs.
8.25	2200 lbs.	10-22.5	2600 lbs.
9.00	2600 lbs.	11-22.5	3200 lbs.
10.00	3200 lbs.	11-24.5	3200 lbs.
11.00**	3600 lbs.	12-22.5	3600 lbs.

*And Under

If a vehicle has ten-inch or wider tires on the front axle and otherwise qualifies for a permit, the vehicle may be allowed to have 10,000 pounds gross weight on the front axle under emergency load limitations.

Tires over eleven inches in width may be issued a special permit for loads of 3,000 pounds plus 400 pounds per inch of tire in excess of eleven inches, up to 5,250 pounds per tire.

4. Any vehicle requiring a special permit under this section shall not exceed twenty-five miles per hour on any county road subject to emergency load limitations.
5. Where a specific hardship occurs, variances from the special permit weight limitations may, in the discretion of the director of public works, be issued on a case-by-case basis. Such variance permits may allow a vehicle to exceed the gross weight limits of this section, subject to specified times and routes of movement needed to protect the county roads from serious damage. (Ord. 92-10 (part), 1992).

10.28.060 Maximum speed permitted on posted roads.
Except where applicable law specifies a lower speed, the county engineer may post a reduced speed limit as low as twenty miles per hour upon any county road under emergency load limitations. (Ord. 92-10 (part), 1992).

10.28.070 Penalty.
Any person violating any emergency load limitations on a county road during a load sensitive period shall be in violation of this chapter. A violation of this chapter shall constitute a traffic infraction under the provisions of RCW 46.44.105, 46.44.100, and 46.44.080, subjecting the violator to the monetary penalties provided in chapters 46.44 and 46.61 RCW. (Ord. 92-10 (part), 1992).

10.28.080 Action for damage.
Any person operating a motor vehicle upon any county road in violation of any provision of this chapter shall be liable under RCW 46.44.110 and 46.44.120 for any damage caused to such county road as the result of such violation. (Ord. 92-10 (part), 1992).

Chapter 10.32
SNOWMOBILES

Sections
10.32.010 Roads open for use.
10.32.020 Termination of use.
10.32.030 Repealed.
10.32.040 Crossing public roadways and highways.
10.32.045 Lawful operation on public highway or road.
10.32.050 Violation - Penalty.
10.32.060 Purpose.

10.32.010 Roads open for use.
The following is a list of roads that shall be open to wintertime snowmobile traffic concurrently with motor vehicle traffic. The roads shall be posted as to their authorized use by snowmobiles:

1. Railroad Street in Easton (from Easton State Park easterly).
2. First Street in Easton.
3. Kachess Avenue in Easton.
4. Depot Street in Easton.
5. Alley Street in Easton.
6. Cross Street in Easton north to I-90 Interchange.

7. No. 277 Road in Easton.
8. No. 278 Road in Easton. Pelton Avenue in Easton. Cabin Creek Road in Easton.
9. Liberty Road from MP 0.73 (Jct U.S.F.S. Rd. No. 2017) easterly to end of road at MP 2.10.
10. Via Kachess.
11. Salmon La Sac Road (beginning at MP 1.15) westerly to end of road.
12. Kachess Lake Road (from the snow park to Cabin Creek Road).
13. Kachess Lake Road (from MP .78 to MP 1.77).
14. West Sparks Road (entire county road).
15. Sparks Road (entire county road).
16. Salmon La Sac Road (from MP 0.00 to MP 1.15).
17. Kachess River Road (from M.P. 0.00 to M.P. 0.48)
18. Evergreen Way (from M.P. 0.00 to M.P. 0.20

(Ord. 2004-03, 2004; Ord. 2002-15, 2002; Ord. 2000-4, 2000; Ord. 97-19, 1997; Ord. 97-11, 1997; Ord. 94-36, 1994; Ord. 94-29, 1994: Ord. 82-12 (part), 1982).

10.32.020 Termination of use.
The board of county commissioners may terminate at any time the use of snowmobiles on specified county roads if the use is abused, if there is a safety concern and/or it is in the best interest of the county. (Ord. 82-12 (part), 1982).

10.32.030 Operation standards.
Repealed (Ord. 2011-004, 2011; Ord. 2002-22, 2002; Ord. 82-12 (part), 1982).

10.32.040 Crossing public roadways and highways.
It shall be lawful to drive or operate a snowmobile across public roadways and highways other than limited access highways when:

1. The crossing is made at an angle of approximately ninety degrees to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing; and
2. The snowmobile is brought to a complete stop before entering the public roadway or highway; and
3. The operator of the snowmobile yields the right-of-way to motor vehicles using the public roadway or highway; and
4. The crossing is made at a place which is greater than one hundred feet from any public roadway or highway intersection.

(Ord. 82-12 (part), 1982)

10.32.045 Lawful operation on public highway or road.
Notwithstanding the provisions of KCC 10.32.040, it shall be lawful to operate a snowmobile upon a public roadway or highway:

1. Where such roadway or highway is completely covered with snow or ice and has been closed by the County to motor vehicle traffic during the winter months; or
2. When the County gives notice that such roadway or highway is open to snowmobiles; or
3. In an emergency during the period of time when and at locations where snow upon the roadway or highway renders such impassible to travel by automobile; or
4. When traveling along a designated snowmobile trail.

(Ord. 2011-004, 2011)

10.32.050 Violation - Penalty.
Any person violating this chapter shall be guilty of a traffic infraction the disposition of which is provided in Chapter 46.63 RCW. (Ord. 2011-004, 2011; Ord. 82-12 (part), 1982).

10.32.060 Purpose.
It is expressly the purpose of this Chapter to provide for and promote the health, safety and welfare of the general public. This Chapter is not intended to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefitted by its terms. (Ord. 2011-004, 2011)

Chapter 10.36
OFF-ROAD VEHICLES

Repealed (Ord. 2011-004, 2011)

Chapter 10.37
OFF-ROAD AND NON-HIGHWAY VEHICLES*

Repealed (Ord. 2011-004, 2011)

Chapter 10.38
ELECTRIC VEHICLE CHARGING STATIONS

Sections
10.38.010 Applicability.
10.38.020 Electric Vehicle Charging Stations - Generally.
10.38.030 Prohibitions.
10.38.040 Noticing of Electric Vehicle Charging Stations.
10.38.050 Violations-Penalty.

10.38.010 Applicability.
This chapter applies to electric vehicle charging stations on public roads and County-owned property, including the County fairgrounds, courthouse, airport, or similar. (Ord. 2011-013, 2011)

10.38.020 Electric Vehicle Charging Stations - Generally.
1. Electric vehicle charging stations are reserved for parking and Charging electric vehicles only.
2. Electric vehicles may be parked in any space designated for public parking, subject to the restrictions that would apply to any other vehicle that would park in that space.(Ord. 2011-013, 2011)

10.38.030 Prohibitions.
1. Pursuant to Section 10.38.050, when a sign authorized under Section 10.38.040 provides notice that a space is a designated electric vehicle charging station, no person shall park or stand any non-electric vehicle in a designated electric vehicle charging station space. Any non-electric vehicle is subject to fine or removal.
2. Pursuant to Section 10.38.050, any electric vehicle in any designated electric vehicle charging station space and not electrically charging or parked beyond the days and hours

designated on regulatory signs posted at or near the space, shall be subject to a fine and/or removal. For purposes of this subsection, "charging" means an electric vehicle is parked at an electric vehicle charging station and is connected to the charging station equipment. (Ord. 2011-013, 2011)

10.38.040 Noticing of Electric Vehicle Charging Stations.

1. Upon adoption by Kittitas County Board of County Commissioners, the Kittitas County engineer shall cause appropriate signs and marking to be placed in and around electric vehicle charging station spaces, indicating prominently thereon the parking regulations. The signs shall define time limits and hours of operation, as applicable, shall state that the parking space is reserved for charging electric vehicles and that an electric vehicle may only park in the space for charging purposes. Violators are subject to a fine and/or removal of their vehicle. (Ord. 2011-013, 2011)

10.38.050 Violations-Penalty.

1. Violations of this chapter shall be punishable as infractions. Punishment shall be by a fine not to exceed the fine prescribed in accordance with Chapter 46.63 RCW. Each day such violation is committed shall constitute a separate offense and shall be punishable as such.
2. In addition to a fine, a person who has parked or left a vehicle standing upon a street, alley, or Kittitas County parking lot or garage in violation of this chapter is subject to having the vehicle removed from the street, alley, or Kittitas County parking lot or garage and impounded by any member of the sheriff's department authorized by the sheriff or designated law official at the owner's expense. (Ord. 2011-013, 2011)

Title 12 | ROADS AND BRIDGES*

Chapters

12.01 General Information
12.02 Definitions and Abbreviations
12.03 Roadway Classification
12.04 Countywide Road Districts
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
12.13 Design and Construction Standards for Utility
12.14 Electric Vehicle Charging Stations
12.20 Road-Sanding Policy
12.21 Works 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

* 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 Remissions.
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.
12.01.140 Authority of the Public Works Director.
12.01.150 Cost Estimates and Construction Bonds.
12.01.160 Public Road System.
12.01.170 New County Roads.

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; and
2. Establish uniform criteria to guide the County's own construction of new County roads or reconstruction of existing roads; and

3. These standards are intended to 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 needed 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 to be measured.

The Standards cannot provide for all situations. They are intended to assist but not to 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, however, 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. 2005-30, 2005)

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 land use development 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 land use development road, or other roads within the County.

Requirements of the title shall be enforced in the same manner as other Kittitas County Codes, including injunctions resulting in work stoppage or suit may be commenced for damages resulting to the roads or rights-of-way of the County due to noncompliance. (Ord. 2005-30, 2005)

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 roads and right-of-way facilities required by development approvals within Kittitas County. Any Land-use application on file with the County prior to the date of adoption of these standards shall be vested under the standards applicable at the time of application. In the event of conflict with the current subdivision code, Kittitas County Code Chapters 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 will accept these roads onto the County system for continued maintenance, subject to limitations as addressed in KCC 12.01.180.

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

The Standards shall not apply to new or planned utility facilities and emergency or non-emergency replacement of existing utility structures within Kittitas County right-of-way. 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. 2005-30, 2005)

12.01.040 Amendments and Remissions.
The standards may 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 resolution following a public hearing.

One year from the date of acceptance the Planning Commission and the Board of County Commissioners shall hold public hearings, and annually there after for the purpose of reviewing the Standards and receive public comment regarding any issues that have developed from the adoption of these standards. (Ord. 2005-30, 2005)

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. (Ord. 2005-30, 2005)

12.01.060 Review and Approval.
The County will review all land-use applications for general compliance with the Specific Roadway Standards. An approval by the County does not relieve the owner, owner's engineer, or developer from final responsibility of insuring that the calculations, plans, specifications, construction, and as-built drawings are in compliance with this title as stated in the owner's engineer's certification provided in accordance with 12.08.020. (Ord. 2005-30, 2005)

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, comfort, morals, convenience, prosperity, and welfare of the residents of the 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. This exception shall be subject to the conditions and limitations under which the Engineer accepted said plans.

Any ambiguities in the interpretation of material contained in this title shall be resolved through the appeals process. (Ord. 2005-30, 2005)

12.01.080 Relationship to Other Standards.
When applicable WAC, AASHTO standards, and/or WSDOT standards are referenced, any reference to "State highways", or the like, within each agency's documentation, 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 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, these shall be incorporated into this document after the due process and public hearing(s) required to modify this title. (Ord. 2005-30, 2005)

12.01.090 Responsibility to Provide Roadway Improvements.
A. Any parcel creation, which will impact the service level, 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 an assessment by the County of the impacts of the proposed land development. The assessment will be based on factors including, but not limited to, functional classification, primitive road designation, single access to development, safety and level of service.

B. Any parcel creation abutting and impacting existing roads shall improve the frontage of those roads in accordance with these standards. The extent of improvements shall be based on the assessment by the County of the impacts of the proposed land development stated in Section A. above. Short plats within the UGA creating only one additional lot to a tax lot with an existing dwelling unit are exempt from providing urban type street improvements but are subject to shoulder improvements providing these improvements are consistent with surrounding roads and do not present a safety problem.
C. Any land development or parcel creation that contains internal roads shall construct or improve those roadways to these Standards.
D. It is the County's practice that it will not allow subdivisions to be recorded unless there exists a recorded continuous public or private access to the subdivision. Nor will the County accept a road for maintenance until the road is directly connected to a County or other publicly maintained road.
E. All public road improvement and development projects within an UGA shall include pedestrian access as a part of the design in accordance with the appropriate City's standard, provided a pre-annexation agreement between the applicant and the appropriate City has been entered into and requires the same.
F. All road improvements planned or specified in any adopted Growth Management plan of the County shall be planned and constructed in accordance with these Standards.
G. Contiguous parcels, parcels under the same ownership and/or parcels sharing access easements/roads that submit any land development application, shall be reviewed as one development for transportation and road improvement purposes. (Ord. 2005-30, 2005)

12.01.095 General Requirements.

1. The road circulation system within a proposed plat shall provide for access to adjacent properties whenever such provision is reasonable and practical.
2. At least two ingress-egress routes which are interconnected are required for all roads that serve more than 40 lots.
3. Deadend streets, designed to be so permanently, shall be provided at the closed end with a turn-around having an outside right-of-way easement diameter of at least one hundred ten feet.
4. 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.
5. No road names shall be used which will duplicate or be confused with the names of existing roads. Road names shall be subject to the approval of the Department of Public Works.
6. Corner lots shall have no dimension less than ninety feet. Lot corner shall be rounded by an arc, the minimum radius of which shall be not less than 35 feet at street intersections, or as required by the WSDOT Design Manual.
7. All parcel creations that access property over private lands, public lands, or road easements managed by other agencies must submit an approved easement from the land owners or road/easement managers that specifically address access, maintenance, seasonal restrictions and other restrictions and or limitations. These easements and permits shall be presented or recorded prior to final approval.
8. Irrigation and delivery water shall be relocated to the utility easement along the existing county road. Additional easement width may be required to accommodate the delivery or tail water. Irrigation water shall not be conveyed or drained into a new county road right of way. A franchise agreement will be required for irrigation water crossing the county right of way.
9. All roads crossing an irrigation ditch shall have a crossing agreement with the ditch owner or irrigation entity.
10. All new roads shall conform to the County Transportation Plan, when published. (Ord. 2005-30, 2005)

12.01.100 General References.

The Standards implement and are intended to be consistent with:

A. County Code, as amended
B. Kittitas County Comprehensive Plan, current edition.
C. Kittitas County Transportation Plan, when adopted.
D. Adopted Community Plans.
E. Kittitas County Non-Motorized Transportation Plan, when adopted.
F. Kittitas County Capital Improvement Program, as amended.
G. Kittitas County Growth Management Program
H. Kittitas County Manual on Accommodating Utilities within the Right-of-way (Ord. 2005-30, 2005;Ord. 2004-13, 2004)

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 following publications produced separately by the Washington State Department of Transportation (WSDOT), or jointly by WSDOT and American Association of State Highway and Transportation OFFICIALS (AASHTO).

A. WSDOT Standard Specifications for Road, Bridge and Municipal Construction, current edition as amended. These will be referred to as the "WSDOT Standard Specifications."
B. The WSDOT Standard Plans for Road and Bridge Construction, to be referred to as the "WSDOT Standard Plans", Current edition as amended.
C. WSDOT Design Manual, current edition as amended. (Ord. 2005-30, 2005)

12.01.120 Other Specifications.

Other specifications include the following, which shall be applicable when pertinent, when specifically cited in the Standards, or when required by State or Federal funding authority:

A. Local Agency Guidelines, WSDOT, as amended.
B. Guidelines for Urban Arterial Program, WSDOT, as amended.
C. Design criteria of federal agencies including the Federal Housing Administration, Department of Housing and Urban Development; and the Federal Highway Administration, Department of Transportation.
D. A Policy on Geometric Design of Highways and Streets, American Association of State Highway and Transportation Officials (AASHTO), current edition.
E. Standard Specifications for Highway Bridges, adopted by the American Association of State Highway and Transportation Officials (AASHTO), current edition.
F. U. S. Department of Transportation Manual on Uniform Traffic Control Devices, as amended and approved by Washington State Department of Transportation, abbreviated as the "MUTCD" current edition.
G. Guide for the Development of Bicycle Facilities, adopted by AASHTO, current edition.
H. City and County Design Standards for the Construction of Urban and Rural Arterials and Collectors in Washington State, current edition.
I. Guidelines for the Geometric Design of Very Low-Volume Local Roads (ADT<400), adopted by the American Association of State Highway and Transportation Officials (AASHTO), current edition. (Ord. 2005-30, 2005)

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, Director of Community Development Services, Fire Marshall, or designees, and three citizens appointed by the BOCC, upon evidence that such variances are in the public interest, and that requirements for safety, function, fire protection, appearance and maintainability based upon sound engineering judgment are fully met. Variances from the standards in this title will be considered on a case-by-case basis. If the developer, contractor, utility responsible to the County for improvements desires to design and construct such improvements in variances to these standards, such variance(s) shall be identified in a written attachment to the initial submittal of construction plans or Subdivision Application. The variance request(s) shall consist of:

A. Identification of the standard provision to be waived or varied.
B. Identification of the alternative design or construction standards to be adhered to.
C. A thorough justification of the variance request including impact on capital and maintenance requirements and cost.
D. Request may be prepared by the applicant or professional civil engineer licensed to practice in Washington or professional land surveyor licensed to practice in Washington.

If, upon review and denial of the variance by the Road Variance Committee, the developer may appeal to the Board of County Commissioners (BOCC).

The developer shall make appeal to the BOCC within 15 days from receipt of denial from the Director of Public Works. All notices and appeals shall be in writing. (Ord. 2005-30, 2005)

12.01.140 Authority of the Public Works Director.

The Director of Public Works or his designee shall have the authority, on behalf of the County, to ascertain that all design and construction is equal to or exceeds the minimum requirements set forth in these standards. (Ord. 2005-30, 2005)

12.01.150 Cost Estimates and Construction Bonds.

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 improvements prior to approval of a final plat, short plat or other land-use action, 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 design, construction and installation of such improvements within a period specified by the Director. The Director will enforce the guarantee through appropriate legal and equitable remedies. If a surety bond is provided for public or private roads, the amount of the bond shall equal one hundred and thirty-five (135%) of the estimated design and construction cost. When a letter of escrow or cash is used, which will be acceptable only for public roads, the amount covered shall be for one hundred fifteen percent (115%) of the estimated construction cost as reviewed and concurred by the Public Works Director

   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.

   Building Permits will not be issued until road construction is completed or bonded to the subject dwelling or structure and approved by the County or a licensed professional engineer. 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 or Final Construction Approval (which ever is last). The amount of the maintenance guarantee shall be ten percent (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. 2005-30, 2005)

12.01.160 Public Road System.

A. General

   The Washington Revised Code (RCW 36.75.010) defines public roads as every highway or part thereof, outside the limits of incorporated cities and towns which has not been designated as a state highway or roads over private lands that have been dedicated to the public deed and accepted by the Board of County Commissioners, so long as no vacation of the road has occurred.

   Public roads may or may not be maintained by the County. Kittitas County maintains only those roads, which the BOCC, by written resolution, has agreed to maintain.

   The State statutes have vested Kittitas County with powers, if they so choose, to maintain, lay out, alter, add, delete, acquire property, and regulate traffic on the public roads under its jurisdiction. (Ord. 2005-30, 2005)

12.01.170 New County Roads.

A. General

   New roads may be added to the County Road System by resolution passed by the Board of County Commissioners. Sources of new roads are additions, realignments, relinquished State Highways and Forest Service roads, subdivision and other development. Ordinarily, 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, possible acceptance through resolution and warranty period.

   The initial approval of subdivision road construction by the Engineer is for purposes of releasing the applicant's Development collateral and not for purposes of acceptance by the County for maintenance. The applicant 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 will generally bring a road onto the county road maintenance system if the new road has a potential ADT greater than 400 and is a through road, either to another county road or looped back at the appropriate spacing. The County will not normally consider taking on subdivision internal roads or Cul-De-Sacs. Provided, however, the County shall determine which roads, if any, are intended to be added onto the County road system at the planning or preliminary approval 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. 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 12.03.040. 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 Engineer for clarification.

   Situations may arise in which both the County, Forest Service, State and city or town or other agency become involved in the review of a given development. The following procedure shall then apply:
   1. The conditions of the Inter-Governmental Agreements (IGAs) between the County and the incorporated area shall be complied with.
   2. The County shall refer development plans to other involved agencies for review and comment.
   3. The other agencies shall be responsible for the issuance of access and utility permits and inspections of their respective utilities.
   4. The County shall be responsible for the issuance of permits and inspections of all road construction and for installation or modification of utilities, which occur within the rights-of-way of the County Road System. The County Engineering Department should be contacted for additional information.
   5. Other agencies shall be responsible for the issuance of permits and inspections of all road construction and for installation or modification of utilities, which occur within the rights-of-way of the Agencies Road System. The other agencies should be contacted for additional information.

C. Design Standards

   The design standards, which have been established in this title generally, represent minimum values. The sources for these standards include applicable standards established by the American Association of State Highway and Transportation Officials (AASHTO) and by Washington Department of Transportation (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 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 practicable:
   1. 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.
   2. 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.
   3. 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.

4. Roads should be located with appropriate regard for topography, creeks, wooded areas, and other natural features, which would enhance attractive development.
5. 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 channel thalweg (a line running along the main course of the stream).
6. 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.
7. 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.
8. Roads within subdivisions should be designed as a system of circulation routes so that the use of local roads by through traffic will be discouraged.
9. Roads shall intersect as nearly 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.
10. When a tract is divided into lots 200% or larger, 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.

D. Construction and Testing Standards

Specific construction specifications, both for materials and workmanship, and testing requirements, are found in KCC 12.04. The construction specifications used in work on the County Road System generally comply with the WSDOT Standard Specifications for Road and Bridge Construction in force at the time of construction.

E. 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. 2005-30, 2005)

Chapter 12.2
DEFINITIONS AND ABBREVIATIONS

Sections

12.02.010 Abbreviations.
12.02.020 Definitions.
12.02.030 Definition of Road Functional Classification.
12.02.040 Terrain Classification.

12.02.010 Abbreviations.

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

- AASHTO - American Association of State Highway and Transportation Officials
- ADA - Americans with Disabilities Act
- ADT - Average Dailey Traffic
- ASTM - American Society of Testing Materials
- BOCC - Board of County Commissioners of Kittitas County, Washington
- WSDOT - Washington Department of Transportation
- DA - Development Agreement
- DHV - Design Hourly Volume
- DOJ - Department of Justice
- DPW - Kittitas County Department of Public Works
- EEOC - Equal Employment Opportunity Commission
- FHWA - Federal Highway Administration
- GMA - Growth Management Act
- IGA - Inter-Governmental Agreement
- KCC - Kittitas County Code
- SWMEA - Storm Water Manual for Eastern Washington
- MUTCD - Manual on Uniform Traffic Control Devices
- ROW - Right-of-Way
- RCW - Revised Code of Washington
- UGA - Urban Growth Area
- UGN - Urban Growth Node
- USGS - United States Geologic Survey (Ord. 2005-30, 2005)

12.02.020 Definitions.

- ACCESS - That portion of the driveway private road extending from the County Road or street edge to the edge of Right-of-Way.
- "ADT" Average Daily Traffic - The general unit of measure for traffic defined as the total volume during the given time period (in whole days) greater than one day and less than one year, divided by the number of days in that time period.
- ALLEY - A thoroughfare or right-of-way, usually narrower than a street, which provides access to the rear boundary of two or more residential properties and is not intended for general traffic circulation.
- "AS-BUILT" or RECORD DRAWINGS - Set of original plans, with information superimposed upon them, showing any additions, deletions, changes, etc.
- AUXILARY LANE- The portion of the roadway adjoining the traveled way for parking, turning or other purposes supplementary to through-traffic movement.
- AVERAGE LOT SIZE - The total number of acres divided by the total number of existing and proposed lots to be served by a private road.
- BULB - Round area for vehicle turnaround typically located at the end of a cul-de-sac street.
- CENTER LINE - the line, marked or unmarked, parallel to and equidistant from the sides of a two-way traffic roadway of a highway except where otherwise indicated by painted lines or markers.
- CITY - Any incorporated area within Kittitas County, Washington.
- CONSTRUCTION PLANS - Detailed and working plans including plan and profile, details, notes and any other information necessary for complete construction of the required improvements.
- CONSULTANT - A person, partnership, or corporation duly registered as a professional engineer, according to Washington statutes, who is hired by the landowner or developer and is empowered to act as his agent.
- CONTRACTOR - A person, partnership or corporation performing work within the public right-of-way in Kittitas County.
- CORNER SIGHT TRIANGLES - Specified areas along intersection approach legs and across their included corners shall be clear of obstructions that might block a driver's view of potentially conflicting vehicles. The length of the legs and object height. The leg distances and object heights are in accordance with current AASHTO standards.
- COUNTY - County of Kittitas, State of Washington.

- COUNTY ENGINEER - The Director of Public Works, Kittitas County, Washington, or his authorized representative, acting on behalf of the Director or the County.
- COUNTY ROAD - Every highway 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.
- CUL-DE-SAC - Short Street having one end open to traffic and the other temporarily or permanently terminated by a vehicle turnaround.
- DAYS - Calendar days, not normal working days unless stipulated as working days.
- DESIGN HOURLY VOLUME - On the average rural road is ±15% of ADT; for the average urban road is ±10% of ADT.
- 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.
- DIRECTOR or DIRECTOR OF PUBLIC WORKS - The director of the Kittitas County Public Works and County Engineer.
- DEVELOPER - The person or persons legally responsible for the construction of streets within a specific subdivision or planned unit development.
- DRIVEWAY - No more than two privately maintained residential, commercial, agricultural or industrial properties access point.
- ENGINEER - The Director of Public Works can be the County Engineer, having authorities specified in RCW 36.75.080 and RCW 36.80 or his/her authorized representative.
- EYEBROW - A bulb or semi-circular extension of a curb on one side of a street or at an ell intersection to provide more frontages for adding more lots.
- FLAG LOT - A strip of land having a width narrower than that of the lot or parcel to be served and is designed for providing access to that lot or parcel.
- 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.
- INSPECTOR - An authorized representative of the Engineer assigned to make inspections for contract performance, standards, and contract compliance.
- MAY - A permissive condition. No requirement for design or application is intended.
- MEDIAN RADII - The minimum radius for curbing when used for street medians; measured to flowline.
- OFF-SYSTEM ROAD - A road or right-of-way dedicated or used by the public but not maintained by Kittitas County.
- ON-SYSTEM ROAD - A road or right-of-way dedicated or used by the public and maintained by Kittitas County.
- OWNER'S ENGINEER - A registered engineer (State of Washington) acting for the Owner or Developer.
- PARCEL CREATION - the creations of a lot through short or long subdivision, large lot subdivision, administrative segregation, use of intervening ownership, etc. and including a boundary line adjustment.
- PRIVATE ROAD - Every way or place in private ownership and used for travel of vehicles and utilities by owner or those having expressed or implied permission from the owner, but not by other persons.
- RIGHT-OF-WAY - Land, property or property interest, usually in a strip, acquired for or devoted to transportation purposes.
- 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).
- SHALL - A mandatory condition. Where certain requirements in the design or application use the word "shall", it is mandatory that these requirements be met.
- SHOULD - Where the word "should" is used, it is considered to be advisable usage, recommended but not mandatory.
- SPECIAL DISTRICT - Shall mean any recognized district within Kittitas County that may have some level of jurisdiction over some aspect of a development. Possibly but not limited to Irrigation Districts, Water Districts, and Fire Districts.
- STOPPING SIGHT DISTANCE - Shall mean that distance 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.
- STREET OR ROAD WIDTH - That distance measured from curbface to curbface across a street or edge of traveled way.
- SUBSTANTIAL COMPLETION - The date at which construction is sufficiently complete in accordance with the construction plans for the use in which it was intended.
- UTILITY - A company or individual providing public service such as gas, electric power, irrigation, telephone, telegraph, water, sewer or cable television, whether or not such company is privately owned or owned by a governmental entity.
- TRAVELED WAY - That part of the roadway made for vehicular traffic excluding shoulders and auxiliary lanes. (Ord. 2005-30, 2005)

12.02.030 Definition of Road Functional Classification.
All roads are divided into the following functional categories for planning purposes. Typical sections showing geometric and structural features are found in Chapter 4.

- ARTERIALS (MAJOR & MINOR) - An arterial is a continuous access controlled road for through traffic with crossings at grade.
- COLLECTORS (MAJOR & MINOR) - A collector is a vicinity-wide continuous road for through traffic local roads to arterials.
- LOCAL ROADS - A local access road provides direct access from abutting properties to other roads. (Ord. 2005-30, 2005)

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

- 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%.
- 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 15%.
- 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 15%.

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 Director shall make the final decision. (Ord. 2005-30, 2005)

Chapter 12.3
ROADWAY CLASSIFICATION*

Sections
12.03.010 Road Classifications.
12.03.020 Classification Definitions.
12.03.030 Roadways by Classification.

* Formerly 12.20; renumbered by Ord. 2004.13, 2004

12.03.010 Road Classifications.
County roads or streets are classified functionally as indicated in the following Sections 12.03. Function is the controlling element for classification and shall govern right-of-way, road width and road geometrics. Other given elements such as access, arterial spacing, and average daily traffic count, (ADT) are typical. (Ord. 2005-30, 2005)

12.03.020 Classification Definitions.
A. Rural Major Collector (Class 07)
   1. Serves county seat that is not on an arterial route, larger towns not directly served by the higher systems, and other traffic generators of equivalent intracounty importance, such as consolidated schools, shipping points, county parks, and important mining and agricultural areas;
   2. Link these places with nearby larger towns or cities, or with routes of higher classification; and
   3. Serve the more important intracounty travel corridors.

B. Rural Minor Collector (Class 08).
   1. Should be spaced at intervals consistent with population density to accumulate traffic from local roads and bring all developed areas within reasonable distances of collector roads.
   2. Should provide service to the remaining smaller communities; and
   3. Should link the locally important traffic generators with rural users.

C. Rural Local Access (Class 09).
   Road, which provides direct access to adjoining properties within a neighborhood. These constitute all rural mileage not classified as principal arterial, minor arterial, major collector, or minor collector mileage.

   In accordance with RCW 36.75.300, a county road may be designated as a primitive road under the following criteria:
   1. Roads, which are not classified as part of the county primary system,
   2. Roads which have a gravel or earth driving surface, and
   3. Roads, which have an average annual daily traffic volume of one hundred or fewer vehicles.

D. Urban Principal Arterial (Class 14).
   Route serving the major centers of activity of urbanized areas, the highest traffic volume corridors, and the longest trip desires and carries a high proportion of the total urban area travel on a minimum of mileage.

E. Urban Minor Arterial (Class 16).
   Route interconnects with and augments the urban principal arterial system. It accommodates trips of moderate length at a somewhat lower level of travel mobility than principal arterials do. More emphasis is placed on land access. It provides intercommunity continuity but ideally does not penetrate identifiable neighborhoods.

F. Urban Collector (Class 17).
   Route providing both land access and traffic circulation within residential neighborhoods and commercial and industrial areas. It may penetrate residential neighborhoods, distributing trips from the arterials through the area to their ultimate destination.

G. Urban Local Access (Class 19).
   Route providing primarily direct access to abutting lands and connects to the higher-level systems. It offers the lowest level of mobility. Service to through-traffic movement usually is deliberately discouraged. (Ord. 2005-30, 2005)

12.03.030 Roadways by Classification.

Rural Minor Arterial 6

Road #	Road Name	FROM LOCATION	TO LOCATION
94001	VANTAGE HWY	at ELLENSBURG CITY LIMITS & NAME CHANGE	at PFENNING RD

Rural Major Collector 7

Road #	Road Name	FROM LOCATION	TO LOCATION
93075	BENDER RD	at REECER CREEK RD	0.16 mi. East of PIONEER RD
41271	BRICK MILL RD	at WILSON CREEK RD	at NO. 81 RD
95630	BRONDT RD	at MANASTASH RD	at BROWN RD
95611	BROWN RD	at HANSON RD	at UMPTANUM RD
92275	BULLFROG RD	at BMP - INT I-90	at EOR - SR903
96076	CANYON RD	at ELLENSBURG CITY LIMITS	at SR 821 & THRALL RD
96400	CLEMAN RD	at ELLENSBURG CITY LIMITS	at THRALL RD
95501	COVE RD	at THORP HWY SOUTH	at MANASTASH RD
93025	DRY CREEK RD	0.29 mi. NW of ELLENSBURG CITY LIMITS	at EOR-INTX SR 97
34761	FAUST RD	at INTX SR 97	at DRY CREEK RD
94051	GAME FARM RD	at SANDERS RD	at WILSON CREEK RD
95600	HANSON RD	at THORP HWY SOUTH	at COVE RD
96951	KITTITAS HWY	at ELLENSBURG CITY LIMITS	at KITTITAS CITY LIMITS & PATRICK AVE (KITTITAS)
95301	MANASTASH RD	at RIVERBOTTOM RD	at COVE RD
96200	NO. 6 RD	at VANTAGE HWY	at TJOSSEM RD
94326	NO. 81 RD	at 4TH AV (KITTITAS)	at BRICK MILL RD
93047	OLD HIGHWAY TEN	at REECER CREEK RD	at INTX SR 97
69760	PFENNING RD	at LOCUST ST	at RADIO RD
69760	PFENNING RD	at E'BURG CITY LIMITS (ANNEX)	at GAME FARM RD
93526	REECER CREEK RD	at UNIVERSITY WAY	0.16 mi. South of TYLER RD
92430	SOUTH CLE ELUM RD	at CLE ELUM CITY LIMITS	at EOR-S CLE ELUM CITY LIMITS & EOR -GRANT ST
95417	THORP HWY SOUTH	at I-90 ON/OFF RAMP	at HWY 10
96751	THRALL RD	at BMP-INTX I-82 NORTH & INTX HWY 821	at UPPER BADGER POCKET RD
96865	TJOSSEM RD	at CANYON RD	at CLEMAN RD
96937	UMPTANUM RD	0.19 mi. SW of ANDERSON RD	at RIVERBOTTOM RD
94001	VANTAGE HWY	at PFENNING RD	at NO. 81 RD
94126	WILSON CREEK RD	at NO. 6 RD	at BRICK MILL RD

Rural Minor Collector 8

Road #	Road Name	FROM LOCATION	TO LOCATION
23010	AIRPORT RD (CLE ELUM)	at BMP-INTX SR 903	at MASTERSON RD
42271	ALFORD RD	at LOOK RD	at WILSON CREEK RD
68910	BADGER POCKET RD	at ELLENSBURG CITY LIMITS	at CARROLL RD
69010	BERRY RD	0.11 mi. East of ELLENSBURG CITY LIMITS	0.38 mi. East of ELLENSBURG CITY LIMITS
68930	BOYLSTON RD	at PRATER RD	at STEVENS RD

41271	BRICK MILL RD	at 475' EAST OF LOOK RD	at WILSON CREEK RD
41271	BRICK MILL RD	at NO. 81 RD	at COLOCKUM RD
40600	BRICK RD	at ELLENSBURG CITY LIMITS	391 ft. NE of ELLENSBURG CITY LIMITS
61261	BULL RD	at ELLENSBURG CITY LIMITS	at EOR
13090	CABIN CREEK RD	at BMP-INTX I-90 ON-OFF RAMP	at EOR-BEGIN USFS RD
68515	CARROLL RD	at BADGER POCKET RD	at PRATER RD
43512	CHARLTON RD	at WILSON CREEK RD	at NANEUM RD
63501	DENMARK RD	at THRALL RD	at FOURTH PARALLEL RD
63003	EMERSON RD	at SORENSON RD	at THRALL RD
63500	FAIRVIEW RD	at VANTAGE HWY	at BRICK MILL RD
62702	FERGUSON RD SOUTH	at TJOSSEM RD	at SORENSON RD
67014	FOURTH PARALLEL RD	at DENMARK RD	53 ft. East of ROSS RD
44760	FOX RD	at VANTAGE HWY	at LYONS RD
21900	GOLF COURSE RD	at WESTSIDE RD	at WESTSIDE RD
65000	HAMILTON RD	at SORENSON RD	at UPPER BADGER POCKET RD
31510	HUNGRY JUNCTION RD	at BMP-INTX SR 97	at LOOK RD
75040	HUNTZINGER RD	at I-90 O/P	at EOR
12650	KACHESS LAKE RD	at BMP-I-90 ON-OFF RAMP	at EOR-USFS RD BEGINS
54250	KILLMORE RD	at THORP HWY SOUTH	at ROBINSON CANYON RD
38350	LIBERTY RD	at BMP-INTX SR 97	at EOR-INTX USFS RD #2102
40761	LOOK RD	at SANDERS RD	at ALFORD RD
34383	LOWER GREEN CANYON RD	at SMITHSON RD	at REECER CREEK RD
22770	LOWER PEOH POINT RD	53 ft. West of S. CLE ELUM CITY LIMITS	at WATSON CUTOFF RD
40772	LYONS RD	at WILSON CREEK RD	at FOX RD
95301	MANASTASH RD	at COVE RD	at EOR
26510	MASTERSON RD	at AIRPORT RD (CLE ELUM)	at RED BRIDGE RD
29510	MIDDLE FORK TEANAWAY RD	at WEST FORK TEANAWAY RD	at EOR
22350	MOHAR RD	at UPPER PEOH POINT RD	at WESTSIDE RD
42000	NANEUM RD	at VANTAGE HWY	106 ft. after EOR
23030	NELSON SIDING RD	at GOLF COURSE RD	at EOR-I-90
96200	NO. 6 RD	at TJOSSEM RD	26 ft. after THRALL RD
25880	NORTH FORK TEANAWAY RD	at TEANAWAY RD	at EOR-USFS RDS
69370	PARKE CREEK RD	at KITTITAS CITY LIMITS	at VANTAGE HWY
65002	PRATER RD	at PARKE CREEK RD	at SORENSON RD
93526	REECER CREEK RD	0.16 mi. South of TYLER RD	at EOR
54510	ROBINSON CANYON RD	at THORP HWY SOUTH	at KILLMORE RD
21560	SALMON LA SAC RD	at BMP-END OF SR 903	at EOR
33513	SMITHSON RD	at BMP-INTX SR 97	at REECER CREEK RD
69460	STEVENS RD	at PARKE CREEK RD	at BOYLSTON RD
56770	TANEUM RD EAST	at THORP HWY NORTH	at THORP CEMETERY RD
56770	TANEUM RD WEST	at THORP CEMETERY RD	at EOR-BEGINS USFS 1902
28500	TEANAWAY RD	at BMP-INTX SR 97	at MIDDLE FORK TEANAWAY RD
55550	THORP CEMETERY RD	at THORP HWY SOUTH	at TANEUM RD WEST
52770	THORP PRAIRIE RD	at TANEUM RD EAST	158 ft. after UPPER PEOH POINT RD
96751	THRALL RD	at UPPER BADGER POCKET RD	at HAMILTON RD
96937	UMPTANUM RD	at RIVERBOTTOM RD	at EOR-COUNTY LINE
64756	UPPER BADGER POCKET RD	at THRALL RD	at SILICA RD
24610	UPPER PEOH POINT RD	at LOWER PEOH POINT RD	at THORP PRAIRIE RD
94001	VANTAGE HWY	at NO. 81 RD	at I-90 O/P
44381	VENTURE RD	at LYONS RD	at BRICK MILL RD
25620	WATSON CUTOFF RD	at LOWER PEOH POINT RD	at UPPER PEOH POINT RD
25480	WEST FORK TEANAWAY RD	at TEANAWAY RD	at MIDDLE FORK TEANAWAY RD
22710	WESTSIDE RD	at SOUTH CLE ELUM CITY LIMITS	at GOLF COURSE RD
94126	WILSON CREEK RD	at BRICK MILL RD	at CHARLTON RD
22790	ZREBIEC RD	at WESTSIDE RD	at EOR

Rural Local Access 9

Road #	Road Name	FROM LOCATION	TO LOCATION
15700	1ST ST (EASTON)	at KACHESS AV	at CROSS ST
22540	1ST ST (RONALD)	at BMP-INTX SR 903	21 ft. NW of ATLANTIC AV
54410	1ST ST (THORP)	at THORP HWY NORTH	at GOODWIN RD

24650	1ST ST CONN	at BMP-INTX SR 903	at 1ST ST (RONALD)
15660	2ND ST (EASTON)	at CABIN CREEK RD	at EOR
54330	2ND ST (THORP)	at CHESTER ST	at EOR
22600	3RD ST (RONALD)	at FANHOUSE RD	at EOR
54310	3RD ST (THORP)	at MAIN ST (THORP)	at CHESTER ST
23010	AIRPORT RD (CLE ELUM)	at MASTERSON RD	at EOR-INTX SR 970
42272	ALFORD CONNECTION	at ALFORD RD	at WILSON CREEK RD
68020	ALKALI RD	at MOE RD	at EMERSON RD
54570	ALLEGRO WAY	at HANSON RD	at EOR
22580	ALLEY ST (RONALD)	at ATLANTIC AV	at PACIFIC AV
24590	ARCTIC AV	at 1ST ST (RONALD)	at 3RD ST (RONALD)
18610	ARLBERG PLACE	at SNOQUALMIE DRIVE	at EOR
52590	ASPEN DRIVE	at COVE RD	at END OF ROAD
24510	ATLANTIC AV	at 1ST ST (RONALD)	at ALLEY ST (RONALD)
68910	BADGER POCKET RD	at CARROLL RD	at FOURTH PARALLEL RD
22110	BAKERS RD	at MOREL RD	at EOR - COUNTY PRIVATE AHEAD
23370	BALLARD HILL RD	at TEANAWAY RD	at SWAUK PRAIRIE RD
42512	BAR 14 RD	at WILSON CREEK RD	at NANEUM RD
65504	BARE RD	at THRALL RD	at EOR
53650	BARNES RD	at BROWN RD	at HANSON RD
68720	BENTLY RD	at STEVENS RD	at EOR
69010	BERRY RD	0.38 mi. East of ELLENSBURG CITY	at TJOSSEM RD
34510	BETTAS RD	at BMP-INTX SR 97	at EOR-INTX SR 97
79031	BOAT RAMP RD	at VANTAGE HWY	at EOR
66188	BOHANNON RD NORTH	at UPPER BADGER POCKET RD	at EOR
66189	BOHANNON RD SOUTH	at UPPER BADGER POCKET RD	at EOR
65687	BORLAND RD	at UPPER BADGER POCKET RD	at EOR
68257	BOSTON RD	at PRATER RD	at EOR
68930	BOYLSTON RD	at STEVENS RD	0.20 mi. East of STEVENS RD
62100	BROADVIEW RD	at KITTITAS HWY	at WILLIS RD EAST
56111	BROWN RD CONNECTION	at BROWN RD	at UMPTANUM RD
79270	BROWN ST	at GINKO AV	at LAKEVIEW AV (VANTAGE)
66689	BUFFALO LN	at UPPER BADGER POCKET RD	at EOR
30000	BURKE RD	at BMP-INTX SR 97	at EOR
67777	BUSCH RD	at HAMILTON RD	at EOR
66018	BYNUM RD	at UPPER BADGER POCKET RD	at EOR
53790	CAMAS LN	at HANSON RD	at EOR
65686	CAMION RD	at FOURTH PARALLEL RD	at MORRISON RD
68970	CAMOZZY RD	at PRATER RD	at EOR
23630	CAREK RD	at BMP-INTX SR 903	11 ft. SW of SHAFT ST
64360	CARIBOU RD	at CLERF RD	at VANTAGE HWY
64360	CARIBOU RD	at VANTAGE HWY	at LYONS RD
56060	CARRAHER RD	at THORP HWY SOUTH	at EOR
68515	CARROLL RD	at PRATER RD	at EOR
26180	CASASSA RD	at UPPER PEOH POINT RD	at EOR-SKY MEADOWS PLAT AHEAD
10530	CASCADE PLACE	at CASCADE PLACE	at EOR
33212	CATTAIL RD	at HOWARD RD	at EOR
53270	CEDAR COVE RD	at COVE RD	at EOR
10590	CHAMONIX PLACE	at SNOQUALMIE DRIVE	at EOR
22800	CHANDLER ROAD	at WOODS & STEELE ROAD	at EOR
43512	CHARLTON RD	at NANEUM RD	at EOR
56420	CHESTER ST	at 3RD ST (THORP)	at 2ND ST (THORP)
40519	CHRISTENSEN RD	at FOX RD	5 ft. West of PARKE CREEK RD
32011	CLARKE RD	at BMP-INTX SR 97	at EOR
69511	CLERF RD	at 4TH AV (KITTITAS)	at PARKE CREEK RD
69591	COHOE RD	at NO. 6 RD	at EOR
42777	COLEMAN CREEK RD	at COOKE CANYON RD	at EOR
44263	COLOCKUM RD	at BRICK MILL RD	at EOR-BEGINS CHELAN CO RD
75120	COLUMBIA AV	at WAYNE ST	at BROWN ST
43883	COOKE CANYON RD	at BRICK MILL RD	at EOR
54580	COVE LANE	at BEGINNING OF ROAD	at END OF ROAD

95501	COVE RD	at MANASTASH RD	at EOR
65928	COYOTE RD	at UPPER BADGER POCKET RD	at EOR
13080	CROSS ST	at RAILROAD ST	at 1ST ST (EASTON)
41350	CURLEW RD	at GAME FARM	at EOR
63501	DENMARK RD	at BMP-I-90	at THRALL RD
13220	DEPOT ST	158 ft. SW of RAILROAD ST	at EOR
63065	DODGE RD	at THRALL RD	11 ft. North of EOR
33480	DUDLEY RD	at THORP HWY NORTH	at EOR
56761	DURR RD	at UMPTANUM RD	at EOR
51600	ELK HEIGHTS RD	at THORP PRAIRIE RD	at EOR
29001	EMERICK RD	at HIDDEN VALLEY RD	at EOR
24770	EVERGREEN VALLEY LOOP RD	at BAKERS RD	at EOR - COUNTY PRIVATE AHEAD
14010	EVERGREEN WAY	at KACHESS RIVER RD	0.20 mi. East of KACHESS RIVER RD
63500	FAIRVIEW RD	at BRIDGE #79112 & BMP I-90	at THOMAS RD
22630	FANHOUSE RD	at BMP-INTX SR 903	at NELSON DAIRY RD
34761	FAUST RD	at DRY CREEK RD	at CLARKE RD
62701	FERGUSON RD NORTH	at BMP-I-90	at VANTAGE HWY
62702	FERGUSON RD SOUTH	at BMP-I-90	at TJOSSEM RD
68610	FERN RD	at NO. 6 RD	at EOR
41380	FIELDS RD	at VANTAGE HWY	at EOR
54520	FIELDSTONE COURT	at RANGE VIEW ROAD	at EOR
69770	FIRST AV (GRASSLANDS)	at ELLENSBURG CITY LIMITS	at LOOKOUT MOUNTAIN DR
22560	FOURTH AV	at PACIFIC AV	158 ft. SE of PACIFIC AV
67014	FOURTH PARALLEL RD	53 ft. East of ROSS RD	at EOR
22520	FOWLER CREEK RD	at WESTSIDE RD	at PASCO RD
61700	FROST MOUNTAIN DR	at QUARTZ MTN DR	at EOR
42517	GAGE RD	at COOKE CANYON RD	at COLOCKUM RD
94051	GAME FARM RD	at WILSON CREEK RD	at NANEUM RD
18890	GARMISCH PLACE	at CASCADE PLACE	at EOR
43752	GILBERT RD	at LYONS RD	at BRICK MILL RD
75090	GINKO AV	at VANTAGE HWY	at BROWN ST
56270	GINNY LANE	at BROWN RD	at EOR
54690	GLADMAR RD	at THORP HWY NORTH	at EOR
69070	GLOVER RD	at PRATER RD	at EOR
22380	GOBBLERS KNOB RD	at WESTSIDE RD	at WESTSIDE RD
25502	GODAWA LANE	at LOWER PEOH POINT RD	at EOR
56290	GOODWIN RD	at MAIN ST (THORP)	at EOR
24003	GRAHAM RD	at MOHAR RD	at EOR
34363	GREEN SPUR RD	at LOWER GREEN CANYON RD	at EOR
41016	GRINROD RD	at GILBERT RD	at VENTURE RD
22610	GROESCHELL RD	at UPPER PEOH POINT RD	at PAYS RD
35541	HANNAH RD	at BENDER RD	at EOR
95600	HANSON RD	at COVE RD	at EOR
64436	HAROLD RD	at FOURTH PARALLEL RD	at EOR
27230	HART RD	at TAYLOR RD	at EOR
29500	HARTMAN RD	at SWAUK PRAIRIE RD	at EOR
66187	HAYES RD	at MORRISON RD	at BYNUM RD
32040	HAYWARD RD	at HWY 10	at BETTAS RD
64261	HEMINGSTON RD	at BMP - I-90	at CLERF RD
29000	HIDDEN VALLEY RD	at BMP-INTX SR 970	at EOR
79010	HOLIDAY AV	at BOAT RAMP RD	at EOR
52260	HORLICK RD	at THORP PRAIRIE RD	at EOR
25850	HORVATT RD	at BMP-INTX SR 903	at EOR-ROSLYN CITY LIMITS
33800	HOWARD RD	at BMP-INTX SR 97	at SMITHSON RD
23210	HUNDLEY RD	at INTX GOLF COURSE RD	at EOR CUL-DE-SAC
55370	HUNTER RD	at KILLMORE RD	at EOR
10750	HYAK DRIVE EAST	at INTX 906	at EOR
64761	INDERMUHLE RD	at PARKE CREEK RD	at EOR
10510	INNSBRUCK DRIVE	at SNOQUALMIE DRIVE	at EOR
79150	JOYCE ST	at VANTAGE HWY	at COLUMBIA AV
40271	JUDGE RONALD RD	at PFENNING RD	at WILSON CREEK RD

13280	KACHESS AV	at RAILROAD ST	106 ft. NE of 1ST ST (EASTON)
15000	KACHESS DAM RD	at WEST SPARKS RD	at EOR
15020	KACHESS RIVER RD	at BMP-INTX W SPARKS RD	0.39 mi. North of EVERGREEN WAY
65046	KAMIAKIN RD	at UPPER BADGER POCKET RD	at EOR
65186	KATEN RD	at UPPER BADGER POCKET RD	at EOR
64186	KAYNOR RD	at FOURTH PARALLEL RD	at EOR
10522	KEECHELUS DRIVE	at HYAK DRIVE EAST	at KEECHELUS DRIVE WEST
10730	KEECHELUS DRIVE WEST	at HYAK DRIVE EAST	at EOR
18730	KENDALL PLACE	at HYAK DRIVE EAST	at EOR
66766	KERN RD	at LAWRENCE RD	at EOR
35503	KERR RD	at HUNGRY JUNCTION RD	at EOR
56210	KEVINA RD	at BROWN RD	at EOR
79190	KITTITAS ST (VANTAGE)	at COLUMBIA AV	at LAKEVIEW AV (VANTAGE)
10570	KITZBUHEL PLACE	at SNOQUALMIE DRIVE	at EOR
34002	KLOCKE RD	at BMP-INTX HWY 10	at EOR
65661	KOFFMAN RD	at PARKE CREEK RD	at EOR
25040	LAKE CABINS RD	at EOR-INTX SR 903	at BMP-INTX SR 903
25010	LAKE CLE ELUM DAM RD	at LAKE CABINS RD	at EOR-GATE TO BOR DAM
75180	LAKEVIEW AV (VANTAGE)	at WAYNE ST	at BROWN ST
22512	LAMBERT RD	at BMP-INTX SR 970	at EOR
65505	LARSEN RD	at THRALL RD	at FOURTH PARALLEL RD
64686	LAWRENCE RD	at FOURTH PARALLEL RD	at EOR
40790	LENES RD	at LOOK RD	at EOR
43663	LESTER RD	at BRICK MILL RD	at SCHNEBLY RD
29261	LEY RD	at SWAUK PRAIRIE RD	at EOR
61340	LOCUST ST	at WASHINGTON AV	at SEATTLE ST
61740	LOOKOUT MOUNTAIN DR	at QUARTZ MTN DR	at MT DANIELS DR
34383	LOWER GREEN CANYON RD	at BMP-INTX SR 97	at SMITHSON RD
22770	LOWER PEOH POINT RD	at WATSON CUTOFF RD	26 ft. NW of EOR
56400	MAIN ST (THORP)	at THORP HWY NORTH	at 1ST ST (THORP)
69650	MANITOBA ST	at LOCUST ST	at EOR
66261	MANSPERGER RD	at STEVENS RD	at EOR
25503	MARKOVICH RD	at UPPER PEOH POINT RD	at EOR-FOREST RD AHEAD
64763	MARTENSEN RD	at CARROLL RD	at EOR
23750	MARTIN RD	at BMP-INTX SR 903	at SHAFT ST
61680	MATTHEWS RD	at KITTITAS HWY	at MT DANIELS DR
69251	MCCULLOUGH RD	at NO. 6 RD	at EOR
25860	MCDONALD RD	at LOWER PEOH POINT RD	at EOR
63946	MCDOWELL RD	at FOURTH PARALLEL RD	at EOR
34003	MCMANAMY CUT-OFF RD	at BMP-INTX HWY 10	21 ft. South of MCMANAMY RD
31412	MCMANAMY RD	at BMP-INTX SR 97	at EOR
54500	MEADOW VIEW DRIVE	at ROBINSON CANYON RD	at EOR
40801	MEADOWBROOK LANE	at INTX LOOK ROAD	0.26 mi. East of INTX LOOK ROAD
56260	MELLERGAARD RD	at MANASTASH RD	at EOR
23531	MICHELETTO RD	at SWAUK PRAIRIE RD	at EOR
25220	MILL CREEK RD	at BMP-INTX SR 903	at LAKE CABINS RD
53200	MISSION RD	at WATT CANYON RD	at EOR
62502	MOE RD	at TJOSSEM RD	at THRALL RD
42380	MOREAU RD	at BRICK MILL RD	at EOR
24820	MOREL RD	at BMP-INTX SR 903	at BAKERS RD
66517	MORRISON RD	at UPPER BADGER POCKET RD	at EOR
61620	MT DANIELS DR	at THIRD AV (GRASSLANDS)	at EOR
61520	MT STUART AVE	at FIRST AV (GRASSLANDS)	at EOR
22611	NELSON DAIRY RD	at ROSLYN CITY LIMITS	at FANHOUSE RD
66520	NICOLAI RD	at LAWRENCE RD	at EOR
23690	NO. 245 RD	at BMP-INTX SR 903	26 ft. SW of SHAFT ST
23520	NO. 5 MINE ROAD	at BMP-SR 903	0.14 mi. North of BMP-SR 903
16188	NORTON RD	at SPARKS RD	at EOR
31512	O'NEIL RD	at BMP-INTX HWY 10	at MCMANAMY RD
61440	OAK ST	at PFENNING RD	at EOR
67511	ORCHARD RD	at THRALL RD	at DODGE RD

24530	PACIFIC AV	at 1ST ST (RONALD)	at FOURTH AV
69370	PARKE CREEK RD	at VANTAGE HWY	at EOR
22250	PASCO RD	at FOWLER CREEK RD	at EOR
32252	PASSMORE RD	at BMP-INTX SR 97	475 ft. NW of BMP-INTX SR 97
32252	PASSMORE RD	475 ft. NW of BMP-INTX SR 97	at EOR
22480	PATRICK MINE RD	at BMP-INTX SR 903	at EOR
22200	PATRICK'S PARK DR	at EVERGREEN VALLEY LOOP RD	at WHITE PINE DR
63245	PAYNE RD	at THRALL RD	at EOR
22510	PAYS RD	at UPPER PEOH POINT RD	at LOWER PEOH POINT RD
24580	PEASE RD	at LOWER PEOH POINT RD	at EOR
12950	PELTON AV	at 2ND ST (EASTON)	at EOR-INTX NO 278E (VACATED)
62705	PERRY RD	at ORCHARD RD	at EOR
35562	PIONEER RD	at BENDER RD	at EOR
67258	PUMPING PLANT RD	at LARSEN RD	at EOR
27560	QUAIL VALLEY ROAD	at BEGINNING OF ROAD	at END OF ROAD
61290	QUARTZ MTN DR	at MT DANIELS DR	at LOOKOUT MOUNTAIN DR
42012	RADER RD	at WILSON CREEK RD	at SCHNEBLY RD
15740	RAILROAD ST	at BMP-I-90 OVERPASS	at EOR
18530	RAMPART DRIVE	at EOR	at EOR
29600	RANCH RD	at BURKE RD	at EOR
54600	RANGE VIEW ROAD	at KILLMORE RD	at MEADOW VIEW DRIVE
74950	RECREATION DR	at VANTAGE HWY	0.29 mi. SW of EOR
74950	RECREATION DR	0.29 mi. SW of EOR	at EOR
22650	RED BRIDGE RD	at BMP-INTX HWY 970	at TEANAWAY RD
22300	RED CEDAR DR	at EVERGREEN VALLEY LOOP RD	at EOR
61640	RED MOUNTAIN DR	at FIRST AV (GRASSLANDS)	at EOR
69131	REIN RD	at NO. 6 RD	at EOR
61503	RINGER LOOP	at CANYON RD	at CANYON RD
53010	RIVERBOTTOM RD	at UMPTANUM RD	at UMPTANUM RD
35285	ROBBINS RD	at REECER CREEK RD	at EOR
35286	ROBBINS WYE RD	at ROBBINS RD	at SMITHSON RD
54510	ROBINSON CANYON RD	at KILLMORE RD	0.53 mi. East of EOR
18590	ROMANS COURT	at KEECHELUS DRIVE WEST	at EOR
65926	ROSS RD	at FOURTH PARALLEL RD	at EOR
43163	SCHNEBLY RD	at BRICK MILL RD	at COOKE CANYON RD
40130	SEATON RD	at LAMBERT RD	at EOR-INTX SR 970
69610	SEATTLE ST	at WILLOW ST	at LOCUST ST
23820	SHAFT ST	at BMP-INTX SR 903	26 ft. NE of ROSLYN CITY LIMITS
66001	SHALE PIT RD	at STEVENS RD	at EOR
66449	SILICA RD	at UPPER BADGER POCKET RD	53 ft. South of BRIDGE #60221
13760	SILVER TRAIL	at WEST SPARKS RD	106 ft. after EOR
56280	SISTERS RD	at THORP CEMETERY RD	at EOR
15400	SMITH DRIVE	at WEST SPARKS RD	at EOR
33513	SMITHSON RD	at REECER CREEK RD	at EOR
40516	SNODGRASS RD	at NO. 81 RD	at EOR
10600	SNOQUALMIE DRIVE	at BEGINNING OF ROAD	at EOR
69518	SONES RD	at PARKE CREEK RD	at EOR
66912	SORENSON RD	at EMERSON RD	at EOR
23990	SOUTH AV	at BEGIN COUNTY ROAD JURISDICTION	at EOR
13530	SPARKS RD	at BMP-INTX I-90 O/P	at EOR
18910	ST. MORITZ PLACE	at CASCADE PLACE	at EOR
64860	STINGLEY RD	at CLERF RD	106 ft. after EOR
61263	STONE RD	at CANYON RD	0.14 mi. South of CANYON RD
61263	STONE RD	0.14 mi. South of CANYON RD	at EOR
21005	STORIE LANE	at NELSON SIDING RD	264 ft. after EOR
56160	STRANDE RD	at BARNES RD	at EOR
61860	STRANGE RD	at VANTAGE HWY	at EOR
53260	STUART VIEW LN	at TANEUM RD EAST	at EOR
51750	SUNLIGHT DRIVE	at THORP PRAIRIE RD	at END OF COUNTY ROAD
53210	SUSAN RD	at STRANDE RD	at EOR
29260	SWAUK PRAIRIE RD	at BMP-INTX SR 970	at EOR-INTX SR 970

61720	TABLE MOUNTAIN DR	at THIRD AV (GRASSLANDS)	at EOR
20500	TALMADGE RD	at NELSON SIDING RD	at EOR
22240	TAYLOR RD	at BMP-INTX HWY 10	at LAMBERT RD
69910	THIRD AV (GRASSLANDS)	at PFENNING RD	at EOR
43132	THOMAS RD	at WILSON CREEK RD	at FAIRVIEW RD
56010	THORP DEPOT RD	at THORP HWY NORTH	at GOODWIN RD
57210	THORP PRAIRIE CUT-OFF RD	at THORP PRAIRIE RD	at EOR
96751	THRALL RD	at HAMILTON RD	at BARE RD
40263	TIPTON RD	at HUNGRY JUNCTION RD	at LOOK RD
68750	TJOSSEM CONNECTION	at NO. 6 RD	at TJOSSEM RD
40331	TOLMAN RD	at PFENNING RD	at EOR
62505	TOZER RD	at ORCHARD RD	at EOR
23510	TRANSFER STATION RD	at BMP-INTX SR 903	at EOR
31150	TYLER RD	at REECER CREEK RD	at EOR
64756	UPPER BADGER POCKET RD	at SILICA RD	at EOR
35012	UPPER GREEN CANYON RD	at REECER CREEK RD	at EOR
56080	VALLEY VIEW CIRCLE	at CAMAS LN	at EOR
63686	VANDERBILT RD	at FOURTH PARALLEL RD	at EOR
79030	VANTAGE PARK RD	at VANTAGE HWY	at EOR
13700	VIA KACHESS RD	at KACHESS LAKE RD	at EOR
64503	VIEW LANE RD	at CARROLL RD	at EOR
69880	VILLAGE DRIVE	at THIRD AV (GRASSLANDS)	at EOR
55930	WADE RD	at GLADMAR RD	at EOR
69710	WASHINGTON AV	at WILLOW ST	at OAK ST
40273	WATSON RD	at NANEUM RD	at FAIRVIEW RD
56511	WATT CANYON RD	at THORP CEMETERY RD	at EOR
79090	WAYNE ST	at VANTAGE HWY	at LAKEVIEW AV (VANTAGE)
54150	WEAVER RD	at THORP HWY SOUTH	at EOR
25480	WEST FORK TEANAWAY RD	at MIDDLE FORK TEANAWAY RD	at EOR
13550	WEST SPARKS RD	at BMP-INTX I-90 O/P	at EOR
69753	WEST WILLIS RD	at NO. 6 RD	at EOR
22710	WESTSIDE RD	at GOLF COURSE RD	at NELSON SIDING RD
24670	WHITE PINE DR	at PATRICK'S PARK DR	at EOR
25500	WHITE RD	at AIRPORT RD (CLE ELUM)	at EOR
61760	WILLETT RD	at VANTAGE HWY	at EOR
69752	WILLIS RD EAST	at NO. 6 RD	at EOR
40811	WILLOWDALE RD	at WILSON CREEK RD	at EOR
94126	WILSON CREEK RD	at CHARLTON RD	at EOR
68520	WOODHOUSE LOOP	at CANYON RD	at CANYON RD
22860	WOODS & STEELE ROAD	at WESTSIDE RD	at EOR
65386	WPA RD	at UPPER BADGER POCKET RD	at EOR
10360	YELLOWSTONE RD	at BMP-I-90	at EOR

Urban Principal Arterial 14

Road #	Road Name	FROM LOCATION	TO LOCATION
93041	UNIVERSITY WAY	at ELLENSBURG CITY LIMITS	at BRIDGE #88342

Urban Minor Arterial 16

Road #	Road Name	FROM LOCATION	TO LOCATION
94026	AIRPORT RD	at ELLENSBURG CITY LIMITS	at BOWERS RD
60640	ANDERSON RD	at UMPTANUM RD	11 ft. before EOR-ELLENSBURG CITY LIMITS

Urban Collector 17

Road #	Road Name	FROM LOCATION	TO LOCATION
41010	BOWERS RD	at AIRPORT RD	158 ft. East of PIPER RD
40600	BRICK RD	391 ft. NE of ELLENSBURG CITY LIMITS	at SANDERS RD
40315	SANDERS RD	422 ft. East of BENDER RD	0.10 mi. West of BRIDGE #88252
40315	SANDERS RD	158 ft. East of BRIDGE #88252	at GAME FARM RD
96937	UMPTANUM RD	at ELLENSBURG CITY LIMITS	0.19 mi. SW of ANDERSON RD

Urban Local Access 19

Road #	Road Name	FROM LOCATION	TO LOCATION
40300	BEECH RD	at BOWERS RD	at FALCON RD
41010	BOWERS RD	158 ft. East of PIPER RD	at EOR
40360	CESSNA RD	at BOWERS RD	at FALCON RD
40970	ELMVIEW RD	at AIRPORT RD	at PIPER RD
40910	FALCON RD	at AIRPORT RD	at CESSNA RD
40400	PIPER RD	at BOWERS RD	at ELMVIEW RD

(Ord. 2005-30, 2005; Ord. 2004-19, 2004; Ord. 2004-13, 2004)

Chapter 12.4
COUNTY ROAD DESIGN CRITERIA

Sections

12.04.010 Scope.
12.04.020 General.
12.04.030 Design Requirements.
12.04.040 Design Criteria within an Urban Growth Area.
12.04.050 Soils Investigation.

12.04.010 Scope.

The purpose of this chapter is to present Kittitas County criteria for the design of public roads and streets for acceptance onto the County Road System. It is to be used by developers and their engineers in the design of county roads for which approval by the Kittitas Department of Public Works is required. (Ord. 2005-30, 2005)

12.04.020 General.

Minimum Standards - 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 right-of-way shall be designed by or under the direct supervision of a registered professional engineer, licensed to practice in the State of Washington. 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 cannot be justified economically. In these cases a variance to these criteria shall be considered. Variance requests shall follow the procedures outlined in Kittitas County Road Standards. (Ord. 2005-30, 2005)

12.04.030 Design Requirements.

A. Road Surfacing Requirements shall be in accordance with Table 4-1 through 4-4 (159KB) and Washington Department of Transportation Pavement Guide, Volume 1 - Pavement Policy, as amended.
B. Design Speed - The minimum design speed for all roads shall be 25 MPH. Design speeds shall be based upon WSDOT and AASHTO standards for Local Access, Collector and Arterial Roads.
C. Intersections
   1. Location - Location of new arterial and collector streets shall generally be in accordance with the general guidelines reflected in Table 4-1 (159KB).
   2. Tangent - All new intersections will have a minimum straight tangent length prior to beginning any curves in accordance with Table 4-1 (159KB).

      Residential streets should be designed to direct traffic to collector streets and adequately provide for circulation and movement within the subdivision.
   3. Intersections on Arterial Streets - The design shall be in accordance with WSDOT Roadway Design Manual (latest edition), hereinafter referred to as the "Design Manual" and Table 4-5.
   4. Separation of Intersections shall be in accordance with WSDOT access spacing design criteria.
D. 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. 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. Vertical alignment designs shall be in accordance with the applicable WSDOT or AASHTO design manual.
E. Sight Triangle Standards shall be in accordance applicable WSDOT or ASSHTO 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. Site triangles shall be in conformance with AASHTO policy on Geometric Design of Highway and Streets, 2001, Exhibit 9-50, as amended. Plat notes and covenants shall reflect that site triangles shall be kept free of all trees, bushes, landscaping, fences or obstacles greater than 30 inches in height.
F. Street Projections into Future Adjoining Subdivisions within same ownership.
   1. The location of projected streets shall allow for the proper projection of the storm sewer and sanitary sewer system into adjacent natural drainage areas.
   2. Stub Street: 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 does, in fact, occur.
   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. (Ord. 2005-30, 2005)

12.04.040 Design Criteria within an Urban Growth Area.

A. Roads alignments proposed within an Urban Growth Area shall conform and support the road system or grid for the affected city.

B. Roads constructed for the purpose of serving urban densities shall comply with the road standards of the affected city if there is an agreed pre-annexation agreement for city services.

C. Roads constructed for the purpose of serving urban densities, without a pre-annexation agreement shall comply with the applicable WSDOT or AASHTO Guidelines for urban roads.

D. Roads constructed for the purpose of initially serving rural densities shall comply with County Standards. Setbacks shall meet future urban right of way requirements.

E. All roads within an Urban Growth Area shall be hard surfaced.

F. Counties and cities shall create an inter-local agreement stipulating the road standards within the Urban Growth areas.

G. All lots created within an Urban Growth Area (UGA) shall conform to the applicable city road standards. If the division is creating lots at a density that is not covered by city standards then county standards shall apply, but the city shall have final approval of the road alignment and geometry. All roads within the UGA shall be city or county owned and maintained roads. No landlocked parcels will be allowed. (Ord. 2005-30, 2005)

12.04.050 Soils Investigation.

Shall be investigated and tested in accordance with applicable WSDOT or AASTO Design Manuals. The County Engineer may require additional soils investigation based upon specific site conditions.

Figure 4-1 (60KB)
Figure 4-2 (59KB)
Figure 4-3 (59KB)
(Ord. 2005-30, 2005)

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.

* 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 highway under their respective jurisdiction from or to property adjoining a public highway. (Ord. 2005-30, 2005)

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, to maintain smooth traffic flow, to maintain highway right-of-way drainage, and to protect the functional level of the public highways while meeting state, regional, local, and private transportation needs and interests. (Ord. 2005-30, 2005)

12.05.030 Implementation.

1. No person shall construct any access providing direct movement to or from any Kittitas County maintained highway from or to property adjoining the highway without an access permit issued by the Kittitas County Department of Public Works, hereinafter call the "Department".

2. Access permit shall be issued only in compliance with the section. In no event shall an access be allowed or permitted if it is detrimental to the public health, welfare, and safety. Spacing requirements for all access points are shown in Table 5-1 (8KB).

3. Vehicular access to or from property adjoining a Kittitas County road shall be provided to the general street system, unless such access has been acquired by a public authority. Police, fire, ambulance, and other emergency stations shall have a right to direct access to County roads. Direct access from a subdivision to the highway shall be permitted only if the proposed access meets the purpose and requirements of this section.

4. Lots that access State Routes, Forest Service Roads, or access Railroad easements will require separate access permits from those agencies. The County can not grant access to roads or easements it does not control.

5. All lots created must show proposed access locations that conform to access/spacing requirements on the face of the plat.

6. Parcel creations which are adjacent to a major or minor collector/arterial (as designated by the Board) shall be provided access other than the arterial if available. 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 1) additional access would be beneficial to the public traveling the public road, or 2) allowing one access would be in conflict with local safety regulations and the additional access would not be detrimental to the public health, safety and welfare. (Ord. 2005-30, 2005)

12.05.040 Obtaining a Permit.

1. Persons wishing to apply for direct access to a County highway 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:

   a. Highway and driveway plan and profile

   b. Complete drainage plan of the site that impacts the road right-of-way

   c. Map and letters detailing utility locations before and after development in and along the highway

   d. A subdivision zoning or development plan

   e. Property map indicating other access and abutting public roads and streets, and

   f. Proposed access design.

   g. See standard drawing.

2. Upon receiving the request for access, the Department shall use this section for evaluation of the request. The Department shall work cooperatively with the applicant and attempt to resolve all difficulties prior to taking final action on the request. The Department shall act upon the request within 15 days by transmittal of a completed permit or of a denied request.

3. A completed access permit shall conform to all sections of this section. Before denying an access request, the Department shall discuss the reasons for the denial with the applicant and attempt to resolve the reasons for the denial. Where the access design standards are not entirely applicable, the Department shall consider site specific and local conditions. Any appeal by the applicant because of denial of an access permit shall be according to the Kittitas County Public Works Division Appeals Procedures.

4. If the Department approves the request, a permit shall be prepared and transmitted to the applicant for signature. After receiving a signed permit and any required fee payment, the Department shall mark the permit paid, sign the permit and return a copy to the applicant. If the applicant does not agree to all the terms and conditions of the permit, the permit shall be deemed denied. (Ord. 2005-30, 2005)

12.05.050 Construction of Access.

1. The permit shall be deemed expired and null and void if the access is not under construction before the expiration of any time limits noted on the permit. When the permittee is unable to begin construction within the authorized time limits of the permit, he may request an extension from the Department. Any request for an extension must be submitted to the Department before the permit expires.

2. 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 highway right-of-way. The access shall be completed in an expeditious and safe manner and shall be finished within the time limits established on the permit.

3. The Department shall inspect the access during construction and upon completion of the access to ensure that all terms and conditions of the permit are met.

4. 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.

5. 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.

6. Adequate construction signing, in conformance with the Manual on Uniform Traffic Control Devices for Streets and Highways, prepared by the U.S. Department of Transportation, Federal Highway Administration, 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 by reason of the exercise of the permit.

7. 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.

8. 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.

9. 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 traffic engineering analysis submitted by the applicant that considers, among other factors, intersection spacing, sight distances and traffic volumes. (Ord. 2005-30, 2005)

12.05.060 Use of Access.

1. Where, in the course of construction by any Kittitas County Department it is necessary to reconstruct, relocate, or bring into conformance with this section an existing access, that Department shall initiate the appropriate procedures and agreements.
2. 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.
3. When there are changes in property use which result in changes in the type of access operation and the access is not in conformance with the section, the reconstruction, relocation, and conformance of the access to this section may be required. (Ord. 2005-30, 2005)

12.05.070 Illegal Access to the County Road.

The property owner shall be sent written notice of any illegal access location, or use. The Owner shall be given ten (10) days notification of pending actions, after which the Department may install barriers across or remove any access not conforming to the section. (Ord. 2005-30, 2005)

12.05.080 Conditions for Approval of New Driveways.

1. Driveways directly giving access onto arterials and major collectors may be denied if alternate access is available.
2. All abandoned driveways shall be removed at the Owners cost.
3. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
4. Maintenance of 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.
5. For driveways crossing an open ditch to carry anticipated storm water flows, culverts shall be 15 inches in diameter or larger, with tapered ends. The culvert type, diameter and length shall be as required by the County and noted on the Access Permit. Approved materials for culverts are CMP and HDPE. Any other substitute requires the approval of the Director of Public Works.
6. No driveway or road shall be constructed within 5 feet of the side yard boundary, unless the driveway or road is shown to be part of an ingress/egress easement. (Ord. 2005-30, 2005)

Chapter 12.6
STORM WATER MANAGEMENT STANDARDS AND GUIDELINES*

Sections

12.06.010 Purpose.
12.06.020 Definitions.
12.06.030 When Storm Water Plan or Storm Water Review is Required.
12.06.040 When Plans Are Not Required.
12.06.050 General Requirements.
12.06.060 Basic Requirements.
12.06.070 Drafting Standards and Contents.
12.06.080 Design Criteria.
12.06.090 Review and Approval of Plan.
12.06.100 Bonds and Liability Insurance.
12.06.110 Standard Storm Water System Maintenance.
12.06.120 County Assumption of Maintenance.
12.06.130 Appeal Procedure.
12.06.140 Variances.
12.06.150 Retroactivity Relating to County Maintenance of Subdivision Facilities.

* Formerly 12.70; renumbered by Ord. 2004.13, 2004

12.06.010 Purpose.

Kittitas County has found that future storm water drainage problems may be reduced or avoided if future developers, both private and public, provide for storm and surface water drainage of their respective properties. Storm Water Management Standards and Guidelines are set forth to protect life and property from loss and damage by flooding, to protect streams, creeks, and lakes from pollution and excessive flows.

The following Storm Water Management Standards and Guidelines are intended to reduce and prevent adverse storm water impacts. They represent the minimum design standards for the construction of storm water facilities and stream channel improvements within Kittitas County. Compliance with these standards does not relieve the designer, owner or developer of the responsibility to apply conservative and sound professional judgment to protect the health, safety and welfare of the general public. Special site conditions and environmental constraints and considerations, and Federal and State regulations, may require a greater level of protection than would normally be required under

these standards. (Ord. 2005-30, 2005)

12.06.020 Definitions.

"Biofiltration": Vegetative devises used to reduce water velocity to filter out suspended solids and related pollutants.

"Detention Facilities": Water control structures or devises that restrict flow and provide temporary storage.

"Hydraulics": The physical science and technology of static and dynamic behavior of fluid such as water.

"Hydrology": The scientific study of the properties, distribution and affects of water with the atmosphere, earth surfaces and in soils and rocks.

"Infiltration": The passage of water through the soil surface and lower profile.

"Impervious Surfaces": Any surface which cannot be effectively penetrated by water such as asphalt, roof tops and compacted soils.

"One Hundred Year Discharge": The volume of water measured in cubic feet per second (CFS) released from a stream or structure from a 100 year storm event.
"Pollution Generating Impervious Surface (PGIS)": Development or redevelopment greater than 5,000 SF PGIS, regardless of phasing.

"Retention Facilities": Water control structures or devices that hold and store water.

"Storm water": Rain that flows off the surface of the land without entering the soil.

"Treatment Facilities" Control structures or devices that remove pollutants from stormwater.

"Twenty Four Hour Storm": A rain storm measured in terms of a 24 hour duration.

"Volume": Accumulated run off for a given storm event.

" 'X' Year Storm": A storm representing an intensity of magnitude that could recur as follows:

Storm	Average Recurrence During 100 Years
2-Year	50 times
10-Year	10 times
25-Year	4 times
50-Year	2 times
100-Year	1 time

(Ord. 2005-30, 2005)

12.06.030 When Storm Water Plan or Storm Water Review is Required.
All development proposals will be evaluated based on location, size, existing runoff conditions, topography and nearest downstream tributary. Storm water plans will be required for those development proposals which demonstrate a potential for significant storm water impacts. Specific review requirements will be addressed under Administrative Rules. Any construction practice that disturbs greater than 1 acre must apply for a DOE permit under the new NPDES rules. (Ord. 2005-30, 2005)

12.06.040 When Plans Are Not Required.
The following development actions are exempted from a storm water review except in extreme circumstances where significant impacts are anticipated.

A. Residential Building Permits
B. Zoning Variances

Any appeal of the Director's determination of the applicability of drainage plan requirements shall be to the Board of Kittitas County Commissioners as provided in Section 12.01.030. (Ord. 2005-30, 2005)

12.06.050 General Requirements.
All persons proposing land development and/or approvals as outlined in Section 12.01.030 shall provide a storm water plan for surface water flows entering, flowing within and leaving the subject property. The plan is to conform to the following standards and requirements:

A. The Kittitas County Director of Public Works shall require plans for storm drainage and detention facilities to be prepared by a registered Civil Engineer currently licensed by the State of Washington and qualified by experience and education in the field of hydraulics, hydrology, or a closely related field. Storm water plans or revisions to any approved plan shall be reviewed and approved by the Public Works Department prior to any construction.
B. On-site storm water improvements must be sufficient to mitigate impacts due to flooding, erosion, sedimentation or pollution.
C. All drainage system elements must provide for adequate maintenance and accessibility at all times. Storm water facilities shall be designed to eliminate interference from underground utilities and from conditions which exceed design loads for any pipe or other structural element.
D. The designer of any storm water element shall consider system reliability in terms of layout, specifications of materials and methods of installation.
E. The impact of a system failure should be analyzed both in terms of on-site and off-site effects. The impacts may be to adjacent properties or to elements of the public drainage system or other private systems.
F. No drainage originating inside of a building or structure shall be connected to the storm water or surface water systems.
G. Developer shall meet all other applicable laws for water quality prior to discharge to any wetland, stream, or lake.
H. Developers are encouraged to be innovative and give high priority to fish, wildlife, plant materials and related total resource management systems. (Ord. 2005-30, 2005)

12.06.060 Basic Requirements.
A. Discharge at Natural Location: All surface and storm water runoff from a proposed development that would construct new or modify existing drainage facilities should be discharged at the natural location and not be diverted onto or away from the adjacent downstream property. Diversions may be allowed if it corrects an existing problem and meets Federal and State regulations.
B. Tributary Area Analysis: Proposed developments shall identify the upstream tributary drainage area and provide an analysis of the pre-existing drainage, discharge, volume and quality and an analysis of the impact of the proposal on the drainage system.
C. Proposed projects must control the peak rate runoff to not exceed the pre-development peak rates for the site (existing condition). The methods of peak rate runoff control may include detention, retention and/or infiltration. On site bio-filtration or treatment facilities in combination with infiltration systems is the preferred method for management of on-site storm water and shall be considered before transporting storm water off-site.
D. For all proposed developments requiring a drainage conveyance system, the conveyance system must be analyzed, designed and constructed to handle existing off-site tributary flows and on-site storm water flows caused by development of the project.

E. Developments involving clearing and grading and that propose new or modification of existing drainage facilities should include an erosion/sedimentation control plan providing measures to prevent sediment-laden runoff and pollutants from leaving the site during construction. Erosion/sedimentation control may be achieved by structural control measures (sediment trap or pond, or oil/water separators), covers (mulch, sodding, plastic covering) and/or construction practices (filter fabric, quarry rock driveway pads).

F. Maintenance and operation of all private storm water facilities is the responsibility of the property owner or a properly formed homeowners association and shall be done in compliance with Kittitas County maintenance standards.

G. For the construction or modification of any storm water facility other than roadside ditches, the applicant shall be required to have a construction bond. The construction bond shall be posted prior to beginning construction. The bond shall be in an amount sufficient to cover the cost of work on or off the site. (Ord. 2005-30, 2005)

12.06.070 Drafting Standards and Contents.

The storm water plan shall be prepared in conformance with Section 12.10.080. (Ord. 2005-30, 2005)

12.06.080 Design Criteria.

A. Runoff Control

1. Developments shall be designed and constructed to provide control of the quality, discharge, and volume of storm water runoff both during and after construction. Erosion and sedimentation control plans shall be submitted and approved by the Public Works Department prior to the beginning of any construction. Peak discharge control and detention facilities shall be provided in accordance with the Development Standards. Biofiltration, oil/grease separation devices or other pollution control mechanisms are to be installed prior to occupancy and relapse of any performance securities held by the County.
2. The on-site drainage system including conveyance, flow restriction, detention, pollution control, and emergency overflow elements must be properly designed and sized to handle runoff from the site and conveyance through the site. The design should be carefully analyzed for potential problems, flow impediments, construction or maintenance difficulties, and potential erosion or other property damage.
3. Allowable Release Rates
   a. The peak discharge rate from the road right-of-way or from the total subdivided property shall not exceed 0.2 cfs per acre for site of 5.00 acres or less.
   b. For sites with tributary basins greater than 5 acres or sites less than 5 acres in area which are deemed to have significant impacts due to runoff quantity shall be limited to the pre-development peak runoff for a "two-year" storm. Peak runoff rate shall be computed using the Soil Conservation Service TR-55 method, modified Santa Barbara Urban Hydrograph Method or other approved models.
   c. Storm water detention facilities shall be provided to store all surface water runoff in excess of the allowable peak discharge in accord with provisions for "detention facilities" of these standards up to the "100-year" discharge or meet the design criteria in Item 7 under Detention Facilities.
4. Oil Separation Devices:
   Whenever paved parking or access roadway drains to an open waterway or stream, an oil/grease separation device shall be installed by the Developer. The device shall be constructed and installed consistent with current state of the art requirements. It shall be located at a point where it can be easily maintained and where it will intercept floating contaminants flowing off road surfaces, parking lots, and other sources of pollutants. Selection and sizing of oil separation device type shall be subject to approval of the Director of Public Works. The applicant should consider the use of vegetative or other natural filtration means. Effluent discharges from any oil removal treatment device to the storm sewer or surface water system shall be in compliance with State Department of Ecology regulations for discharge to storm drains or surface waters.
   a. Oil separators discharging to a storm water system or directly to a waterway require approval from the Department of Ecology.
   b. All storm water must enter the separator through an inlet pipe, unless the separator is an integral part of an approved catch basin.
   c. The property owner assumes full responsibility and liability for proper maintenance and operation of the oil separator, unless the separator is a part of a publicly-operated drainage system.
   d. Access to the separator shall be maintained for inspection at all times.
   e. Oil accumulation in the oil separator compartment shall not exceed three inches at any time.
   f. Following oil removal the separator shall be backfilled with clean water to prevent oil carry-over to clear well.
   g. Waste oil accumulations removed from the separator shall be disposed of in an acceptable manner and shall not be disposed or discharged to the ground water, storm drains, or streams.
   h. Design of an oil separator facility shall be based upon flows from an approved detention system over the area contributory to the oil separator and provision of one hour retention time in the oil separator at that flow. In addition the oil separator must be designed with a depth to width ratio of between 0.3 and 0.5.
5. Erosion and Siltation Control:
   In addition to catch basins, measures such as suggested in Section 6-E of these standards should be provided as necessary during and after construction to prevent erosion and to prevent silt from being carried off-site and/or into receiving bodies of water.

B. Detention Facilities

1. All storm water runoff originally from and/or drainage to any proposed development shall be controlled and/or conveyed in accordance with all County standards and policies and as described in these standards. When existing conditions make storm water detention impossible for a portion of a site, in lieu of providing detention for such an area, at the discretion of the Director of Public Works, compensatory storage volume and reduction of allowable release rates may be provided on another portion of the site. In no case shall the runoff from the total site exceed the allowable release rate.
2. When a direct discharge of "100 year" or greater capacity in conjunction with pollution control to a major receiving body such as Yakima, Teanaway and Columbia Rivers and Keechelus, Kachess and Cle Elum Lakes is provided said control or conveyance of storm water runoffs shall be shown on a drainage plan which shall be prepared by the developer's licensed engineer and shall be submitted for review and approval by the. Washington State Department of Ecology.
3. The storm water detention requirement may be waived at the discretion of the Public Works Director if the volume of storage calculated for that development is less than 250 cubic-feet and if the site has no environmental, hydraulic, or hydrologic constraints which must be mitigated by providing storage.
4. Prior occupancy of any single phase of a phased development, storm drainage facilities should be completed and operational to provide runoff control, detention, and water quality treatment for the phase for which occupancy is requested.
5. Storm water detention systems shall be designed to maximize reliability, ease of maintenance, and water quality of runoff and shall minimize hazards to persons or property (both on-site and off-site), nuisance values, and risk of failure.
6. Sufficient detention storage capacity shall be provided to store the excess runoff from the developed site during a storm event having a probability of occurrence commonly known as the "100-year storm". A non-erosive overflow path shall be provided from each detention facility to protect adjacent property from damage.
7. Detention basin performance shall be such that discharge from the development area meets the following criteria:
   a. 50% of the predevelopment two-year peak release rate for the two-year developed design storm.
   b. The pre-developed 25-year peak release rate for the 25-year development design storm.
8. Sizing: In calculating the storage volume provided, "dead storage" in wet ponds shall be excluded, i.e., that volume of water which must be assumed to be present in the detention system at the commencement of the design storm. Any volume at a level below that of the outfall invert must be presumed to be dead storage, e.g. catchments.
9. Permanent pond surface area should equal 2% of the catchment area for residential and 3% of the catchment for commercial. Volume should be equal to the volume generated from two-thirds of the 2-year, 24-hour storm.
10. Controlled Overflow Requirements: All detention storage facilities should include a provision for control of overflows, and suitable data shall be provided to support the design. Under no circumstances should the overflow be overland to public right-of-way or over private property not included as part of the development without a recorded easement.
11. Site, Soil and Infiltration Data Requirements for Calculating Effective Infiltration Rates to Reduce Storage Requirements.
    a. General Data Requirements:
       i. The proposed site should have favorable topography to preclude high runoff rates. Engineering calculations shall be included with any submittal to show that there will be no adverse impacts due to the reduced storage. Such adverse impacts may include but not be limited to, increased frequency of overflows.
       ii. A log of the soils and infiltration test data should be submitted to reveal site soil conditions and infiltration rates.
       iii. An adequate number of test holes should be located over the proposed site to substantiate representative conditions for the final layout of the development, and as a minimum condition, test holes shall be located in each area and at the elevation proposed for infiltration.
       iv. Groundwater depth, location, flow and general characteristics shall be considered.
       v. Impervious strata shall be at a depth greater than two three feet below the bottom of the proposed infiltration area.
    b. Soil Data Requirement: A soil log may be required to describe soil type and depth along with a site map showing the location of each test hole. Classification may be

in general terms such as loose sand, sandy silt, clay hardpan, rock, etc. or classification may be in specific terms as described by the U.S. Department of Agricultural. The soil log should include the depth to ground water table. (Ord. 2005-30, 2005)

12.06.090 Review and Approval of Plan.

A. The storm water plan and supporting calculations will be reviewed by the Public Works Department using the Department's construction plan review procedures in coordination with all other County land development and/or permit review procedures. The County's review and approval of the storm water plan shall not relieve the applicant, owner and/or designer of liability for errors or omissions in the design of storm drainage facilities.
B. All storm water plans prepared in connection with any of the permits and/or approvals listed in Section 12.01.030 shall be submitted for review and approval to the Public Works Department.
C. Any applicant or property owner proposing an action that may require a storm drainage plan may request a preliminary review of the proposal by the Director and a determination of the need for a drainage plan pursuant to Section 12.01.030. (Ord. 2005-30, 2005)

12.06.100 Bonds and Liability Insurance.

The construction of storm drainage facilities requires Financial Guarantees in accordance with Section 12.01.150. (Ord. 2005-30, 2005)

12.06.110 Standard Storm Water System Maintenance.

Maintenance of storm water facilities on private property shall be the responsibility of the owner(s), unless otherwise provided for under Section 12.06.120. 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 Director of Public Works determines the storm water 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. 2005-30, 2005)

12.06.120 County Assumption of Maintenance.

Upon petition of the Owner(s), Kittitas County with approval of the Kittitas County Board of Commissioners, may assume the maintenance of retention/detention facilities if all of the following conditions are met:

A. All of the requirements of Section 12.08.;
B. The facilities have been inspected and approved by the Public Works Director;
C. All necessary easements entitling the County to properly maintain the facility have been conveyed to the County; and
D. It is recommended by the Public Works Director that the assumption of maintenance would be in the best interests of the County. (Ord. 2005-30, 2005)

12.06.130 Appeal Procedure.

In the event of a determination by the Director that storm water plans are required, the applicant shall have the right to have the determination reviewed by the Kittitas County Board of Commissioners or the owner may make corrective provisions to the project as necessary. Denial by the Board shall leave the owner with the choice of correcting the project as suggested by the County or appeal through the judicial process. (Ord. 2005-30, 2005)

12.06.140 Variances.

Variances from these Storm water Standards and Guidelines may be requested by the applicant in accordance with Section 12.01.130. (Ord. 2005-30, 2005)

12.06.150 Title.

Any owner who has constructed retention/detention facilities prior to the adoption of these storm water standards and guidelines may petition for the County to assume maintenance of the constructed facilities. If it is determined to be in the overall interest of the general public, the County, upon approval by the Kittitas County Board of Commissioners may assume the maintenance of the constructed facilities provided all of the following conditions are met:

A. The owner shall demonstrate, to the Public Works Director's satisfaction, that approved plans and constructed facilities substantially comply with these storm water standards and guidelines,
B. The owner shall provide as-built plans, prepared to County standards, for all constructed facilities, and
C. The Director shall inspect the storm water facilities and approve and acknowledge that all conditions for accepting maintenance responsibility have been met. (Ord. 2005-30, 2005)

Chapter 12.7
BRIDGES AND MAJOR DRAINAGE STRUCTURES*

Sections

12.07.010 Design Standards.
12.07.030 Structure Inspections.

* Formerly 12.60; renumbered by Ord. 2004.13, 2004

12.07.010 Design Standards.

A. All culvert pipe, box culverts, and bridges, for which approval by the Kittitas County Public Works Department is required or which may ultimately be maintained by Kittitas County shall conform to:
   - AASHTO Standard Specifications for Highway Bridges, latest edition and applicable interim versions.
   - AASHTO Design Guidelines for Low Volume Roads, latest edition and applicable interim versions.
   - WSDOT, Standard Specifications for Road and Bridge Construction, latest edition.
   - WSDOT, Bridge Design Manual, latest edition.
   - WSDOT, Bridge Detailing Manual, latest edition.
   - WSDOT, Design Manual, latest edition.
B. Bridge 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 shall meet a minimum design load structural capacity of HS20-44.
D. All box culverts and bridges shall have the year of construction permanently indentured 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 box culvert and bridge designs shall be done by a registered professional engineer in the State of Washington.
F. Foundation designs shall be based upon the recommendations of a qualified geo-technical engineer. These recommendations shall be documented in the geo-technical report.
G. Culvert and bridge waterway opening designs shall conform to the parameters of the applicable WSDOT Design Manual or AASHTO Design Guidelines
H. Bridges that function as a drive way must meet the standards set forth in the most current version of the International Fire Code for minimum width and load. (Ord. 2005-30, 2005)

12.07.030 Structure Inspections.

A. It is the developer's responsibility to perform all materials testing required.

B. The owner's structural engineer or his representative, familiar with assumptions inherent in the structure design, shall review the construction in sufficient detail to confirm that the construction is as specified.

C. Inspection of construction shall be provided, as frequently as necessary to assure that the construction conforms to the plans and specifications. Inspection shall be by qualified technical personnel experienced in the inspection of similar structures. A written log or report of all work shall be furnished to the Engineer at completion of the structure.

D. Testing of materials shall conform to the requirements of WSDOT Standard Specifications for Road and Bridge Construction, and WSDOT Field Materials Manual latest editions, and applicable interims.

E. Land use applications that will increase the use of existing bridges shall provide all inspection and testing material to the Department of Public Works.

F. Inspection of existing bridges shall be conducted by a licensed professional engineer 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, function, superstructure and abutments. Inspections conducted within 5 years do not need to be re-inspected unless there is obvious damage or deterioration to the sub-structure, superstructure or the approach. (Ord. 2005-30, 2005)

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 roadway or storm drainage improvement for which approval by the Kittitas County Engineering Department is required. (Ord. 2005-30, 2005)

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 professional engineer, registered 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 shall be prepared by a professional engineer, registered in the State of Washington. The plans 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 Registered Professional 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 this manual, 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 County Engineering Department shall not relieve the engineer who has prepared these plans of any such responsibility.

(Ord. 2005-30, 2005)

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 prints together with drainage calculations and other necessary supporting information, and shall be signed and stamped by the applicant's engineer. The applicant's engineer must be a registered Civil Engineer in the State of Washington. Review fees, when adopted and applicable, shall be paid by the applicant before review of the plans by the County commences.
B. If corrections are required, the County will return a redlined print showing necessary corrections within 30 days of submittal.
C. 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 original Mylar set of plans will be signed and returned to the applicant's engineer.
D. The applicant'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 applicant'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 some form of performance guarantee.
E. 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. 2005-30, 2005)

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". (Ord. 2005-30, 2005)

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 should be indicated. The key map should 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 will be shaded. (Ord. 2005-30, 2005)

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 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 contact person at the developer; 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. (Ord. 2005-30, 2005)

12.08.070 Acceptance Block.

A. All roadway construction plans, storm sewer or other drainage improvement construction plans, and privately or publicly maintained storm water detention or retention facility construction plans must show the acceptance signature of the designated representative of the Kittitas County Engineering Department.
   1. Plans for traffic control during construction must be accepted prior to issuing construction permits.
   2. Signing/Striping plans require acceptance prior to issuing construction permits.
   3. The acceptance block shall be located in the lower right hand quadrant of the cover sheet.
   4. 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.

      _____ _____
      Director of Public Works Date

   (Ord. 2005-30, 2005)

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 storm sewer construction must conform to the Kittitas County road and storm water standards current at the time of construction. Any construction occurring four years or more after the execution of the subdivision improvements agreement 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 Kittitas County Engineering Department staff at least twenty-four hours advance notice before beginning road construction. Road paving or aggregate base course placement shall not start until the subgrade is proof roll inspected and compaction test results for the subgrade and any utility trenches are submitted and approved by the Engineer.
C. The contractor shall obtain separate access or utility permits from the DPW 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.
E. Prior to release of collateral by Kittitas County the developer must present a statement from an engineer registered as a professional engineer in the State of Washington that the project has been completed in substantial compliance with approved plans and specifications and documenting that the engineer has made regular on-site inspections during the course of construction, and the field plans utilized were the same as those approved by Kittitas County. The engineer shall also state that quality control testing has been undertaken for the project, which testing demonstrates compliance with the plans and specifications approved by Kittitas County. The developer must also submit the following items prior to release of collateral:
   1. "As-built" plans for the improvements must be submitted 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 registered professional engineer. They must show any deviations from the approved plans. Release of collateral will not occur if the 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, 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. For roads under consideration for adoption to the county road system: Quality control test results must be submitted for all phases of the project in accordance with Washington Department of Transportation's 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. 2005-30, 2005)

(Publisher's note - 12.08.090 was not enumerated in the ordinance.)

12.08.100 Scale.

Scales listed are 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. 2005-30, 2005)

12.08.110 Date of Plans.

The original date of the plans and any subsequent revisions must be shown in the title block. (Ord. 2005-30, 2005)

12.08.120 Seal and Signature.

The seal and signature of the owner's engineer, under whose supervision the plans were prepared, shall be located next to the Acceptance Block on each sheet. (Ord. 2005-30, 2005)

12.08.130 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. 2005-30, 2005)

(Publisher's note - 12.08.130 was a duplicate number in the ordinance.)

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 the Kittitas County Roadway Standards.
C. The County will review these requests under normal review procedures as outlined previously in these Roadway Standards.
D. Generally, Kittitas County will not accept maintenance responsibilities for private or public road improvements associated with land development activities. In no case shall private improvements not constructed in accordance with the applicable design and construction standards and specifications be accepted for maintenance by Kittitas County. (Ord. 2005-30, 2005)

12.08.140 Requirements for Road Plan and Profile Drawings.

In addition to the requirements set forth elsewhere in these Road 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/or R.O.W. lines, easements and/or tracts and/or irrigation ditch(s). Type and dimension of easement or tract is to be clearly labeled. Property lines and R.O.W. 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 and structures, including, but not limited to:
      Storm sewer & appurtenances, fence lines & gates, water lines & appurtenances, irrigation, ditches or swales, electric lines & appurtenances, curbs and gutters, sewer lines & appurtenances, pavement limits, telephone lines & appurtenances, bridges or culverts, CATV lines & appurtenances, guardrails, signs, gas lines & appurtenances, 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.
   7. (Publisher's note - 12.08.140.A.7 was a duplicate number in the ordinance.) 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.
   8. 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 P.C.R. to flowline-flowline intersections of all crosspans.
   9. Mid-block handicap ramp locations at tee intersections.
   10. Centerline stations of all non-single family residential driveways and all intersecting roadways.
   11. Survey tie lines to section corners or quarter corners, consistent with that shown on the plat.
   12. 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, 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 walk, 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.
   13. Construction plans for arterial improvements. Any roadway intersecting an arterial, or any collector intersection requiring signalized traffic control shall include construction and lane details for the new construction and existing facilities a minimum of 150 ft beyond the limits of construction.
   14. 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. All design elevations shall be centerline, top of curb, lip of gutter, or flowline (preferred) for 6 in. vertical curb and gutter; or back of walk, or lip of gutter, or flowline (preferred) for combination curb, gutter and walk. 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 twenty-five (25) feet. Previously approved designs are not an acceptable means of establishing existing grades.
   5. Existing and new utilities. Elevation and location of all utilities in the immediate vicinity of the construction shall be shown on the plans.
   5. (Publisher's note - 12.08.140.B.5 was a duplicate number in the ordinance.) Station and elevation of all vertical grade breaks, existing (as-built) and proposed.
   6. Distance and grade between VPI's.
   7. 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.
   8. 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 Kittitas County Engineering 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 not to accept the improvement if subsequent testing reveals an improper installation.
   2. Paving shall not start until the mix design is accepted by the 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 Washington Department of Transportation' Standard Specifications for Road and Bridge Construction, and the Washington Department of Transportation 'M & S Standards, latest edition, shall supply.
   6. (Publisher's note - 12.08.140.C.6 was left blank in the ordinance.) (Ord. 2005-30, 2005)

12.08.150 Signing and Striping Plans.

1. Because the County may maintain the traffic control devices on public rights-of-way, all traffic control devices shall be fabricated and installed in accordance with MUTCD.

2. 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 the Washington Department of Transportation Standards and Specifications. The Manual on Uniform Traffic Control Devices Signal Warrants shall be met for signal installation. All subdivisions, road improvement projects, and/or commercial development must incorporate a separate signage and striping plan in accordance with the following criteria:

a. 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.

b. Review Process - There are two steps the plans must undergo for review.

1. The first step of review is a redline markup. Requirements will be marked where necessary and the plans returned to the owner's engineer.

2. 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 Engineer will notify the owner's engineer to send the Mylar cover sheet of the plans for sign off.

3. Final plans shall, in all cases, be included along with the road construction plans, utility construction plans, and a grading and drainage plan, and the plat or plot plan.

c. General Provisions - Traffic control devices shall conform to the Federal Manual on Uniform Traffic Control Devices (MUTCD)

d. 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 owner's engineer will be required. This study will address the existing conditions, safety issues, and the applicable warrants. (Ord. 2005-30, 2005)

12.08.160 Range Points/Property Monuments/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 range box (Kittitas County standards) shall be installed to protect and provide access to said corner.

C. If so desired, the Developer may install range boxes in asphalt or concrete for property monuments, range points, benchmarks, etc., if the boxes comply with Kittitas County standards. (Ord. 2005-30, 2005)

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 Standards and approved plans (Section 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 Director before being implemented.

B. The Director 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 Director may delegate.

C. Provisions of Section 1-05 of the WSDOT Standard Specifications shall apply, with the term "Engineer" therein construed to be the Director of Public Works as defined in Section 12.02 of these Standards. (Ord. 2005-30, 2005)

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 Director, construction events which require monitoring or inspection are identified as follows, with prior notification to the Department of Public Works office (Telephone 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 sewers.
D. Utility and Storm-Drainage Backfill and Compaction: One working day notice before backfill and compaction of storm sewers
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 Section 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 Director.
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 photo mylar or ink-on-mylar set or sets of blue line final, 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 blue line sets as warranted by the type of improvement. Mylars and blue line drawings 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 DOS/DXF 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 Section, 12.01.150 repair of any failed facilities and the payment of any outstanding fees. (Ord. 2005-30, 2005)

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 the County personnel. Costs of such testing and certification shall be borne by the developer. . If the 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 Engineer. If necessary the County may take further legal actions. (Ord. 2005-30, 2005)

12.09.040 Embankment Construction Control in Developments.

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

A. Embankment and Cut-Section Compaction: Compaction of the top two feet of fill subgrade and the top six inches of cut subgrade shall meet a minimum 95% of maximum density in accordance with WSDOT Standard Specifications Section 2-03.3(14) C - Method B. Subgrade fill below the top two feet shall be compacted to 90% of maximum density.

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 professional engineer registered in the State of Washington. Optimum moisture content and maximum density shall be determined by methods cited in Section 2-03.3(14)D of WSDOT Standard Specifications or by other tests approved by the Director. 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. 2005-30, 2005)

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 Director prior to beginning the work. Traffic control shall follow the guidelines of Section 1-07.23 of the WSDOT Standard Specifications. All barricades, signs and flagging shall conform to the requirements of the MUTCD Manual. 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 a minimum of five 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 ten 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 Director at least five days prior to the closing.

C. Haul Routes:
   If the construction of a proposed development is determined by the Director 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 Director 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 Director may prohibit or limit further work on the development until such time as the requirements of the haul route are complied with.

D. Haul Road Agreement:
   When identified as a need by the SEPA review process or by the Director, a haul road 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. 2005-30, 2005)

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 Director. (Ord. 2005-30, 2005)

12.09.070 Call Before You Dig.

Developers and contractors are responsible for notification of utilities a minimum of 48 hours in advance of any construction in right-of-way or utility easements. The utility One-Call Center phone number 1-800-424-5555 should be prominently displayed at the work site. (Ord. 2005-30, 2005)

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.
12.10.080 Appeal.
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; Ord. 2005-30, 2005)

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; Ord. 2005-30, 2005)

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; Ord. 2005-30, 2005)

12.10.040 Concurrency Evaluation.

A. Application
   1. The County review of all applications for development permits shall include a concurrency evaluation.
   2. The County shall monitor what the impact of approving concurrency will be on the capacity of transportation facilities.

3. 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.
4. The TIA shall be prepared by and/or under the supervision of a registered engineer in the State of Washington.
5. To establish the scope of the TIA, the applicant 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.
6. 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.
7. The Public Works director reserves the right to require an applicant 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.
8. 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.
9. 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.
10. Upon the written request of an applicant, 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. Applicants 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.
11. The County may undertake an independent TIA to confirm or revise the results of the applicant's TIA.
12. The County may reserve capacity on its transportation facilities for future developments considered high priority by the County. (Ord. 2011-011, 2011; Ord. 2005-30, 2005)

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 nine (9) or more 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 applicant in writing of the denial finding. The applicant 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 per KCC 12.10.080. (Ord. 2011-011, 2011; Ord. 2005-30, 2005)

12.10.060 Determination of Concurrency Finding.

A. A determination of concurrency finding shall be issued by the County per the requirements of 12.10.040(8) 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 nine (9) or more 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 12.10.050(A)(9) 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 applicant 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. 2005-30, 2005)

12.10.070 Administrative Reconsideration.

A. The applicant 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 to the Road Variance Committee, as provided by KCC 12.01.130. (Ord. 2011-011, 2011; Ord. 2005-30, 2005)

12.10.080 Appeal.

A. Any appeal of a concurrency finding shall be made to the Road Variance Committee as provided by KCC 12.01.130 within 15 days after issuance of the determination of concurrency finding.
B. Any appeal shall be accompanied by a fee as defined in the county's fee schedule. (Ord. 2011-011, 2011; Ord. 2005-30, 2005)

12.10.090 Definitions.

1. "Adequate transportation facilities" means transportation facilities which have the capacity to serve development while meeting the county's established level of service standards.
2. "Calculated level of service" means the ratio of the forecast peak hour traffic volume to the capacity of a transportation facility.
3. "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.
4. "Capacity allocation" is a measure of the traffic generated by a development that is assigned to use a transportation facility.
5. "Capacity pool" is a measure of the remaining capacity available on a transportation facility that can be allocated to future developments.
6. "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.
7. "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.
8. "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.
9. "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.
10. "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.
11. "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.
12. "Department" means the Kittitas County Department of Public Works.
13. "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.
14. "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.
15. "Director" means the public works director, or his/her designee.
16. "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 an applicant in a form approved by the county in a voluntary agreement.
17. "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.
18. "Growth Management Act" means the Washington State Growth Management Act (Chapter 36.70A RCW) and any adopted amendments.
19. "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.
20. "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.
21. "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.
22. "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.
23. "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.
24. "SEPA" means the State Environmental Policy Act (Chapter 43.21 RCW) as implemented by Kittitas County.
25. "Service provider" means the jurisdiction, department or agency responsible for providing the facility.
26. "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.
27. "Traffic engineer" means an engineer licensed in the state of Washington qualified to perform traffic impact analyses.
28. "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.
29. "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. 2005-30, 2005)

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. (Ord. 2005-30, 2005)

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. (Ord. 2005-30, 2005)

Chapter 12.12
PRIVATE ROADS

Sections

12.12.010 General.
12.12.020 Private Street Design Criteria.

12.12.010 General.

Private roads shall meet the following conditions:

1. Private roads shall meet the minimum access requirements of Section 902 - FIRE DEPARTMENT ACCESS - of the International Fire Code as adopted by the County, and
2. Shall be designed and constructed in conformance with AASHTO Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT< 400) 2001, as now exists or hereafter amended, and
3. Shall be inspected and certified by a licensed professional engineer for conformance with the above referenced standards. In the alternative, an applicant may request the private roadway to be inspected and subject to the approval of the Public Works Director. If certification by the Public Works Director/County Engineer is desired, submission of road plans and necessary testing documentation that confirms compliance with Kittitas County Road Standards is required, and services will be performed on a reimbursable basis, and
4. Permanently established by an easement recorded with the Kittitas County Auditor or Right-of-way, providing legal access to each affected lot, dwelling unit, or business, and
5. Will not result in land locking of existing or proposed parcels, and
6. 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
7. Clearly described on the face of the plat, short plat, or other development authorization and clearly signed at street location as a private street or road, for the maintenance of which Kittitas County is not responsible and a disclosure statement of the same is filed with the County Auditor, and
8. The following note shall be placed on the face of the plat, short plat, or other development authorization:
   "Kittitas County will not accept private roads for maintenance as public streets or roads until such streets or roads are brought into conformance with current County Road Standards. This requirement will include the hard surface paving of any street or road surfaced originally with gravel." (Ord. 2005-30, 2005)

12.12.020 Private Street Design Criteria.

Private roads shall meet the design requirements of Table 12-1 (51KB) (Ord. 2005-30, 2005)

Figure 12-1 (59KB)
Figure 12-2 (59KB)

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. (Ord. 2005-30, 2005)

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.

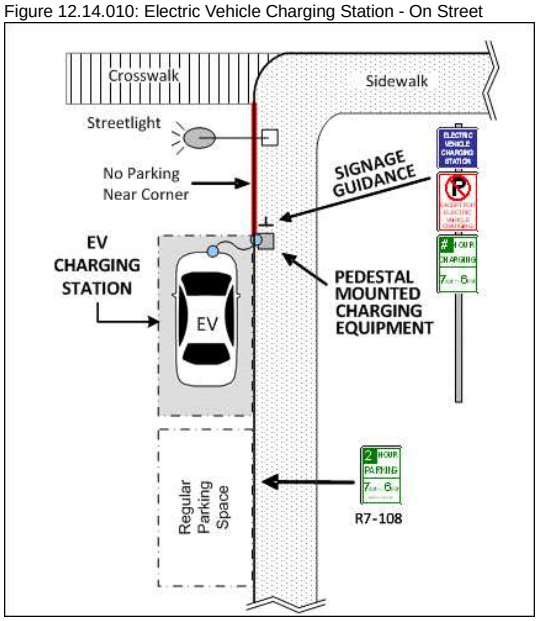
1. Purpose. Curbside electric vehicle charging stations adjacent to on-street parking spaces are reserved for charging electric vehicles.
2. Size. A standard size parking space may be used as an electric vehicle charging station.
3. Location and Design Criteria.

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 indicating the space is only for electric vehicle charging purposes. Days and hours of operations shall be included if time limits or tow away provisions are to be enforced.
   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.

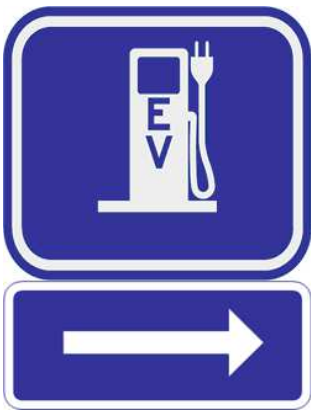
Figure 12.14.010: Electric Vehicle Charging Station - On Street



(Ord. 2011-013, 2011)

12.14.020 Signage.

1. Examples of Sign Combinations for Electric Vehicle Charging Stations.
   a. Directional. Directional signs are to be used on local roads or highways to direct drivers to electric vehicle charging stations. The combination of an approved electric vehicle charging station sign and an arrow sign may he used, as shown below.



   a. On-Street Parking With Charging Station Equipment. This combination of signs is to be used at the location of the charging station. The "Electric Vehicle Charging Station" sign notifies the driver of the special status of the space and the No Parking sign shows that the space is reserved for charging. The maximum number of charging hours allowed can be determined by the bottom sign, as well as the hours of enforcement.

(Ord. 2011-013, 2011)

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. 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. 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 Deposit fee.
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.

A deposit fee will be required for all road crossings. (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).

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

I POLICY STATEMENT
12.48.010 Policy statement.

II PERSONNEL AND DUTIES
12.48.020 County director of public works.
12.48.030 Appraiser.
12.48.040 Real property agent.

III FEDERAL AID REQUIREMENT CHECKLIST
12.48.050 Utilization.
12.48.060 Real property must be appraised before initiation of negotiations with owner.
12.48.070 Owners must be given opportunity to accompany each appraiser during inspection of property.
12.48.080 Acquiring agency must establish just compensation before initiation of negotiations with owners.
12.48.090 No increase or decrease in fair market value due to project except physical deterioration to be considered in valuation of property.
12.48.100 Appraisals not to give consideration nor include allowance for relocation assistance benefits.
12.48.110 Owner not to be left with uneconomic remnant that acquiring agency did not offer to acquire.
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, and to make rules and regulations governing the same in conformity with state and federal statutes and regulations now in force or hereafter enacted and adopted by state and/or federal agencies governing such utilities. (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).

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).

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).

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 insure 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

Sections

I. Provisions Generally
12.80.010 Ownership responsibility.
12.80.020 Acquiring permits.
12.80.030 Cost of restoration and repair.
12.80.040 Adoption.

II. Accommodation of Utilities on County Road Right-of-Way
12.80.100 Purpose.
12.80.110 Application.
12.80.120 Definition of terms.
12.80.130 General conditions and requirements - Location.
12.80.140 General conditions and requirements - Design - General.
12.80.150 General conditions and requirements - Standards and codes.
12.80.160 General conditions and requirements - Adjustment and relocation of existing facilities.
12.80.170 Permits - General requirements.
12.80.180 Permits - Specific requirements.
12.80.190 Underground utilities - Location and alignment.
12.80.200 Underground utilities - Cover.
12.80.210 Underground utilities - Encasement.
12.80.220 Underground utilities - Uncased carriers.
12.80.230 Underground utilities - Appurtenances.
12.80.240 Underground utilities - Installation.
12.80.250 Underground utilities - One call system.
12.80.260 Overhead utilities - Power and communication lines.
12.80.270 Aesthetic/scenic considerations.
12.80.280 Installations on roadway bridges and structures.
12.80.290 Preservation, restoration and cleanup.
12.80.300 Traffic control and public safety.
12.80.310 Emergency repairs.

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).

Title 13 | WATER AND SEWERS

Chapters

13.02 Purpose
13.03 Definitions
13.04 On-Site Sewage Disposal Systems
13.08 Private Sewage Disposal Systems in Plats
13.09 Group B Water Systems - Bonding (renumbered as 13.30.020 per Ord. 2011-006, 2011)
13.12 Solid Waste Disposal Sites
13.20 Well Construction, Reconstruction and Decommissioning Requirements
13.25 Cistern Water System Requirements
13.30 Group B Water System Requirements
13.35 Adequate Water Supply Determination for Building Permits
13.50 Severability
13.55 Liability
13.60 Fees
13.65 Public Health Emergency
13.70 Enforcement
13.75 Health Order
13.80 Right of Entry
13.85 Appeals

Chapter 13.02
PURPOSE

It is expressly the purpose of this Title to provide for and promote the health, safety and welfare of the general public and the environment. This Title is not intended to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefitted by its terms. (Ord. 2011-006, 2011)

Publisher's note: the section within Chapter 13.02 was not enumerated in the ordinance.

Chapter 13.03
DEFINITIONS

Sections

13.03.010 Adequate Water Supply Determination.
13.03.020 Cistern System.
13.03.030 Cistern Source.
13.03.040 Dwelling Unit.
13.03.050 Fill.
13.03.060 Four-Hour Draw Down Test.
13.03.070 Group A Public Water System.
13.03.080 Group B Public Water System.
13.03.090 Health Officer.
13.03.100 Individual Water System.
13.03.110 KCPHD.
13.03.120 KCPHDFS.
13.03.130 Person.
13.03.140 Premises.
13.03.150 Shared Water System.
13.03.160 Storage Unit.
13.03.170 Treatment System.
13.03.180 Water Distribution System.
13.03.190 Water Quality Test.
13.03.200 Water Source.
13.03.210 Water System.

13.03.010 Adequate Water Supply Determination.
An Adequate Water Supply Determination is performed by KCPHD to determine if the water system being proposed is adequate in the ability to supply potable water and protect health and safety of the users of the water system. (Ord. 2011-006, 2011)

13.03.020 Cistern System.
A cistern system is an individual water system designed to receive trucked potable water (which may be supplemented with rainwater) that is stored in a cistern or water storage tank until delivery of the water through a treatment system to the tap or other end use in a dwelling unit. (Ord. 2011-006, 2011)

13.03.030 Cistern Source.
The potable water to be placed in a Cistern System shall be transported from a community_Group A water system. This potable water may also be supplemented with rainwater. (Ord. 2011-006, 2011)

13.03.040 Dwelling Unit.
A dwelling unit is defined as a single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking or sanitation that use potable water. Examples of a dwelling unit include, but are not limited to: a single family home, a guest cabin with potable water, studio apartment, converted garage with potable water added, etc. (Ord. 2011-006, 2011)

13.03.050 Fill.
Soil materials that have been displaced from their original location. (Ord. 2011-006, 2011)

13.03.060 Four-Hour Draw Down Test.
A four-hour draw down test is defined as a pump test that determines the maximum system design rate with a duration of at least four hours to establish information related to performance and efficiency of the well to demonstrate adequacy of water quantity to meet design criteria while not leading to water quality problems. A four-four draw down test submitted to KCPHD shall encompass pump flow data at least every 30 minutes throughout the entire four hour duration that includes, but is not limited to: GPM measured, static level measured, and pumping level. A four-four draw down test shall be performed by a licensed well driller or pump installer. (Ord. 2011-006, 2011)

13.03.070 Group A Public Water System.
A Group A public water system is defined by RCW 70.119.020 as having fifteen or more service connections, regardless of the number of people; or a system serving an average of

twenty-five or more people per day for sixty or more days within a calendar year, regardless of the number of service connections; or a system serving one thousand or more people for two or more consecutive days. The Washington State Department of Health has the final authority to determine what qualifies as a Group A public water system. (Ord. 2011-006, 2011)

13.03.080 Group B Public Water System.
A Group B public water system is defined by RCW 70.119A.020 and the Joint Plan of Responsibility. A Group B water supply system serves fewer than 15 connections and serves fewer than twenty five people. A water supply system serving three to nine dwelling units and other non-residential small systems serving fewer than 10 service connections and fewer than 25 people are under KCPHD approval authority. (Ord. 2011-006, 2011)

13.03.090 Health Officer.
"Health Officer" means the Health Officer of the Kittitas County Public Health Department or the Health Officer's authorized representative. (Ord. 2011-006, 2011)

13.03.100 Individual Water System.
A water system that serves a single residential dwelling unit. KCPHD has the final authority to determine what qualifies as a individual water system. (Ord. 2011-006, 2011)

13.03.110 KCPHD.
Kittitas County Public Health Department. (Ord. 2011-006, 2011)

13.03.120 KCPHDFS.
Kittitas County Public Health Department Fee Schedule, as most recently proposed by the Board of Health and then set by resolution of the Board of County Commissioners. (Ord. 2011-006, 2011)

13.03.130 Person.
Person means a natural person, joint venture, partnership, association, club, company, corporation, business trust, or organization, or the manager, lessee, agent, officer, or employee of any of them. (Ord. 2011-006, 2011)

13.03.140 Premises.
The building or accompanying land of a lot, tract or parcel. (Ord. 2011-006, 2011)

13.03.150 Shared Water System.
A water system that serves two residential dwelling units. KCPHD has the final authority to determine what qualifies as a shared water supply system. (Ord. 2011-006, 2011)

13.03.160 Storage Unit.
A storage unit is designed by a licensed engineer to hold water until needed for use in a dwelling unit. A storage unit can include, but is not limited to, a cistern, water storage tank and a flow equalization tank. (Ord. 2011-006, 2011)

13.03.170 Treatment System.
A treatment system is designed by a licensed engineer to remove contaminates from water to ensure that the water is potable prior to use. (Ord. 2011-006, 2011)

13.03.180 Water Distribution System.
The water distribution system is the system that delivers water from the water source throughout the building until use in the building or at the faucet. It includes but is not limited to pipes, pumps, flow equalization tanks, cisterns or water storage tanks, water treatment systems, and appurtenances. (Ord. 2011-006, 2011)

13.03.190 Water Quality Test.
A Water Quality Test is a test performed on a drinking water sample to determine if the water is considered potable by KCPHD. The following standards are adopted as passing water quality tests:

1. Group A water supply systems shall meet the standards in Chapter 246- 290 WAC for testing, water quality standards and monitoring;
2. Group B water supply systems shall meet the standards in Chapter 246- 291 WAC for testing, water quality standards and monitoring; and
3. Individual water systems, shared water systems and water haulers shall meet the standards in Chapter 246-291 WAC for water quality standards. At a minimum, a water quality test for individual water systems, shared water systems and water haulers shall include a nitrate and bacteriological test, and KCPHD may require additional tests to ensure water is potable. (Ord. 2011-006, 2011)

13.03.200 Water Source.
The water source is the origin of the water to be used as a potable water supply. An allowed water source is a direct connection to a Group A public water system in green or yellow status, a direct connection to an approved Group B public water system, a groundwater well that is not under the influence of surface water, or a cistern supplied from a Group A water system with optional supplemental rainwater collection. The method of constructing the water source and the use of the water source shall comply with any applicable federal, state and local requirements. KCPHD has the final authority to determine what an allowed water source is. (Ord. 2011-006, 2011)

13.03.210 Water System.
A water system is a water source connected to a water distribution system for one or more dwelling units or commercial businesses. (Ord. 2011-006, 2011)

Chapter 13.04
ON-SITE SEWAGE DISPOSAL SYSTEMS

Sections

13.04.010 Definitions.
13.04.020 Applicability.
13.04.030 Permit - Requirements.
13.04.040 License - On-site sewage disposal system designer.
13.04.050 License - On-site sewage disposal system installer.
13.04.060 Connection to public sewer system.
13.04.070 Minimum lot sizes.
13.04.080 Location.
13.04.090 Determination of soil characteristics.
13.04.100 Designer program.
13.04.110 Design and construction - Generally.
13.04.120 Design and construction - Building sewer.
13.04.130 Design and construction - Septic tanks.
13.04.140 Design and construction.
13.04.150 Design and construction - Subsurface disposal field.
13.04.160 Inspection.
13.04.170 Maintenance.
13.04.180 Management.
13.04.190 Prohibited discharges.

13.04.200 Disposal of septic tank waste.
13.04.210 Alternate devices and methods.
13.04.220 Larger systems.
13.04.230 Other types of disposal units.
13.04.240 Sanitary privy.
13.04.250 Health hazard described.
13.04.260 Administration.
13.04.270 Waiver.
13.04.280 Hearings.
13.04.290 Appeal.
13.04.300 Health emergency.
13.04.310 Violation - Penalty.

13.04.010 Definitions.

For the purposes of this chapter, the following terms shall be defined as follows:

Approved
Acceptable by the health officer.

Building sewer
That portion of the on-site sewage disposal system from the septic tank back to within five feet of the premises foundation.

Comprehensive Environmental Health Fee Schedule (CEHFS)
The comprehensive environmental health fee schedule passed by the county board of health June 3, 1974, amended March 15, 1976, and May 16, 1977, or hereafter amended.

Cover
Fill material that is used to cover a subsurface disposal area.

Department
The county health department.

Fill
Soil materials that have been displaced from their original location.

Groundwater
The subsurface water occupying the zone of saturation, commonly referred to as the water table.

Health officer
The duly appointed health officer of the county health department or his/her authorized representative.

On-site sewage disposal system (OSDS)
Any system of trenches, piping, treatment devices, or other facilities that convey, store, treat, or dispose of sewage on the property where it originates or on adjacent or nearby property where the system is not connected to a public sewer system.

Person
Any individual, corporation, company, association, society, firm, partnership, joint stock company, or any branch of state or local government.

Premises
The building and accompanying land of a lot, tract, or parcel.

Public sewer system
A sewage system which is owned or operated by a city, town, municipal corporation, county, political subdivision of the state, or other approved ownership consisting of a collection system and necessary trunks, pumping facilities, and a means of final treatment and disposal and which is under permit from the State Department of Ecology.

Secretary
The secretary of the State Department of Social and Health Services or his/her authorized representative.

Septic tank
A watertight receptacle which receives the discharge of sewage from a building sewer, and is designed and constructed so as to permit the separation of settleable and floating solids from the liquid, providing detention and digestion of the organic matter, prior to discharge of the liquid portion.

Sewage
The water-carried human or household waste from residences, buildings, industrial and commercial establishments, or other places, together with such groundwater infiltration, and other waste as may be present.

Subdivision
A division of land, as defined in RCW Chapter 58.17 or as hereafter amended.

Surface water
Any body of water whose top surface is exposed to the atmosphere, including a flowing body as well as a pond or lake.

(Vol. 6, p. 697 § 2, 1979).

13.04.020 Applicability.

1. These regulations shall not apply to a new OSDS or repair of an existing OSDS for which a permit was issued prior to the effective date of these rules and regulations.
2. These regulations shall not apply to facilities constructed or operated in accordance with a permit issued by the State Department of Ecology or where they may be in conflict with RCW Chapter 90.48. (Vol. 6, p. 697 § 3, 1979).

13.04.030 Permit - Requirements.

1. No person shall install a new OSDS, nor perform alterations, extensions, or relocations of an existing OSDS without a valid permit issued by the health officer. Permits for alterations or repairs shall be so identified. Application for a permit shall be made in writing to the health officer in a manner prescribed by and on forms supplied by the health officer. All permits expire one year from the date of issue. Expired permits may be renewed by the health officer if no changes in design, location, or other factors are necessary to meet the requirements of these rules and regulations.
2. Permits are not transferable from person to person or property to property.
3. The permit application for a new OSDS shall be a two-step process with separate fees for each step. These steps are as follows:
   a. Step 1. A preapplication (site evaluation) to include the following:
      i. The name of the person requesting the review,
      ii. The name of the intended occupant,
      iii. The assessor's parcel number,
      iv. The current address of the intended occupant,
      v. The general property location,
      vi. The nature of premises to be served,
      vii. A sketch showing the property configuration, dimensions, slope percentage, slope direction, and the location of all water sources, on-site sewage disposal systems, creeks, ditches, drainageways, and trees (including varieties) within three hundred feet of the premises, the location of all driveways, water lines, easements, and other structures within three hundred feet of the proposed OSDS.
      viii. (H) Payment of the preapplication fee as determined by the CEHFS;
   b. Step 2. A permit (to install) application to include the following:
      i. Name of the person to whom the permit is to be issued,

ii. Name of the intended occupant,
iii. Current address of the intended occupant,
iv. Assessor's parcel number,
v. General property location,
vi. Number of intended permanent occupants,
vii. Maximum number of anticipated occupants including visitors,
viii. Number of bedrooms or waste generating fixtures (sinks, garbage disposals, water softeners, etc.) of the proposed structure,
ix. Type of system proposed (conventional, hybrid, or alternative),
x. Person to do installation,
xi. Depth to seasonal high groundwater including how this was determined,
xii. Corrections necessary to control surface or groundwater if needed,
xiii. A statement if any and to what degree removing or grading of soil is to be done in the disposal area,
xiv. Any percolation test data including the date of the tests and by whom the tests were done,
xv. A soil log dug to a depth of seven feet within twenty-five feet of the proposed disposal area with a detailed description of the soils found, including texture, structure, color, depth of each horizon, mottling, depth of root penetration, and other information as may be deemed necessary by the health officer,
xvi. A detailed design of the proposed OSDS including the following:
1. Topography of the lot and the lot drainage characteristics
2. Configuration of the property and dimensions
3. Distances of the proposed OSDS to domestic water supplies, surface waters, banks, cuts, property boundaries, structure locations, trees (varieties), shrubs, public sewer systems, or other improvements
4. A communication from the county building department that the proposed land use meets applicable zoning and other codes, regulations, and ordinances
5. Longitudinal and cross-sectional drawings or typical disposal areas including all dimensions requested by the health officer
6. Payment of the permit fee as determined by the CEHFS.

4. A permit application for alteration or repair of an OSDS shall be accompanied by all information requested in subsection (c)(2) above. (Vol. 6, p. 697 § 10, 1979).

13.04.040 License - On-site sewage disposal system designer.

1. Any person designing an OSDS shall first obtain a license from the health officer. Said license shall be issued annually and expire one year from the date of issue. Said license shall also be revocable for failure to comply with the standards of this regulation.
2. A license shall be issued by the health officer only after the applicant has:
   a. Satisfactorily completed an oral and/or written examination or has otherwise shown competency to perform the functions of on-site sewage disposal system designer;
   b. Demonstrated and secured financial responsibility in the amount of two thousand dollars by means of a surety bond in favor of the department or some other approved method. Such financial security shall extend at least one year beyond the expiration date of the license issued under this section;
   c. Paid the appropriate fee as established by the CEHFS. (Vol. 6, p. 697 § 22, 1979).

13.04.050 License - On-site sewage disposal system installer.

1. Any person engaged in installing or repairing an OSDS shall first obtain an installer's license from the health officer. Said license shall be issued annually and expire one year from the date of issue. Said license shall also be revocable for failure to comply with the standards of these rules and regulations.
2. A license shall be issued by the health officer only after the applicant has:
   a. Satisfactorily completed an oral and/or written examination or has otherwise shown competency to perform the functions of an onsite sewage disposal system installer;
   b. Demonstrated and secured financial responsibility in the amount of two thousand dollars by means of a surety bond in favor of the department or some other approved method. Such financial security shall extend at least one year beyond the expiration date of the license issued under this section;
   c. Paid the appropriate fee as established by the CEHFS.
3. The license issued under this section shall not be required of any person constructing or repairing an OSDS on his/her own property of residence or intended residence when the work is totally performed by the resident. Under this subsection, any person may only construct or install one new OSDS in any twelve-month period. (Vol. 6, p. 697 § 21, 1979).

13.04.060 Connection to public sewer system.

1. Connection of any premises where sewage originates shall be made to a public sewer system where there is an adequate public sewer system within two hundred feet of the premises, and such connection is permitted by the sewer utility. Such connection shall be made and use of the OSDS discontinued when repair or replacement of the OSDS is required or as directed by local ordinance. This requirement may be waived if the health officer determines that such connection is not feasible.
2. If the distance between the premises to be served and an adequate public sewer is greater than two hundred feet, and where the anticipated sewage flow is greater than one thousand gallons per day, connection shall be made to the public sewer system if the health officer determines that a connection is feasible and such connection is permitted by the sewer utility. (Vol. 6, p. 697 § 7, 1979).

13.04.070 Minimum lot sizes.

An OSDS shall be installed on lots, parcels, or tracts that have a sufficient amount of area with proper soils in which sewage can be retained and treated properly on-site: one-half acre, twenty-one thousand seven hundred eighty square feet with an approved community water supply and an OSDS; one acre, forty-three thousand five hundred sixty square feet with a private water supply and an OSDS. Exceptions to the acreage limitations may be made by the health officer for recorded plats existing prior to the effective date of these regulations; provided, that adequate area with proper soils are present in which sewage can be retained and treated properly onsite. Factors that must be considered when determining minimum lot size include but are not limited to the following:

1. Soil depth and type;
2. Area and lot drainage;
3. Protection of surface and ground water;
4. Setbacks from property lines, water supplies, etc.;
5. Source of premises domestic water;
6. Topography, geology, and ground cover;
7. Climatic conditions;
8. Availability of public sewers;
9. Present and anticipated activity of land use;
10. Area growth patterns;
11. Individual and accumulated gross effects on water quality;
12. Reserve area for additional or replacement subsurface disposal field;
13. Anticipated sewage volume. (Vol. 6, p. 697 § 11, 1979).

13.04.080 Location.

1. An OSDS shall be located on the same lot as the premises being served, or if an easement is obtained and recorded, on other property if approved by the health officer.
2. The minimum distance for the location of the various component parts of the OSDS is measured horizontally and shall comply with Table 1.

TABLE 1

Distance in Feet, Measured Horizontally

Component	Domestic Water Supply	Water Supply Pressure Lin	Surface Water	Building Property Lin	Open Ditches, Cuts, Hillsides (downhill side)	Trees[1]	Trees[2]	Subsurface Interceptor Drain

Building Sewer	50	10	10	-	-	50	10	10
Septic Tank	50	10	50	5	-	50	10	10
Disposal Area	100	10	100	10	15 plus height of cut of bank to a maximum of 100 feet	100	10	50 down-slope, 10 up-slope

[1] Elm, locust, cottonwood, willow, and other trees with spreading choking roots.
[2] Conifers and other trees with non-spreading and non-choking roots.

(Vol. 6, p. 697 § 13, 1979).

3. The area to be used for the subsurface disposal field shall be selected and maintained so that it is free from encroachment by buildings or other structures. The area shall not be subject to vehicular traffic, nor compaction by large animals, and shall not be covered with a water-impervious surface.
4. The area to be used for the OSDS shall have soil which is not excessively permeable nor impermeable to allow proper retention and treatment by the soil.
5. The OSDS shall not be located in an area where surface water will accumulate nor an area subject to flooding. Provisions shall be made to minimize flow or accumulation of surface water over the OSDS.
6. No part of an OSDS shall be installed in a state flood control zone, before a flood control zone permit is obtained from the State Department of Ecology.

13.04.090 Determination of soil characteristics.

1. Preliminary tests for subdivisions shall be made in accordance with department standards, including but not limited to the following:
   a. A sketch of the parcel of land to be subdivided with its location indicated;
   b. Dimensions of each lot with proposed lot and block numbers;
   c. Elevations shown by contour lines at intervals of five feet or less. If individual sewage disposal systems are contemplated;
   d. Approximate location of all natural features such as rock outcroppings, wooded areas, marshes, area subject to flooding and the location, width, name and direction of flow of all watercourses including those which are seasonal or periodic;
   e. Existing and proposed uses of the property, including the use of all existing structures which will remain on the property after platting, including buildings, ditches, buried conduits, etc.;
   f. At least one soil log be dug to a depth of seven feet on each five acres. Additional tests may be required where the soil structure varies, if large disposal areas are required or if groundwater or impermeable soils are within five feet of ground surface;
   g. A description of the soil from subdivision (6) above.
2. At least one soil log to a depth of seven feet shall be performed at the site of each disposal area. This requirement may be waived by the health officer if adequate soil information is available. Additional tests may be required where the soil structure varies or if large disposal areas are required.
3. Percolation tests may be required by the health officer where soil logs yield unconfirming results.
4. All percolation tests and soil logs shall be verified by the health officer.
5. If a sufficient amount of information is not available on groundwater conditions, the health officer may require that percolation tests and soil logs be conducted during the months of suspected high groundwater conditions.
6. All soil tests shall be conducted using a uniform procedure developed by the secretary and the health officer. (Vol. 6, p. 697 § 12, 1979).

13.04.100 Designer program.

1. Each OSDS intended to serve a single-family residence, duplex, or where anticipated daily flows are less than one thousand two hundred gallons per day, shall be designed and certified by a designer possessing a valid permit issued by the health officer under Section 13.04.040, or by the health officer.
2. Each OSDS intended to serve facilities where anticipated sewage flows are one thousand two hundred gallons per day or greater shall be designed by a sanitary, civil, or professional engineer, or by the health officer. (Vol. 6, p. 697 § 15, 1979).

13.04.110 Design and construction - Generally.

1. The detailed design and construction of each OSDS shall conform to the "Manual of Septic Tank Practice," U.S. Public Health Service Publication No. 526, 1967, or any succeeding edition, except where modified by, or in conflict with, these rules and regulations.
2. The OSDS shall be designed to receive all sewage from the premises served. Footing or roof rains shall not be connected to the OSDS.
3. Backwashes from water softeners and other such treatment devices shall not enter an OSDS where the disposal component is an evapotranspiration bed. Utilization of units such as water softeners where backwashes occur shall require additional sizing of the septic tank and disposal area.
4. The OSDS shall service a single premises and shall not have additional residences or premises connected to it unless approved by the health officer.
5. No connections instead of or in addition to that for which the system was originally designed to accommodate may be made to an OSDS without written approval of the health officer.
6. Where any portion of the OSDS, except the subsurface disposal area, is subject to compaction due to vehicular traffic or large animals, the method and materials used in the construction of the OSDS must be capable of withstanding these conditions without impairing the function of the OSDS. (Vol. 6, p. 697 § 14(1) - (6), 1979).

13.04.120 Design and construction - Building sewer.

1. Pipe used for construction of a building sewer beyond the building plumbing shall be a minimum of three inches inside diameter and of cast iron, vitrified clay, concrete, or plastic which complies with the current U.S. Department of Commerce Commercial Standards for the particular pipe involved or of asbestos cement or plastic approved by the department.
2. Construction of the building sewer line shall be such as to secure watertight joints and it shall have a slope of not less than two percent.
3. No "T's" or ninety-degree ells shall be permitted in a building sewer line. All forty-five-degree ells must have accessible cleanouts.
4. Three to six-inch lines shall have cleanouts installed at intervals of not more than fifty feet. Larger than six-inch diameter lines shall have cleanouts installed at intervals of not more than one hundred feet. (Vol. 6, p. 697 § 14(7), 1979).

13.04.130 Design and construction - Septic tanks.

1. Before septic tanks may be sold for installation within the county, plans must be submitted to and approved by the health officer. Such plans shall show all dimensions, reinforcing materials, structural details, and other pertinent data as may be required. Approval may not be construed or used in any manner to imply endorsement by the health officer. Plans must also be submitted and approved for individual built-in-place septic tanks.
2. No septic tanks shall be installed or constructed except those approved.
3. All septic tanks shall have a minimum of two compartments; however, two single compartment tanks may be used in series.
4. Liquid capacity:
   a. All septic tanks must be designed according to waste load and in no case shall have a total capacity of less than one thousand gallons except with written approval of the health officer;
   b. The first compartment or tank shall be one-half to two-thirds of the total septic tank capacity.
5. The outlet of the septic tank shall be so positioned as to be three inches below the level of the inlet.
6. On each septic tank or septic tank compartment, the inlet baffle or inlet "T" shall extend approximately six inches below the bottom of the level of the septic tank outlet and above the bottom of the septic tank outlet to at least the crown of the inlet sewer.
7. In each septic tank or septic tank compartment, the outlet baffle or outlet "T" shall extend below the bottom of the level of the septic tank outlet a distance approximately equal to twenty-eight to forty percent of the liquid depth below the bottom of the outlet. These baffles or "T's" shall extend at least six inches above the bottom of the outlet level to provide storage for floating materials.
8. Septic tanks shall have at least one inch between the under side of the top of the tank and top of the inlet and outlet pipe or baffles to allow the required ventilation of the tank and disposal field through the premises building vent stacks.

9. Sewage holding tanks shall not be used as a permanent method of sewage disposal. The health officer may allow holding tanks on an interim use basis to handle emergency situations or to correct existing problem systems. The health officer also may allow holding tanks for controlled, part-time use situations such as recreational vehicle parks and trailer dump stations; provided, that an approved on-site sewage disposal system management program as provided in Section 13.04.180 is in effect.
10. Septic tank installation:
    a. No septic tank shall be covered with an impervious surface unless the manhole and inspection holes are extended up through the impervious surface and the manhole cover is equipped with a locking-type cover;
    b. No septic tank manhole shall be located more than eighteen inches below the finished grade. If it is necessary to place the septic tank more than eighteen inches below the finished grade, manholes shall be built up to within eighteen inches of the finished grade. (Vol. 6, p. 697 § 14(8), 1979).

13.04.140 Design and construction.

1. No OSDS shall be constructed or installed which does not provide at the head of each disposal field a distribution device which allows effluent to be distributed equally to all disposal lines.
2. No distribution device shall be installed which is not constructed of durable, watertight materials.
3. No distribution device shall be constructed or installed which does not provide equal flow of effluent to all outlets. The distribution device shall be set on stable soil or otherwise supported to prevent misalignment.
4. No pump, siphon, or other effluent lifting or dosing device shall be installed which is not approved. (Vol. 6, p. 697 § 14(9), 1979).

13.04.150 Design and construction - Subsurface disposal field.

1. All effluent from a septic tank shall be disposed of by means of a subsurface disposal system except when special approval has been granted by the health officer for an alternate system as described in Sections 13.04.210 and 13.04.230.
2. The installation and use of cesspools is prohibited.
3. Seepage pits shall not be used except under special conditions approved by the health officer.
4. The subsurface disposal system shall not be installed in fill. This restriction may be waived when the health officer determines that the type of fill, the method of placement, and the stabilization period has or will allow full compliance with these rules and regulations.
5. Installation of an OSDS shall not be permitted in areas where the ground slope exceeds thirty percent. Installation on slopes in excess of fifteen percent, but not greater than thirty percent, may be allowed provided that subsoil profiles indicate no restrictive layers of soil and an appropriate design is provided.
6. No subsurface disposal field shall be installed in which all trenches are not of the same approximate length.
7. The maximum length of any individual line shall not exceed one hundred feet unless written approval is granted by the health officer.
8. Minimum width of the bottom of all disposal trenches shall be twenty-four inches. Disposal trench width in excess of thirty-six inches may not be used in computing absorption area.
9. The sides and bottom of all disposal trenches shall be scored to eliminate smearing and compaction of the trench-soil interface.
10. The bottom of the disposal trenches shall be constructed on a grade of not more than two inches fall per one hundred lineal feet.
11. The grade of the disposal lines shall be zero to six inches per one hundred lineal feet.
12. Filter material shall be uncrushed, washed gravel, three-eighths inch to two and one-half inches in diameter.
13. The maximum depth of cover over the disposal lines, including the minimum of two inches of filter material required in subsection (o) of this section, shall be twenty-four inches except by special permission of the health officer.
14. Minimum depth of cover over the filter material shall be six inches.
15. Minimum depth of filter material over the disposal lines shall be two inches.
16. Minimum depth of filter material below disposal lines shall be six inches.
17. The maximum depth of the bottom of the trench shall be thirty-six inches below ground surface.
18. The minimum distances between disposal lines shall be six feet.
19. The minimum diameter of gravity flow disposal line pipe shall be four inches.
20. No disposal field shall be installed unless adequate measures are taken to insure that proper grades on all disposal lines are maintained while backfilling.
21. All trenches, after having filter material placed over the disposal lines and before backfilling, shall have placed over the filter material, a layer of newspaper, straw, untreated building paper, or other approved materials which will allow moisture transmission, but not soil particle migration.
22. Where PVC, polyethylene, plastic pipe is used, the ends of the pipe must be capped.
23. There shall be a minimum of two trenches in all systems except where serial distribution is used. (Vol. 6, p. 697 § 14(10), 1979).

13.04.160 Inspection.

1. Any work done on an OSDS and any material used may be inspected by the health officer at any reasonable time, and if he/she finds that any work done or material used, is not in accordance with these rules and regulations, he/she may revoke the permit or notify the owner or installer to make such changes as he/she shall specify. If such changes are not made within a reasonable time, the health officer shall revoke the permit and it shall be unlawful to use such OSDS.
2. The following conditions must exist before a final inspection is made:
    a. Installation and/or construction of the septic tank must be complete;
    b. Installation of the building sewer, distribution device, and disposal area must be completed except for backfilling.
3. The OSDS shall be left open and uncovered until approved by the health officer.
4. The health officer shall be notified of the date and, as near as possible, the time the OSDS will be ready for final inspection. The person installing or repairing the OSDS shall be responsible for notifying the health officer. Notification shall be made at least one working day prior to the date that the OSDS is ready for final inspection.
5. The health officer must approve any modifications to an OSDS design prior to the changes being made.
6. The health officer shall make a final inspection of all OSDS repairs.
7. The health officer shall ordinarily make a final inspection of any new OSDS prior to its final covering. At the time the health officer is notified that the OSDS will be ready for inspection, he/she shall indicate whether such system will be inspected.
8. Upon completion and approval of the OSDS, the health officer shall notify the building department that the OSDS has been approved. (Vol. 6, p. 697 § 16, 1979).

13.04.170 Maintenance.

Each OSDS shall be maintained in such a manner as to insure compliance with these rules and regulations. (Vol. 6, p. 697 § 17, 1979).

13.04.180 Management.

1. When subdivisions, mobile home parks, multiple housing units, or other commercial or residential developments are designed to have gross densities that exceed three and one-half residential units or twelve people per acre or waste flows of one thousand two hundred gallons per acre per day, an OSDS shall not be permitted unless the perpetual maintenance and management of the OSDS are under the responsibility of an approved management system as identified in subsections (b) and (c) of this section.
2. A proposed OSDS to be located within the boundary of any operating public sewer utility shall be approved by the sewer utility prior to the issuance of a permit. If the proposed system serves a density greater than that identified in subsection (a) of this section, the maintenance of the OSDS shall be the responsibility of the sewer utility or dry sewers shall be provided as approved by the State Department of Ecology and the sewer utility having jurisdiction in accordance with an approved sewage drainage basin plan.
3. An OSDS serving housing densities and/or flows exceeding that identified in subsection (a) of this section and not located within the boundaries of an operating public sewer utility shall have an approved perpetual maintenance and management system as established under the guidelines developed by the secretary, the State Department of Ecology, and the local entity responsible for public utilities. (Vol. 6, p. 697 § 8, 1979).

13.04.190 Prohibited discharges.

1. Effluent from any OSDS shall not be discharged to surface water, groundwater, or upon the surface of the ground.
2. A subsurface OSDS shall not be permitted in areas where a minimum separation of three feet between the bottom of the disposal trench and the maximum seasonal groundwater elevation or impermeable soil or rock layer cannot be maintained. The health officer shall require such greater vertical separation as needed to protect the public health.
3. A subsurface OSDS shall not be permitted in areas of fractured rock or excessively permeable material where it is likely that action of the soil profile will be ineffective in

retaining and removing substances having an adverse effect on groundwater quality. (Vol. 6, p. 697 § 6, 1979).

13.04.200 Disposal of septic tank waste.

1. It is unlawful for any person to engage in the business of pumping or cleaning any septic tank, cesspool, sump, holding tank, or any other receptacle or device for collection of sewage or waste without first having received a license from the health officer.
2. Applicants for a license under this section shall file a written application signed by the applicant on forms supplied by the health officer.
3. Upon receipt of such application, the health officer shall make such investigation as he/she deems advisable as to the applicant's business responsibility, knowledge of public health laws, knowledge of the function of an OSDS, cesspools, other sewage collection systems, or the adequacy of the applicant's equipment. If any of these areas are found to be inadequate, the application shall be denied. If found to be satisfactory, a license shall be issued upon payment of a fee as established by the CEHFS.
4. Every person issued a license under this section shall make a report once each month to the health officer on all services performed the preceding month. Such reports shall contain all information requested by and on forms supplied by the health officer.
5. It is unlawful to dump or dispose of the contents removed from septic tanks, cesspools, sumps, holding tanks, or other sewage collection receptacles or devices except at locations approved by the health officer. (Vol. 6, p. 697 § 18, 1979).

13.04.210 Alternate devices and methods.

Approval authority for the application, installation, or use of any alternate device or method is vested with the health officer; provided, that the device or method has first been given a technical evaluation and report by the secretary. (Vol. 6, p. 697 § 5, 1979).

13.04.220 Larger systems.

Until such time as guidelines governing the review, approval procedure, and authority for larger systems are developed between the secretary, local health department, the department of ecology, and municipal sewer utilities, the following shall apply:

All cases where the maximum design flow of any OSDS is greater than three thousand five hundred gallons per day, prior to construction of the system, the construction plans shall be submitted to the secretary for approval of engineering and to assure the system will not create a health hazard. The health officer shall not issue a permit for a larger system until it has been approved by the secretary. (Vol. 6, p. 697 § 9, 1979).

13.04.230 Other types of disposal units.

Units other than septic tanks or devices that can function as septic tanks with subsurface disposal systems, including but not limited to chemical toilets, composting toilets, vault privies, incinerator toilets, mechanical and aerobic treatment devices, and evapotranspiration systems, may be used but only with the prior approval of the health officer in accordance with the procedure established in Section 13.04.210. (Vol. 6, p. 697 § 4, 1979).

13.04.240 Sanitary privy.

1. Sanitary privies may be used in areas where no suitable domestic water supply is available subject to the following criteria:
   a. In areas of high precipitation (greater than twenty-five inches annual average) and/or shallow, poor percolating soils, the waste receptacle must be sealed from exfiltration and infiltration;
   b. In areas where good percolating soil exists and the seasonal high water table is deeper than four feet below the proposed bottom of the waste receptacle and less than an average annual precipitation of twenty-five inches occurs and lots or tracts are greater than five acres, the waste receptacle may be unsealed provided the distances found in Section 13.04.080, Table 1, are met;
   c. In areas subject to flooding, high groundwater (closer than four feet to ground surface), or less than four feet of suitable soil exists, privies are not permitted.
2. All sanitary privies shall be constructed and maintained to have the waste receptacle contents inaccessible to rodents, vermin and vectors.
3. No privy may be constructed and/or located on any property without having first obtained a written permit from the health officer prior to such construction and/or location.
4. Chemical toilets may be used around construction sites as a temporary means of sewage disposal. Chemical toilets may also be used in all situations where sanitary privies may be used in subsection (a) above. (Vol. 6, p. 697 § 19, 1979).

13.04.250 Health hazard described.

An OSDS shall be considered a health hazard if it does not meet the standards of construction or location as provided in this chapter. The health officer shall have the authority to prohibit their use pending completion of necessary alterations to reasonably assure proper and safe operation. It is a violation of these rules and regulations for any person to continue to use or to permit any person to use any OSDS after having been directed by the health officer to suspend said use. It shall be considered prima facie evidence that an OSDS is being used upon showing that the premises served by such OSDS is occupied as a residence or business. (Vol. 6, p. 697 § 20, 1979).

13.04.260 Administration.

The health officer shall administer these regulations under the authority and requirements of RCW Chapters 70.05, 43.20, and WAC 248-96-015. (Vol. 6, p. 697 § 1, 1979).

13.04.270 Waiver.

Whenever a strict interpretation of these rules and regulations would result in extreme hardship, the health officer may waive such rule, regulation, or portion thereof; provided, that the waiver is consistent with the intent of these rules and regulations and that no public health hazard or nuisance will result and as long as the waiver is consistent with other state and local rules, regulations, laws, or ordinances. (Vol. 6, p. 697 § 23, 1979).

13.04.280 Hearings.

1. Any person may request and shall be granted a hearing before the health officer who seeks a waiver of these rules and regulations as provided in Section 13.04.270.
2. Any person may request and shall be granted a hearing before the health officer whose application for a permit or license under these rules and regulations has been denied.
3. The health officer may require a hearing to suspend or revoke any permit or license under these rules and regulations. If, as a finding of the hearing, he/she finds incompetency, negligence, misrepresentation, or failure to comply with these rules and regulations, said permit or license may be revoked or suspended.
4. A hearing shall not be scheduled less than ten days nor more than thirty days from the date:
   a. The health officer has notified the interested party that a hearing will be held as provided in this section; or
   b. The interested party has notified the health officer in writing of his/her request for a hearing as provided in this section.
5. At least seven calendar days before the date of the hearing, the health officer shall notify the interested party of the scheduled date, time, and place of said scheduled hearing.
6. At the hearing, the interested party shall be afforded an opportunity to present evidence and to discuss the issues fully. (Vol. 6, p. 697 § 24, 1979).

13.04.290 Appeal.

1. Any aggrieved person desiring that the board of health review a decision by the health officer must provide the health officer with a written notice of appeal within seven calendar days of the date said decision was rendered.
2. An appeal shall be heard by the county board of health at a regularly scheduled meeting which convenes at least ten days after the notice of appeal is received by the health officer.
3. At least seven days before the appeal is heard, the health officer shall notify the appealing party of the scheduled date, time, and place the appeal is to be heard. (Vol. 6, p. 697 § 25, 1979).

13.04.300 Health emergency.

Nothing in these rules and regulations shall be construed to circumscribe the authority and power of the health officer to act in an emergency situation to control and prevent any health hazard which immediately threatens the public health of the inhabitants of the county and its municipalities which power and authority is governed by state law. (Vol. 6, p. 697 § 27, 1979).

13.04.310 Violation - Penalty.

Any person violating or failing to comply with these rules and regulations shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum of not less than fifty dollars nor more than three hundred dollars, and/or imprisonment in the county jail for not more than ninety days. Each day such violation occurs or is permitted to continue shall constitute a separate offense. (Vol. 6, p. 697 § 26, 1979).

Chapter 13.08
PRIVATE SEWAGE DISPOSAL SYSTEMS IN PLATS

Sections

13.08.010 Plats - Filing fees.
13.08.020 Preliminary plat map and preliminary application submission.
13.08.030 Preliminary plat map - Data required.
13.08.040 Soil logs - Number and depth.
13.08.050 Use with community water supply - Lot area.
13.08.060 Lots below minimum area - Public system required.
13.08.070 Wells and septic tanks on same lot - Lot size.
13.08.080 Low mean ground water level unacceptable.
13.08.090 Recording plat - Conditions precedent.

13.08.010 Plats - Filing fees.

Plats submitted to the health department with homes to be connected to septic tanks and drain fields require a filing fee of one dollar per lot. For plats with homes to be connected to sewers with one hundred lots or less, the fee is fifty cents per lot; one hundred lots or more, the maximum fee is fifty dollars. The fee is payable to the county health department and must be paid at the time of submitting the subdivision map for consideration. (Res. 72-69 Reg. 11 § 1, 1972).

13.08.020 Preliminary plat map and preliminary application submission.

Preliminary plat map and preliminary application shall be submitted to the health department on or before the same deadline date as required by the planning commission. (Res. 72-69 Reg. 11 § 2, 1972).

13.08.030 Preliminary plat map - Data required.

Each preliminary plat map shall show the contour lines and approximate location of soil log holes. These holes must be flagged for easy location. (Res. 72-69 Reg. 11 § 3, 1972).

13.08.040 Soil logs - Number and depth.

A minimum of one soil log for each five acres shall be dug to a depth of seven feet. (Use separate sheet to report data.) This work shall be done by a soil tester-designer licensed in Kittitas County. (Res. 72-69 Reg. 11 § 4, 1972).

13.08.050 Use with community water supply - Lot area.

When a private septic tank system is planned in conjunction with a community water system, each lot supporting a single-family dwelling shall have a minimum of twenty-two thousand square feet (approximately one-half acre). (Res. 72-69 Reg. 11 § 5, 1972).

13.08.060 Lots below minimum area - Public system required.

Any lot less than twenty-two thousand square feet (approximately one-half acre) must be serviced by an active public sewer system or other sewage disposal system approved by the health department. (Res. 72-69 Reg. 11 § 6, 1972).

13.08.070 Wells and septic tanks on same lot - Lot size.

The minimum lot size shall be forty-three thousand five hundred sixty square feet (approximately one acre) where individual wells and septic tank systems are located on the same lot. Exception to this requirement shall be limited to zoning districts which allow one residential lot per gross acre in a platted subdivision. (Res. 72-69 Reg. 11 § 7, 1972).

13.08.080 Low mean ground water level unacceptable.

Areas in which the mean ground water level is less than four feet from the top of the ground shall not be considered satisfactory for individual sewage disposal systems. (Res. 72-69 Reg. 11 § 8, 1972).

13.08.090 Recording plat - Conditions precedent.

Prior to recording of a plat, the following shall apply:

1. Where public water is available within one-half mile or less of any proposed plat, water shall be provided by this means. A letter from the water district, city or other stating that arrangements have been made to supply the plat must be attached.
2. When a community water supply is to be provided, detailed drawings of a water distribution system shall be submitted. A well shall be constructed, a pump and storage tank shall be installed, and a letter from the Washington State Department of Health stating that plans and specifications have been approved shall be attached.
3. When an individual well is to be constructed on each lot, well sites shall be located on the plat map.
4. There shall be one soil log hole to a depth of forty-eight inches on each lot located in the approximate drainfield area. When percolation tests are requested (use separate sheet), test holes must be at a depth of thirty-six inches. Larger lot sizes may be required when percolation rates are over twenty minutes per inch. This work shall be done by a registered engineer or licensed designer.
5. Where septic tanks are to be used, there shall be a minimum depth of three feet of porous soil above hardpan, clay, or ground water. Fill material more than eighteen inches shall require approval by the health department. Each test hole shall be clearly marked for easy identification by a stick or flag. If the test holes cannot be properly identified, it may result in the plat not being considered for recording.
6. If natural growth prevents the health department from making an adequate evaluation of the proposed plat, then clearing and grubbing may be specified for those areas of the plat that are in question.
7. Lots must be numbered and staked.
8. Submit a copy of the final linen that will be filed for recording.
9. Notify this department seven days prior to date of recording for a site inspection.
10. It is the design engineer's responsibility to see that the sponsor or owner has complied with the above items pertinent to recording his plat, before the health department can give approval to the planning department for acceptance.
11. Any variances from the platting requirements of this regulation shall require approval by the health officer prior to submission for platting. (Res. 72-69 Reg. 11 § 9, 1972).

Chapter 13.12
SOLID WASTE DISPOSAL SITES

Sections

13.12.010 Purpose and authority.
13.12.020 Definitions.
13.12.030 State regulations adopted by reference.
13.12.040 Disposal site permit - Required.
13.12.050 Disposal site permit - Application.
13.12.060 Disposal site permit - Renewals.
13.12.070 Disposal site permit - Suspension.
13.12.080 Hearing and appeals.
13.12.090 Transportation of hazardous, industrial, and solid waste.
13.12.100 Waiver.

13.12.105 Disposal fees.
13.12.110 Violation - Penalty.

13.12.010 Purpose and authority.
The purpose of these rules and regulations is to provide for the proper facilities and handling for wastes. The rules and regulations are adopted pursuant to authority granted this board of health by RCW 70.95.160 and 70.05.060(3). (Vol. 3, p. 373-1 § 1, 1979).

13.12.020 Definitions.
The definitions as found in WAC 173-301 shall apply except as modified under this section:

Health officer
The duly appointed health officer of the county health department or his/her authorized representative.
Transfer station
A fixed, supplemental, collection/transportation/disposal facility, used by persons and/or route collection vehicles to deposit wastes for transport to another disposal site.

(Vol. 3, p. 373-1 § 2, 1979).

13.12.030 State regulations adopted by reference.
The Washington State Department of Ecology Regulation Relating to Minimum Functional Standards for Solid Waste Handling (WAC 173-301) is adopted by reference. (Vol. 3, p. 373-1 § 3, 1979).

13.12.040 Disposal site permit - Required.

1. Every person shall obtain and have in possession a valid permit from the health officer, prior to establishing, constructing, and/or operating, a waste disposal site. A permit for a site not conforming to WAC 173301-180 to -500 may be issued upon concurrence of the health officer and the board of health as provided in WAC 173-301-610.
2. The permit shall be valid for a period of one year from the date of issue unless otherwise stated.
3. Permits are not transferable from person to person or site to site. (Vol. 3, p. 373-1 § 4, 1979).

13.12.050 Disposal site permit - Application.

1. An application for a disposal site permit shall be submitted in writing to the health officer on forms approved by the State Department of Ecology. All applications shall indicate how the proposed site, facilities, and operational procedures will assure compliance with WAC 173-301, the Cooperative Countywide Solid Waste Management Plan for Kittitas County and its municipalities, The Washington State Environmental Policy Act, and other applicable laws or regulations. Such detailed plans shall be prepared by an individual competent in the area of waste system designs.
2. Prior to the issuance of a permit, the appropriate fee, as established by the environmental health comprehensive fee schedule, adopted May 16, 1977, or hereafter amended, must be remitted to the health department. (Vol. 3, p. 373-1 § 5, 1979).

13.12.060 Disposal site permit - Renewals.
Renewal of a permit shall be accomplished by payment of the disposal site permit fee and a satisfactory review of the site's operation and facilities by the health officer. (Vol. 3, p. 373-1 § 6, 1979).

13.12.070 Disposal site permit - Suspension.
A disposal site permit may be suspended by the health officer in accordance with RCW 70.95.200. (Vol. 3, p. 373-1 § 7, 1979).

13.12.080 Hearing and appeals.
1. Any decision by the health officer to deny issuance or renewal of, or to suspend, a disposal site permit may be appealed to the board of health in accordance with RCW 70.95.210.
2. Upon receipt of a written appeal, the board of health shall hold a hearing as outlined in RCW 70.95.210. (Vol. 3, p. 373-1 § 8, 1979).

13.12.090 Transportation of hazardous, industrial, and solid waste.
No hazardous, industrial, or solid wastes may be transported from outside the county and its incorporated municipalities to disposal sites within the county or its incorporated municipalities without approval from the board of health. (Vol. 3, p. 373-1 § 9, 1979).

13.12.100 Waiver.
The board of health may grant waivers to this chapter, provided the waivers are consistent with the intent of this chapter and state law. (Vol. 3, p. 373-1 § 10, 1979).

13.12.105 Disposal fees.
1. Fees shall be set by resolution.
2. A copy of the fee schedule shall be made open to the public at the Kittitas County solid waste department.
3. All fee schedules shall include a date on which the schedule becomes effective. (Ord. 955, 1995: Res. 81-4, 1981: Res. 80-9, 1980).

13.12.110 Violation - Penalty.
Any person violating any of the provisions of this chapter is guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not less than fifty dollars for the first conviction, not less than one hundred fifty dollars for the second conviction, and not less than three hundred dollars for the third and each subsequent conviction and/or imprisoned in the county jail for not more than ninety days for each conviction. Each day a violation occurs shall constitute a separate violation. (Vol. 3, p. 373-1 § 11, 1979).

Chapter 13.20
WELL CONSTRUCTION, RECONSTRUCTION AND DECOMMISSIONING REQUIREMENTS

Sections

13.20.010 Authority.
13.20.020 Applicability.
13.20.030 Notification.
13.20.040 Well Location.
13.20.050 Well Construction.
13.20.060 Appeals.

13.20.010 Authority.
The following Chapter is adopted per Chapter 70.05 RCW, Section 18.104.043 RCW, the Joint Plan of Responsibility between Washington State Department of Health and Kittitas County Public Health Department (KCPHD), and the Interagency Agreement between the Department of Ecology and the KCPHD in order for KCPHD to inspect and enforce well construction, reconstruction and decommissioning pursuant to state and local laws. (Ord. 2011-006, 2011)

13.20.020 Applicability.
This Chapter applies to all well construction, reconstruction and decommissioning activities in Kittitas County. (Ord. 2011-006, 2011)

13.20.030 Notification.

Adequate notice shall be given to KCPHD prior to any well construction, reconstruction or decommissioning activities.

1. Well Site Review. The owner or authorized agent shall:
   a. Submit a completed application for well site review with any applicable fees to KCPHD at least 72 hours in advance of any well construction or reconstruction activities; and
   b. Arrange a well site inspection with KCPHD to determine the well location if the well will supply a Group A or Group B public water system.
2. Notification of Drilling. The well driller shall:
   a. Submit a completed Notification of Drilling form to KCPHD at least 72 hours in advance of any well construction, reconstruction or decommissioning activities; and
   b. Re-submit an updated and complete Notification of Drilling form if the well construction, reconstruction or decommissioning activity date changes from the original submission. (Ord. 2011-006, 2011)

13.20.040 Well Location and Access.

1. All wells shall be located in accordance with the following rules:
   a. Minimum Standards for Construction and Maintenance of Wells (Chapter 173-160 WAC);
   b. Developments, Subdivisions and Minimum Land Area Requirement rules for Positioning of On-Site Sewage Systems (Chapter 246-272A WAC);
   c. The Joint Plan of Responsibility;
   d. The site's unique physical features and structures so that the well is protected from contamination; and
   e. Any other applicable federal, state or local law.
2. A well for a Group A Water System shall also be located:
   a. In accordance with Source Water Protection rules for Group A Water Systems (Section 246-290-135 WAC);
3. A well for a Shared or Group B Water System shall also be located:
   a. In accordance with Ground Water Source Approval and Protection Rules for Group B Water Systems (Chapter 246-291 WAC), including but not limited to a minimum one hundred foot sanitary control area and a duly recorded restrictive covenant;
   b. So that all properties within the well's sanitary control area are being served by the well; and
   c. So that no road is within the sanitary control area. The meaning of road for this Chapter shall include but is not limited to, any county, state or federal right of ways and any private road. Driveways are not considered roads under this Chapter.
4. A well for a Shared or Group B Water System shall have a recorded easement granting access to the well, pump house and pipeline to the future owners of the water system.
5. A well for an individual water system shall also be located:
   a. In accordance with Well Head Protection regulation (Section 17A.08.025 KCC); and
   b. So that no road is within fifty (50) feet of the well. The meaning of road for this Chapter shall include but is not limited to, any county, state or federal right of ways and any private road. Driveways are not considered roads under this Chapter. (Ord. 2011-006, 2011)

13.20.050 Well Construction.

1. Wells shall be constructed in accordance with:
   a. Well Tagging, Sealing and Decommissioning sections of Water Well Construction (Chapter 18.104 RCW);
   b. Well Tagging, Sealing and Decommissioning sections of Minimum Standards for Construction and Maintenance of Wells (Chapter 173-160 WAC); and
   c. Any other applicable state or local law.
2. If any wells are constructed in violation of the state or local law that is applicable at the time of construction, KCPHD may require decommissioning the violating well and installation of a complying well at the expense of the owner.
3. If any existing wells are included as part of a subdivision or building permit application, the well shall comply with all current state and local regulations, or the well shall receive approval from KCPHD to be exempt from current regulations. (Ord. 2011-006, 2011)

13.20.060 Appeals.

Any applicant who is aggrieved by a decision by KCPHD regarding well tagging, sealing and decommissioning shall appeal the decision to the Department of Ecology through the Pollution Control Hearing Board per Chapter 43.21 B RCW. (Ord. 2011-006, 2011)

Chapter 13.25
CISTERN WATER SYSTEM REQUIREMENTS

Sections

13.25.010 Authority.
13.25.020 Applicability.
13.25.030 Licensing of Commercial Potable Water Haulers.
13.25.040 Water Hauler Equipment and Treatment Requirements.
13.25.050 Initial Water Hauler License Period.
13.25.060 Ongoing Water Hauler License Requirements.
13.25.070 Suspension, Revocation, and Denial of Water Hauler License.
13.25.080 Cistern System: Source Requirements.
13.25.090 Cistern System: Design and Treatment Requirements.

13.25.010 Authority.

The following Chapter is adopted per Chapter 70.05 RCW and Chapter 19.27 RCW. (Ord. 2011-006, 2011)

13.25.020 Applicability.

Chapter 13.25 KCC applies to all truck transportation of bulk potable water, and cistern system construction and maintenance in Kittitas County. Cistern systems are only permissible as a water source for single dwelling unit residences upon a showing that no other potable water source is available upon the property as detailed in Section 13.25.080 KCC. No potable water hauling or cistern system shall be permitted for two or more dwelling units served by a common storage and piping system, and no potable water hauling or cistern system shall be permitted for any commercial use, including use of a single dwelling unit for day care, bed and breakfast, group home, hair stylist, food producer under a WA Dept. of Agriculture license, or other commercial use. An application for subdivision shall not use cisterns to demonstrate that appropriate provisions for potable water supplies are provided for. (Ord. 2011-006, 2011)

13.25.030 Licensing of Commercial Potable Water Haulers.

1. Initial License Requirements. All persons engaged in the commercial transporting of bulk potable water shall obtain a license from KCPHD. In order to receive a license, the following shall be submitted to KCPHD:
   a. A completed application and fee, including a notarized signed statement that:
      i. The equipment to be used meets the requirements in this Section;
      ii. The applicant understands and will comply with the treatment requirements in this Section; and
      iii. The applicant understands that the source for all water to be delivered to water storage systems is a Group A water system.
   b. Proof of Insurance:
      i. Commercial General Liability and Auto Insurance in the amount of one million per incident and two million dollars aggregate; and
      ii. Pollution Liability Insurance in the amount of one million dollars per incident and two million aggregate.
   c. A passing inspection by KCPHD of the equipment within 60 days prior to the submission date of the completed application. A passing inspection includes but is not limited to: a passing water quality test after the initial holding tank disinfection, passing equipment test, and the ability to fill a truck container through an air gap or a backflow

prevention device.

2. A license is not required of any person who performs labor or services under the direct supervision of a licensed potable water hauler, any private water system owner who performs work on the private water system serving his or her dwelling house, or any person who aids the owner with this work without compensation. However, persons exempt from licensing under this paragraph shall comply with all applicable sections of this chapter. For purposes of this Chapter, "direct supervision" means that a licensed potable water hauler instructs and controls the person claimed to be supervised and that the licensed water system contractor is responsible for the actions of that person and is reasonably available if and when needed , even though such licensed potable water hauler may not be physically present at the work site.
3. Every licensee shall maintain and submit to KCPHD such complete and accurate records as may be required for determining compliance with all applicable rules of this Chapter. (Ord. 2011-006, 2011)

13.25.040 Water Hauler Equipment and Treatment Requirements.

All potable water haulers shall comply with the requirements of this rule, regardless of the licensing requirement in Section 13.25.030 KCC.

1. Equipment.
   a. The holding tank on the truck to be utilized shall only be used to transport potable water, and shall not have been used to transport any other substance. The holding tank shall not have been previously used to transport a noxious, hazardous, or a toxic substance or liquid;
   b. Each holding tank shall display the name, water hauler license number and telephone number of the licensed water hauler;
   c. The holding tank shall be completely enclosed and tightly sealed, with lockable hatches or lids. The inlet or opening to every holding tank shall be so constructed to prevent the entrance of insects, rodents or other foreign material that may cause contamination of water. With the exceptions of cleaning or filling the tank, the inlet openings shall be kept closed at all times;
   d. All holding tanks shall be filled or emptied through an air gap or approved double-check valve assembly, in accordance with Section 246-290-490 WAC;
   e. All equipment used in this distribution of water shall be clean and sanitary and protected from contamination at all times; and
   f. Flexible connector ends shall be protected and capped at all times except during filling or emptying of the transportation equipment.
2. Initial Truck Disinfection.
   a. All equipment that is being used for the first time to transport potable water shall be disinfected using the procedures in this section.
   b. The holding tank shall be scrubbed.
   c. All rust and sediment shall be rinsed or flushed from the holding tank.
   d. The holding tank shall be visually inspected to ensure that the tank is clean, in good condition and free of contaminants.
   e. The holding tank shall be completely filled with water containing at least 50 ppm of chlorine (disinfection solution). The chlorine shall be added to the tank in proportion to the water in order to ensure adequate mixing.
   f. The disinfection solution shall be held in the holding tank for at least twenty four contiguous hours. All hoses, pumps and other equipment using in handling water shall be disinfected the same way.
   g. It is the responsibility of the water hauler to ensure that the disinfecting solution is disposed of according to state and local waste disposal regulations.
   h. Once the holding tank is empty of the initial disinfecting solution, the tank shall be refilled with the water to be transported and tested for coliform bacteria. If coliforms are present, the tank shall not be used unless the disinfection process is completed again, and the end test is free of coliforms.
3. Potable Water Treatment.
   a. Each tank load of water shall be dosed with a sufficient amount of chlorine to produce a minimum chlorine residual of two tenths parts per million at delivery of the water and shall not exceed a maximum chlorine residual of four (4.0) parts per million at delivery of the water.
   b. A water hauler shall keep equipment to test the free residual of chlorine in the tank and shall test the tanks of water that are delivered. If less than two tenths ppm is detected then the hauler shall add sufficient chlorine to obtain the residual chlorine concentration required by Section 13.25.040 (3)(a).
4. Handling Equipment.
   a. All handling equipment used in the operation shall be stored off the ground at all times.
   b. All handling equipment shall be thoroughly flushed, disinfected with the procedures in Section 13.25.040(2) KCC, and then flushed again with the source water prior to each use.
   c. All hoses shall be capped at both ends when not in use.
   d. All handling equipment shall be regularly inspected, and disinfected or replaced as needed.
   e. All handling equipment shall be designed for potable water, and shall be capable of being disinfected.
5. Annual Inspection.
   a. All transportation equipment used in the distribution of water by licensed water haulers shall be inspected for compliance with this rule annually by KCPHD.
6. Records.
   a. Both the licensed water hauler and owner of the receiving cistern system shall keep a record of all deliveries of water. The records shall be made available to KCPHD upon request. Records shall include:
      i. The quantity delivered per trip;
      ii. The approved water source(s) used;
      iii. Dates and times of delivery and free chlorine residual at point of delivery;
      iv. The chlorine dose at the fill point and the free chlorine residual after filling; and
      v. Any notes regarding the receiving cistern system.
   b. Licensed water haulers shall keep the following records in all trucks approved for water hauling at all times. The log shall include:
      i. A record of any current water in the tank, including the community Group A system where the water originated from, where the water is going, and the free chlorine residual directly after filling the tank;
      ii. The date the truck, holding tank and handling equipment was last inspected by KCPHD; and
      iii. The date the holding tank and handling equipment was last disinfected using the procedures in Section 13.25.040(2), and the coliform test results after disinfection.
7. Ongoing Equipment Maintenance.
   a. The water contact surfaces and equipment shall be cleaned and disinfected:
      i. Before it is put into use;
      ii. When the system or any of its parts have been dismantled or replaced for purpose of repair, maintenance or alteration;
      iii. Any time contamination is suspected; and
      iv. Yearly for license renewal.
8. Monthly Reporting Requirements.
   a. Every month, all licensed water haulers shall submit to KCPHD:
      i. The passing results of a coliform test performed that month for each delivery vehicle used to transport water; and
      ii. All delivery records maintained per Section 13.25.040(6) KCC.
9. KCPHD may order any water hauler to cease water deliveries or the use of any water transportation equipment for violation of this rule or if KCPHD suspects contamination of the water hauling equipment or the hauled water. (Ord. 2011-006, 2011)

13.25.050 Initial Water Hauler License Period.

The initial License is valid for one year, and will automatically lapse at the end of the year unless the Water Hauler follows the ongoing license requirements in Section 13.25.060 KCC. (Ord. 2011-006, 2011)

13.25.060 Ongoing Water Hauler License Requirements.

In order to maintain a Water Hauler License, a yearly renewal application, fee and passing annual inspections for all equipment shall be submitted to KCPHD. A passing inspection includes but is not limited to: a passing water quality test after the initial tank disinfection, passing equipment test, and the ability to fill a truck container through an air gap or a backflow prevention device. (Ord. 2011-006, 2011)

13.25.070 Suspension, Revocation, and Denial of Water Hauler License.

1. KCPHD may suspend, revoke, or deny any potable water hauler license for violation of the requirements of this chapter.
2. Grounds for suspension, revocation, or denial of a potable water hauler's license shall include, but not be limited to:
   a. A material misstatement or falsification of facts in the application for a license or obtaining a license through fraud or misrepresentation;
   b. A material misstatement or falsification of facts in any records kept for the purposes of complying with Kittitas County Code;
   c. A violation of the conditions of the potable water hauler's license;
   d. A violation of any applicable rule of this chapter;
   e. Failure to maintain commercial drivers license;
   f. Failure to maintain insurance as required under this rule;
   g. Conviction in any criminal proceeding or failure to comply with a judgment or order that is issued by the court in any civil proceeding in connection with a private cistern system;
   h. Aiding or abetting an unpermitted business or person to evade the requirements of this Chapter, allowing one's permit to be used by an unpermitted person, or acting as an agent, partner or associate of an unpermitted person with the intent to evade the provisions of this Chapter;
   i. A demonstrated incompetency to act in the business or businesses for which a license is held; or
   j. The transportation of water from a source other than a Group A water system.
3. Upon the revocation, suspension, or denial of a license, the water hauler may appeal through the appeal process in Chapter 13.85 KCC. (Ord. 2011-006, 2011)

13.25.080 Cistern System: Source Requirements.

1. Prior to approval for an Adequate Water Supply Determination for a proposed cistern system, the applicant shall provide proof of the following:
   a. A notarized statement that:
      i. There are no other potable water sources available on the property;
      ii. Water budget neutrality is not available for the property; or an application for water budget neutrality was submitted and no response was received approving water budget neutrality within 45 days; and
      iii. That the water to be transported to the cistern system shall originate from a community Group A water system that is in green or yellow status with the state Department of Health.
   b. A letter from the water purveyor of the community Group A public water system in which the water purveyor:
      i. Agrees to supply the minimum amount of water per month as determined in Section 13.25.090(1)(c) KCC; and
      ii. Is capable of supplying water to cisterns because the water purveyor has either:
         1. Obtained an amendment to the water system plan which includes a change of service area from Department of Health. The change of service area shall allow for the distribution of water to cisterns, and comply with Section 246-290-107 WAC regarding the expansion of place of use; or
         2. Obtained a place of use amendment from Department of Ecology which allows the community Group A public water system to provide water to cisterns in the cistern location.
   c. A Notice of an Alternative (Non-standard) Water Source is filed with the County Auditor's office for the property where the cistern system will be located. The Notice shall include:
      i. Potable water is supplied via a cistern system on the property;
      ii. The number of people the dwelling unit is designed for;
      iii. The gallons per day that will be available to each person;
      iv. The estimated number of days between storage unit refills if the cistern system is used as designed and the dwelling unit is used as a primary residence; and
   d. That the owner of the property is required to maintain the cistern according to the Operations and Maintenance Plan filed with the County Auditor's office.
2. Rainwater. Rainwater is an acceptable supplemental source of water when the requirements in Section 13.25.080(1) KCC are met. Rainwater is not permitted as the sole water source for a property. (Ord. 2011-006, 2011)

13.25.090 Cistern System: Design and Treatment Requirements.

1. **Design Standards**.
   a. All applications for an Adequate Water Supply Determination that include a cistern system shall be submitted by a professional engineer and bear the engineer's seal and signature. This includes all rainwater components of a cistern water system.
   b. The capacity of the storage unit for the cistern water system shall be adequate to meet the intended needs of the household. No storage of less than two thousand five hundred gallons capacity per dwelling unit shall be installed.
   c. The minimum amount of water that is needed by the dwelling unit on a monthly basis shall be calculated by the following formula: (the number of people the dwelling unit is designed for) x (75 gallons/day) x (30 days). The minimum amount is not required to be delivered by truck to the dwelling unit, however, the water purveyor shall agree to provide at least that amount to the dwelling unit.
   d. Water obtained from cistern water systems shall be continuously treated as prescribed in Section 13.25.090(2) KCC.
   e. Prior to approval of Adequate Water Supply Determination, an Operations and Maintenance Plan with specific schedules based on manufacturers' recommendations shall be recorded with the County Auditor by the applicant. The schedules shall include potable water testing, operations and maintenance, equipment testing, and equipment replacement.
   f. Any rainwater components of the cistern water system shall be designed in accordance with all State Department of Ecology and Health policies, rules and regulations regarding rainwater use for potable water. Rainwater is a surface water for the purposes of determining treatment standards.
   g. KCPHD may require outdoor signage denoting the location of the cistern dependant on where the cistern is located and other site specific factors.
2. **Potable Water Treatment Requirements**. Cistern water systems shall be provided with continuous treatment, as provided in this Section.
   a. All treatment systems and Operations and Maintenance Plans shall be submitted by a professional engineer and bear the engineer's seal and signature and conform to all applicable treatment standards necessary for potable water. Possible treatment systems may include, but are not limited to chlorination, iodination, ultraviolet, ozone, filtration or reverse osmosis. All water withdrawn from the cistern for use inside the dwelling shall be suitably treated.
   b. All treatment systems shall ensure the protection of the health of the persons served by that system.
   c. An owner of a cistern system that has treatment shall maintain a test kit or appropriate testing equipment to determine the treatment residuals and shall periodically test the water for residual levels after treatment has occurred. With all treatment systems, the owner shall also test for coliforms on a regular basis. The testing schedules shall be documented in the Operations and Maintenance Plan recorded with the County Auditor.
3. **Signage Requirements**. In all situations where water is supplied from a cistern system, a permanent sign shall be posed in a prominent position inside the dwelling in close proximity to the main water faucet that:
   a. Describes the type of water source;
   b. Describes the type of continuous treatment system; and
   c. Warns users of the possible health risks.
4. **Record Keeping**. All owners of a cistern system shall keep the following records and submit the records to KCPHD yearly.
   a. Records of all maintenance performed on the cistern system, including the storage and treatment portions;
   b. Records of the dates and results of all tests performed to determine treatment residuals and presence of any harmful contaminants such as coliforms.
   c. Records of all potable water deliveries, including the date, the water hauler who made the delivery, the amount of water delivered, the source of the water, and the chlorine residual in the storage unit after delivery.
   d. An annual passing water quality test (see Section 13.03.130 KCC).
5. **Inspections**.
   a. Prior to use, a cistern system shall be inspected by KCPHD. At a minimum, the inspection will require:
      i. As-built drawing are complete and submitted to KCPHD;
      ii. A passing water quality test (see Section 13.03.130 KCC);
      iii. A passing physical inspection; and
      iv. That signage is present in the home.
   b. After the initial inspection, all cistern systems shall be inspected by KCPHD at time of sale. It is the responsibility of the owner of the cistern system to schedule the initial

and time of sale inspections with KCPHD. Failure to obtain an inspection and pay the inspection fee may result in KCPHD closing the system from use. (Ord. 2011-006, 2011)

Chapter 13.30
GROUP B WATER SYSTEM REQUIREMENTS

Sections

13.30.010 Group B Public Water System Installation.
13.30.020 Group B Water Systems - Bonding.
13.30.030 Group B Water System Operations and Maintenance.

13.30.010 Group B Public Water System Installation.

1. All applicants for a Group B water system serving fewer than 10 connections and fewer than 25 people shall meet the following requirements.
   a. **Application**.
      1. Submit completed application materials to KCPHD, including:
         a. A completed application, including a completed Group B workbook that complies with Chapter 246-291 WAC;
         b. A valid Satellite Management Agency (SMA) agreement; and
         c. Any applicable fees.
      2. The application shall be submitted by a licensed engineer and bear the engineer's seal and signature when required by Section 246-291-040 WAC.
      3. Incomplete application materials will be returned to the applicant.
   b. **Water Source**. The Group B water source shall meet the following requirements:
      i. If the Group B public water system includes groundwater wells, then the wells are sited and constructed according to all state and local law.
      ii. Well construction is complete prior to approval of Group B system.
      iii. The source shall meet minimum flow or quantity requirements for the planned Group B public water supply system per Chapter 246-291 WAC.
      iv. Source water shall meet Chapter 246-291 WAC water quality requirements and pass any other water quality tests determined necessary by KCPHD.
   c. **Water Distribution System**: The Group B water distribution system shall meet the following requirements:
      i. Group B Public Water Systems (Chapter 246-291 WAC);
      ii. Any requirements as outlined in the Joint Plan of Responsibility between the State of Washington Department of Health and KCPHD, including but not limited to: Group B Water System Approval Guideline, DOH Pump Test Policy, and Hypochlorination Facilities for Small Systems Approval Checklist.
      iii. Any other applicable federal, state or local regulations.
2. All applicants for a Group B water system with 10 or more connections shall meet the application requirements as determined by the Washington State Department of Health. (Ord. 2011-006, 2011)

Publisher's note: Section 13.30.010(1)(a) numbering is consistent with Ord. 2011-006, 2011.

13.30.020 Group B Water Systems - Bonding.

I. **Authority of the Public Health Administrator**.
The Administrator of the Kittitas County Public Health Department, or the Administrator's designee, shall have the authority, on behalf of the County, to ascertain whether proposed Group B water systems comply with all state and local engineering, design and construction standards as set forth in the Joint Plan of Responsibility between the State of Washington Department of Health and the Kittitas County Public Health Department.

II. **Cost Estimates and Construction Bonds**.
Failure to comply with all state and local engineering, design and construction standards as set forth in the Joint Plan of Responsibility between the State of Washington Department of Health and the Kittitas County Public Health Department may result in denial of plan or development permit approval, revocation of prior approvals, or legal action for forfeiture of performance guarantee.

In lieu of the completion of any Group B water system prior to approval of a final plat, short plat or other land-use action, the developer shall complete the Washington State Department of Health Guideline for Group B Public Water System Approval and Guideline for Group B Water System Approval Appendices which include drilling and testing of the well(s). Developer shall provide a performance guarantee in an amount and with satisfactory surety and conditions providing for and securing to Kittitas County the actual engineering, design and construction and installation of the Group B Water System within a period specified by the Public Health Administrator. The Administrator will enforce the guarantee through appropriate legal and equitable remedies. If a surety bond is provided, the amount of the bond shall equal one hundred thirty-five percent (135%) of the estimated engineering, design, and construction cost. When a letter of escrow or cash is used, the amount covered shall be for one hundred fifteen percent (115%) of the estimated engineering, design, and construction cost as reviewed and concurred with by the Public Health Department.

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 Health Department.

Group B water system applications shall be submitted by a professional engineer licensed in the State of Washington whenever the application calls for an atmospheric storage tank, more than one well, more than one pressure zone, fire flow requirements, or treatment other than simple hypochlorination prior to acceptance by the Public Health Department.

Building permits will not be issued until construction is completed or bonded as set forth in this chapter, and approved by the Public Health Department. The developer is legally and financially responsible for ensuring all Group B water systems are engineered, designed, and constructed in accordance with state and local requirements. (Ord. 2008-05, 2008; Ord. 2011-006, 2011)

Publisher's note: Section 13.30.020 numbering is consistent with Ord. 2011-006, 2011.

13.30.030 Group B Water System Operations and Maintenance.

1. The owner or purveyor of a Group B Water System that has not entered into a valid Satellite Management Agreement (SMA) shall submit the following monitoring and financial information to KCPHD:
   a. On an annual basis:
      i. At least one passing bacteriological test meeting the standards of Chapter 246-291 WAC performed in the last twelve (12) months.
   b. Every three years:
      i. An updated Water Facilities Inventory Form;
      ii. At least one passing nitrate test meeting the standards of Chapter 246-291 WAC performed in the last thirty six (36) months; and
      iii. Updated financial information.
2. KCPHD may conduct a sanitary survey of a Group B Water System whenever:
   i. KCPHD receives a complaint;
   ii. KCPHD receives a request for a loan certification;
   iii. A Group B Water System changes ownership or the purveyor; or
   iv. KCPHD determines a public health threat exists or is suspected.
3. All Group B Water System owners and purveyors shall comply with Chapter 246-291 WAC when performing planning, maintenance, monitoring and reporting for a Group B Water System. This includes the planning and notice requirements in Section 246-291-140 WAC. (Ord. 2011-006, 2011)

Publisher's note: Section 13.30.030(2) numbering is consistent with Ord. 2011-006, 2011.

Chapter 13.35
ADEQUATE WATER SUPPLY DETERMINATION FOR BUILDING PERMITS

Sections

13.35.010 Authority.
13.35.020 Applicability.
13.35.030 Group A Public Water System Requirements.
13.35.040 Group B Water System Requirements.
13.35.050 Individual Water System Requirements.
13.35.060 Shared Water System Requirements.

13.35.010 Authority.

The Health Officer of the Kittitas County Public Health Department has the authority, on behalf of the County, to ascertain whether there is evidence of an adequate water supply per Section 19.27.097 RCW, including whether proposed water systems comply with all state and local engineering, design and construction standards as set forth in the Joint Plan of Responsibility between the State of Washington Department of Health and the Kittitas County Public Health Department. (Ord. 2011-006, 2011)

13.35.020 Applicability.

All new uses of water must comply with KCC 13.35.025-Interim Measures or KCC 13.35.027-Permanent Measures as applicable.

1. applying for a building permit with either:
   a. a proposed new structure which will have potable water or
   b. a proposed change in the number of dwelling units for any existing structures (such as making a single family structure into a duplex); or
2. making applications, including but not limited to, long plats, short plats, binding site plans, large lot subdivisions, or conditional uses, that require water.

An Adequate Water Supply Determination shall not be required for building permits that do not require a change in the water system or structures which will not have potable water plumbing. Kittitas County hereby finds that new uses of groundwater that are not mitigated in the Yakima River drainage basin threaten to interfere with senior water rights and stream flows creating a public health and safety threat that warrants elimination of all vesting under RCW 58.17.170(3) for this chapter. Kittitas County hereby eliminates all such vesting pursuant to the authority granted in RCW 58.17.170(3) for this chapter. (Ord. 2014-005, 2014; Ord. 2011-006, 2011)

13.35.025 Interim Measures.

1. Effective Period - March 31, 2014 to October 1, 2015 and applicable to all areas within the Yakima River drainage.
2. All proposed land division and building permit applicants shall submit either: 1) a letter from a water purveyor stating that the purveyor has adequate water rights and will provide the necessary water for the applicant's project; 2) an adequate water right for the proposed project; or 3) a certificate of water budget neutrality from the Department of Ecology or other adequate interest in water rights from a water bank. No project to which this chapter is applicable shall be approved without one of these required submissions.
3. All applicants for land divisions shall also submit information on "proximate parcels" held in "common ownership" as those terms are defined in WAC 173-539A-030 and otherwise demonstrate how the proposed new use will not violate RCW 90.44.050 as currently existing or hereafter amended.
4. All proposed new instances of groundwater use for non-commercial lawn or garden purposes shall need to demonstrate either (1) ownership of an adequate water right or (2) adequate mitigation has been purchased.
5. All new proposed commercial and industrial uses shall need to demonstrate either (1) ownership of an adequate water right, (2) connection to a municipal water purveyor, or (3) purchase of adequate mitigation.
6. All mitigation during the Interim Measures shall be for Total Water Supply Available at Parker (TWSA at Parker).
7. Failure to obtain mitigation before commencement of an activity requiring mitigation shall be a code violation subject to enforcement under Title 18 KCC.
8. Violation of water limits involved in the mitigation agreement shall be a matter between the land owner and the provider of mitigation and enforceable as provided in said mitigation agreements.
9. Adequacy of mitigation shall be determined by the Department of Ecology and a letter to the purchasing applicant attesting to the adequacy of the mitigation purchased shall issue and be presented to Kittitas County. Ord. 2014-005, 2014;

13.35.027 Permanent Measures

1. Effective Date 10/1/15-onward and applicable to all areas in the Yakima River drainage.
2. All new uses of ground water shall require either: 1) a letter from a water purveyor stating that the purveyor has adequate water rights and will provide the necessary water for the new use; 2) an adequate water right for the proposed new use; or 3) a certificate of water budget neutrality from the Department of Ecology or other adequate interest in water rights from a water bank. No new use to which this chapter is applicable shall be approved without one of these required submissions.
3. All applicants for land divisions shall also submit information on "proximate parcels" held in "common ownership" as those terms are defined in WAC 173-539A-030 and otherwise demonstrate how the proposed new use will not violate RCW 90.44.050 as currently existing or hereafter amended.
4. Failure to obtain mitigation before commencement of an activity requiring mitigation shall be a code violation subject to enforcement under Title 18 KCC.
5. Violation of water limits involved in the mitigation agreement shall be a matter between the land owner and the provider of mitigation and enforceable as provided in said mitigation agreements.
6. Adequacy of mitigation shall be determined by the Department of Ecology and a letter to the purchasing applicant attesting to the adequacy of the mitigation purchased shall issue and be presented to Kittitas County.
7. All mitigated water uses shall also demonstrate that they are metered and monitored annually in accord with the agreement between the land owner and the mitigation provider.
8. All mitigation during the Permanent Measures shall be for TWSA Parker and local tributary impairment. Ord. 2014-005, 2014;

13.35.028 Applicability Outside Yakima River Drainage

Applicants for land divisions within Kittitas County and outside the Yakima River drainage will need to comply with KCC 13.35.025(3) regardless of the date of project application. Ord. 2014-005, 2014;

13.35.030 Group A Public Water System.

Applicants for an Adequate Water Supply Determination where the source is a Group A public water system shall provide to KCPHD:

1. A completed water adequacy application signed by the water purveyor along with any applicable fees;
2. The final water system identification number from the Department of Health; and
3. Verification that the Department of Health operating permit is either in Yellow or Green status. Applicants for a building permit expecting to be supplied with drinking water from a purveyor with an operating permit in Red status (inadequate) or in Blue status (operating without design approval, or exceeded number of DOH-approved connections) will not be approved by KCPHD. (Ord. 2011-006, 2011)

13.35.040 Group B Public Water System.

Applicants for an Adequate Water Supply Determination where the source is a Group B public water system shall provide to KCPHD:

1. A completed application signed by the water purveyor along with any applicable fees;

2. The final water system identification number from the Department of Health; and
3. Certification that the Group B public water system has been constructed and maintained in accordance with the KCPHD or DOH approved plans and specifications, including up to date monitoring and financial information. (Ord. 2011-006, 2011)

13.35.050 Individual Water System.
Applicants for an Adequate Water Supply Determination with an individual water system shall meet the following requirements:

1. Application. Submit a completed application with any applicable fees to KCPHD.
2. Groundwater Well as Water Source. The water quality and quantity of the groundwater well shall be evaluated for an Adequate Water Supply Determination by KCPHD.
   a. Water Quality. The water produced by the water source shall either:
      i. Pass a water quality test with results submitted to KCPHD; or
      ii. If the water fails the water quality test, then applicant shall
         1. Add a treatment system to raise the water quality to potable standards. The treatment system shall comply with all applicable federal , state and local regulations and shall protect the health and safety of the users of the system; and
         2. File a notice with the County Auditor describing the treatment system.
   b. Water Quantity.
      i. All wells to be used in an individual water system shall be constructed prior to the issuance of an Adequate Water Supply Determination.
      ii. A well log recorded within the last ten (10) years demonstrating a minimum flow of two (2) gallons per minute (GPM) for at least a two (2) hour period shall be submitted to KCPHD.
         1. If a well log is not available or the well log indicates a flow of less than two (2) GPM for a two (2) hour period, then a four-hour draw down test shall be submitted to KCPHD.
         2. A well log that was recorded more than ten (10) years ago may be accepted at the discretion of the Health Officer.
      iii. The minimum acceptable production level where the water source is a well is three hundred fifty (350) gallons per day for an individual water system.
3. Water Distribution System. When the water source is a well and produces less than five gallons per minute (5 GPM) according to the well log or four-hour draw down test, adequate flow equalization is required for periods of higher use within the dwelling unit. The water distribution system design shall meet the following requirements:
   a. Flow equalization tank requirements shall be determined by the following: (150)(2-X gpm) = gallons of tank capacity needed (where X = gallons per minute produced as determined by the four-hour draw down test). The required tank capacity could be as much as 263 gallons depending on the flow of the well.
   b. A booster pump and pressure tank shall be included in the water distribution system.
4. Cistern as Water Source. When the proposed water source is a cistern, the applicant for a Water Supply Determination shall comply with Chapter 13.25 KCC. (Ord. 2014-005, 2014; Ord. 2011-006, 2011)

13.35.060 Shared Water System.
Applicants for an Adequate Water Supply Determination with a connection to a shared water system shall meet the following requirements:

1. Application. Submit a completed application with any applicable fees to KCPHD. This includes a valid Shared Well Users Agreement signed by both users of the well that is recorded with the County Auditor.
2. Groundwater Well as Water Source. The water quality and quantity of the groundwater well shall be evaluated for an Adequate Water Supply Determination by KCPHD.
   a. Water Quality. The water produced by the water source shall either:
      i. Pass a water quality test with passing results submitted to KCPHD; or
      ii. If the water fails the water quality test, then applicant shall:
         1. Add a treatment system to raise the water quality to potable standards. The treatment system shall comply with all applicable federal, state and local regulations and shall protect the health and safety of the users of the system; and
         2. File a notice with the County Auditor describing the treatment system.
   b. Water Quantity.
      i. All wells to be used in a shared water supply system shall be constructed prior to the issuance of an Adequate Water Supply Determination.
      ii. A well log recorded within the last ten (10) years demonstrating a minimum flow of five (5) gallons per minute (GPM) for at least a two (2) hour period shall be submitted to KCPHD.
         1. If a well log is not available or the well log indicates a flow of less than five (5) GPM for the two (2) hour period, then a four-hour draw down test shall be submitted to KCPHD.
         2. A well log that was recorded more than ten (10) years ago may be accepted at the discretion of the Health Officer.
      iii. The minimum acceptable production level for a shared water supply system is seven hundred (700) gallons per day.
3. Water Distribution System. When the water source produces less than five (5) gallons per minute according to the well log, adequate flow equalization is required for periods of higher use within the two dwelling units. The water distribution system design shall be submitted by a licensed engineer, bear the engineer's seal and signature, and meet the following requirements:
   a. Flow equalization tank requirements shall be determined by the following: (150)(5-X gpm) = gallons of tank capacity needed (where X = gallons per minute produced as determined by the four-hour draw down test). The required tank capacity could be as much as 675 gallons depending on the flow of the well.
   b. A booster pump and pressure tank shall be included in the water distribution system. (Ord. 2014-005, 2014; Ord. 2011-006, 2011)

Chapter 13.50
SEVERABILITY

If any provision of this Title or its application to any person or circumstance is held invalid or unconstitutional, the remainder of this Title or the application of the provisions to other persons or circumstances is not affected. (Ord. 2011-006, 2011)

Publisher's note: the section within Chapter 13.50 was not enumerated in the ordinance.

Chapter 13.55
LIABILITY

It is the specific intent of this Title to place the obligation of complying with its requirements upon those parties regulated thereunder, and no provision of nor term used in this code is intended to impose any duty whatsoever upon Kittitas County or any of its officers or employees. Nothing in this code is intended to be nor shall be construed to create or form the basis for any liability on the part of Kittitas County, on its officers, employees or agents, for any injury or damage resulting from the failure of any person subject to this code to comply with this code, or by reason or in consequence of any act or omission in connection with the implementation or enforcement of this code on the part of Kittitas County by its officers, employees or agents. (Ord. 2011-006, 2011)

Publisher's note: the section within Chapter 13.55 was not enumerated in the ordinance.

Chapter 13.60
FEES

The KCPHDFS for all applications, permits, licenses, inspections, and appeals required by this Title shall be proposed by the Board of Health and then set by resolution of the

Board of County Commissioners. Failure to pay any required fee may result in denial of application, permit, license or inspection, and/or revocation of license, and/or closure of any water system, septic system or well for which fees are unpaid. (Ord. 2011-006, 2011)

Publisher's note: the section within Chapter 13.60 was not enumerated in the ordinance.

Chapter 13.65
PUBLIC HEALTH EMERGENCY

Nothing in this Title shall be construed to circumscribe the authority and power of the Health Officer to act in an emergency situation to control and prevent any health hazard which immediately threatens the public health of the inhabitants of the county and its municipalities which power and authority is governed by state law. (Ord. 2011-006, 2011)

Publisher's note: the section within Chapter 13.65 was not enumerated in the ordinance.

Chapter 13.70
ENFORCEMENT

Violations of this Title may be enforced through Chapter 13.75 KCC and/or Title 18 KCC. Penalties shall be as defined within Title 18 KCC. (Ord. 2011-006, 2011)

Publisher's note: the section within Chapter 13.70 was not enumerated in the ordinance.

Chapter 13.75
HEALTH ORDER

Sections

13.75.010 Initiation of enforcement action.
13.75.020 Service of Health Order.
13.75.030 Supplemental Health Order.
13.75.040 Finality of Health Order.
13.75.050 Enforcement of Final Health Order.
13.75.060 Abatement.
13.75.070 Appeal of Health Order.
13.75.080

Publisher's notes: Section numbers in Chapter 13.75 were padded with a leading zero for numbering consistency. Section 13.75.080 was not given a title in Ord. 2011-006, 2011.

13.75.010 Initiation of enforcement action.

1. Whenever the Health Officer has reason to believe that a use or condition exists in violation of any public health rules and regulations of this title or the use or condition may cause immediate and irreparable harm to public health or the environment, the Health Officer may issue an administrative Health Order under this chapter to cause:
   a. The abatement pursuant to Section 13.75.060 KCC; or
   b. The cessation of work, activity or use; or
   c. Suspension and revocation of any permits or licenses issued pursuant to this title.
2. The effect of the Health Order shall be to require the immediate cessation of such work or activity until authorized by the Health Officer to proceed.
3. The Health Order shall contain:
   a. The street address, when available, and a legal description of real property and/or description of personal property sufficient for identification of where the violation occurred or is located;
   b. A statement that the Health Officer has found the person to be in violation of public health rules and regulations with a brief and concise description of the conditions found to be in violation;
   c. A statement of the corrective action required to be taken, if necessary;
   d. A statements advising that if any corrective action is not commenced or completed within the time specified, the Health Officer will proceed to abate the violation and cause the work to be done and charge the costs thereof as a lien against the property and as a joint and separate personal obligation of any person in violation;
   e. A statement advising that the Health Order shall become final unless, no later than ten (10) days after the Health Order is served, any person aggrieved by the order requests in writing an appeal before the Board of Health. (Ord. 2011-006, 2011)

13.75.020 Service of Health Order.

1. The Health Order shall be served upon one or more of the following parties:
   a. The owner or operator of the property where the violation is located;
   b. The person in possession of the property where the violation is located; or
   c. The person otherwise causing or responsible for the violation.
2. The Health Order shall be served by anyone or combination of the following methods upon all persons identified in the Health Order:
   a. By both first-class and certified mail with a 5-day return receipt requested to the last known address of the person identified; or
   b. By posting the Health Order in a prominent location on the premises in a conspicuous manner which is reasonably likely to be discovered; or
   c. By personal service upon the person identified.
3. The failure of any such person to receive such Health Order shall not affect the validity of any proceedings taken under this chapter. Service by certified mail in the manner provided in this section shall be effective on the third day after the date of postmark.
4. It is unlawful and a violation of this title for any person, firm, or corporation found guilty of having created or suffering to exist on premises either owned or leased by them any violation defined herein. Owners remain liable for violations of duties imposed by this chapter even though an obligation is also imposed on the occupants of the premises, and even though the owner has, by agreement, imposed on the occupant the duty of complying with this chapter. Successive property owners are liable for abatement of violations created by their predecessors in interest. No right can be acquired to continue a violation by virtue of its longtime existence. It shall not be necessary to show that the owner participated in, or was even aware of, the code violation in order to hold him/her liable. (Ord. 2011-006, 2011)

13.75.030 Supplemental Health Order.

The Health Officer may at any time add to, rescind in part, or otherwise modify a Health Order by issuing a supplemental Health Order. The supplemental Health Order shall be governed by the same procedures applicable to all Health Orders contained in this chapter. (Ord. 2011-006, 2011)

13.75.040 Finality of Health Order.

1. Any Health Order duly issued by the Health Officer pursuant to the procedures contained in this chapter shall become final ten (10) days after service of the notice and order unless a written request for hearing is received by KCPHD within the ten (10) day period.
2. An order which is subjected to the appeal procedure shall become final twenty (20) days after mailing of the Board of Health's decision unless within that time period an aggrieved person initiates review by writ of certiorari in Kittitas County Superior Court. (Ord. 2011-006, 2011)

13.75.050 Enforcement of Final Health Order.

1. If, after any Health Order duly issued by the Health Officer has become final, the person to whom such Health Order is directed fails, neglects or refuses to obey such Health

Order, the Health Officer may:

a. Cause such person to be prosecuted under Chapter 13.70 KCC; and/or
b. Abate the health violation using the procedures of this chapter; and/or
c. File in the county Auditor's Office a notice describing the property and the violation and stating that the owner has been so notified; and/or
d. Pursue any other appropriate remedy at law or equity under this chapter.

2. Enforcement of any Health Order of the Health Officer pursuant to this chapter shall be stayed during the pendency of any appeal under this chapter, except when the Health Officer determines that the violation will cause immediate and irreparable harm and so states in the notice and order issued. (Ord. 2011-006, 2011)

13.75.060 Abatement.

In addition to or as an alternative to any other judicial or administrative remedy provided in this chapter or by law or other rules and regulations, the Health Officer may order a public health rules and regulations violation of this title to be abated. The Health Officer may order any person who creates or maintains a violation of this title to commence corrective work and to complete the work within such time as the Health Officer determines reasonable under the circumstances. If the required corrective work is not commenced or completed within the time specified, the Health Officer may proceed to abate the violation and cause the work to be done. He or she may charge the costs thereof as a lien against the property and as both a joint and separate personal obligation of any person who is in violation. (Ord. 2011-006, 2011)

13.75.070 Appeal of Health Order.

1. Any person aggrieved by a Health Order of the Health Officer may request in writing within ten (10) days of the service of the Health Order an appeal hearing before the Kittitas County Board of Health. The request shall be submitted to KCPHD, and shall include:
   a. The Health Order being appealed;
   b. The name and address of the appellant and his or her interest(s) in the matter;
   c. The specific reasons why the appellant believes the decision to be wrong;
   d. The desired outcome or changes to the decision; and
   e. The appeals fee.
2. Notice of Hearing.
   a. Not later than the 15 calendar days after the receipt of one or more timely Notices of Appeal, KCPHD shall issue and serve a Notice of Hearing to the appellants. Requests from multiple parties concerning the same Health Order may be consolidated.
   b. The Notice of Hearing shall be served by the same means as a Health Order as detailed in Section 13.75.20 KCC.
   c. The Notice of Hearing shall contain the date, time, and location of the hearing.
3. Evidence.
   a. Evidence, including hearsay evidence, is admissible if in the judgment of the Board of Health it is the kind of evidence on which reasonably prudent persons are accustomed to rely in the conduct of their affairs.
   b. All testimony of parties and witnesses shall be made under oath or affirmation.
   c. Documentary evidence may be received in the form of copies or excerpts, or by incorporation by reference.
   d. Official notice may be taken of (a) any judicially cognizable facts, (b) technical or scientific facts within the agency's specialized knowledge, and (c) codes or standards that have been adopted by an agency of the United States, of this state, or by a nationally recognized organization or association. Parties shall be notified either before or during hearing, or by reference in preliminary reports or otherwise, of the material so noticed and the sources thereof, including any staff memoranda and data, and they shall be afforded an opportunity to contest the facts and material so noticed. A party proposing that official notice be taken may be required to produce a copy of the material to be noticed.
4. Each party shall have the following rights:
   a. To call and examine witnesses on any matter relevant to the issues of the hearing;
   b. To introduce document and physical evidence;
   c. To cross-examine opposing witnesses on any matter relevant ot he issues of the hearing;
   d. To impeach any witness;
   e. To rebut evidence against him;
   f. To represent himself or be represented by an attorney of his or her own choosing.
5. Hearing
   a. The appeal hearing shall be conducted on the record and the Kittitas County Board of Health shall have such rulemaking and other powers necessary for conduct of the hearing .
   b. The burden is on KCPHD to prove the alleged factual basis set forth in the Health Order. The burden is a preponderance of the evidence.
   c. The observation of a violation on different dates shall be prima facia evidence that the violation continued to exist on intervening dates.
   d. Following review of the evidence submitted, the Kittitas County Board of Health shall make written findings and conclusions, and shall affirm or modify the order previously issued if the Board of Health finds that a violation has occurred. The Board of Health shall reverse the order if they find that no violation occurred. The written decision of the Board of Health shall be mailed by certified mail and first class mail, five day return receipt requested, to the appealing party. (Ord. 2011-006, 2011)

13.75.080

Nothing in this Chapter shall limit the authority of the Health Officer to enforce this Title pursuant to Chapter 13.70 KCC or any other applicable regulations. (Ord. 2011-006, 2011)

Publisher's note: Section 13.75.080 was not given a title in Ord. 2011-006, 2011.

Chapter 13.80
RIGHT OF ENTRY

1. Whenever necessary to make an inspection to enforce or determine compliance with the provisions of any public health rules and regulations, or whenever the Health Officer has cause to believe that a violation of any public health rules and regulations has been or is being committed or whenever the Health Officer has cause to believe there is a health threat that will cause immediate and irreparable harm to human health or the environment, the Health Officer may enter any building, structure, property or portion thereof at reasonable times to inspect the same.
   a. If such building, structure, property or portion thereof is occupied, the Health Officer shall present identification credentials, state the reason for the inspection, and demand entry.
   b. If such building, structure, property or portion thereof is unoccupied, the Health Officer shall first make a reasonable effort to locate the owner or other persons having charge or control of the building, structure, property or portion thereof and demand entry. If the Health Officer is unable to locate the owner or such other persons and the Health Officer has reason to believe that conditions therewith create an immediate and irreparable health hazard, then the Health Officer shall make entry.
   c. Unless entry is consented to by the owner or person in control of any building, structure, property or portion thereof or conditions are believed to exist which create an immediate and irreparable health hazard, the Health Officer prior to entry shall obtain a search warrant as authorized by the laws of the state. (Ord. 2011-006, 2011)

Publisher's note: the section within Chapter 13.80 was not enumerated in the ordinance.

Chapter 13.85
APPEALS

Sections

13.85.010 Appeal of Administrative Determination or Decision.

13.85.010 Appeal of Administrative Determination or Decision.

1. Except as provided elsewhere in this Title, a party aggrieved by a determination made by the Health Officer pursuant to this Title may appeal the decision to the Kittitas County Hearings Examiner.
2. Notice of Appeal.
   a. Within 10 working days of the final administrative decision, the aggrieved party may submit a written Notice of Appeal to KGPHD, along with the required appeal fee, to appeal the administrative decision.
   b. The notice of appeal shall contain a written, concise statement identifying:
      1. The decision being appealed;
      2. The name and address of the appellant and his interest(s) in the matter;
      3. The specific reasons why the appellant believes the decision to be wrong;
      4. The desired outcome or changes to the decision; and
      5. The appeals fee.
3. Notice of Hearing.
   a. Not later than the 15 calendar days after the receipt of one or more timely Notices of Appeal, KCPHD shall issue and serve a Notice of Hearing to the appellants. Requests from multiple parties concerning the same administrative decision may be consolidated.
   b. The Notice of Hearing shall be served by the same means as a Health Order as detailed in Section 13.75.020 KCC.
   c. The Notice of Hearing shall contain the date, time, and location of the hearing.
4. Hearing.
   a. The appeal hearing shall be conducted on the record and the Hearings Examiner shall have such rulemaking and other powers necessary for conduct of the hearing.
   b. Unless otherwise provided herein, the provisions of Chapters 1.10 and 2.11 KCC shall govern the hearing process.
   c. In all cases involving an application for license, permit, Group B water system or Adequate Water Determination, the burden shall be on the applicant to establish that the application meets all applicable criteria. In all other cases the burden is on KCPHD to prove the alleged factual basis set forth in the initiating document. The burden in all cases is a preponderance of the evidence.
   d. The observation of a violation on different dates shall be prima facia evidence that the violation continued to exist on intervening dates.
5. Order of the Hearing Examiner.
   a. Unless mutually agreed to by the appellant and the Hearing Examiner, the order of the Hearing Examiner shall be served upon the person to whom it is directed, either personally or by mailing a copy of the order to such person at his/her last known address as determined by KCPHD.
   b. The appellant may file a request for reconsideration of the Hearing Examiner's decision within seven working days of the date of the Hearing Examiner's written decision, based on anyone of the following grounds materially affecting the substantial rights of said party or person:
      1. Errors of procedure or misinterpretation of fact, material to the party seeking the request for reconsideration.
      2. Irregularity in the proceedings before the Hearing Examiner by which such party was prevented from having a fair hearing.
      3. Clerical mistakes in the official file or record transmitted to the Examiner, including errors arising from inadvertence, oversight, or omission, which may have materially affected the Examiner's decision on the matter.
   c. Upon receipt of a request for reconsideration, the Hearing Examiner shall review said request in light of the record and take such further action as is deemed proper; including, but not limited to, denying the request, granting the request, with or without oral argument, and may render a revised decision. The decision of the Hearing Examiner shall be subject to reconsideration only one time, even if the Hearing Examiner reverses or modifies the original decision.
   d. If no written request for reconsideration has been received by the authorized official within seven working days of service of the order of the Hearing Examiner, the order shall be considered final unless appealed to Kittitas Superior Court. (Ord. 2011-006, 2011)

Title 14 | BUILDINGS AND CONSTRUCTION

Chapters

14.04 Building Code
14.08 Flood Damage Prevention
14.12 Fire Resistant/Retardant Standards for Roof Coverings

Chapter 14.04
BUILDING CODE

Sections

14.04.010 Adoption of referenced codes.
14.04.020 Design requirements.
14.04.030 Building relocation - Applicant.
14.04.040 Mobile, manufactured, designated manufactured and modular homes.
14.04.045 Recreational Vehicles and Park Model Trailers.
14.04.046 Other factory built dwellings.
14.04.050 Dry cabins.
14.04.060 Fees.
14.04.070 Permits.

14.04.010 Adoption of referenced codes.

Kittitas County hereby adopts the following codes, as amended by the Washington State Building Code Council pursuant to RCW 19.27 for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures.

1. The International Building Code (IBC), 2012 Edition, published by the International Code Council as adopted and amended by the State of Washington in Chapter 51-50 WAC; with the following adopted appendices and amendments:
   a. Appendices
      i. Appendix C: Agricultural Buildings
      ii. Appendix H: Signs
      iii. Appendix I: Patio Covers
   b. Amendments
      i. Section 105.2 Work Exempt from Building Permit.
         1. One story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet and is not used as habitable space. All accessory structures must meet all zoning and building setbacks, and must comply with the requirements of KCC Title 17A (Critical Areas) and KCC Chapter 14.08 (Flood Damage Prevention).
      ii. Section 105.3.2 Expiration of Application
         1. If, after a plan review has been initiated, an application for building permit requires corrections, a letter will be sent notifying the applicant of those items necessary to complete the review of the application and that the application will expire 180 days from the date of notification if the corrections are not submitted. If expired, the application becomes null and void and the deposit is forfeited.
         2. After a plan review has been completed, a letter will be sent notifying the applicant that the permit is ready for issuance and that if not purchased 180 days from the date of notification, the application will expire. The Building Official is authorized to grant one extension, not to exceed 365 days. The extension shall be

requested in writing, prior to permit expiration, and justifiable cause shall be demonstrated. Fees for extension shall be established by resolution. If expired, the application becomes null and void and, the deposit is forfeited. If a completed application expires and the deposit is less than the plan review fee, the applicant is responsible for any outstanding balance and an invoice will be sent to the property owner of record.

2. The International Residential Code (IRC), 2012 Edition, published by the International Code Council as adopted and amended by the State of Washington in Chapter 51-51 WAC; with the following adopted amendments:
   a. Amendments
      i. Section R105.2 Work Exempt from Building Permit
         1. One-story detached accessory structures used as tool and storage shed, playhouses and similar uses, provided the floor area does not exceed 200 square feet and is not used for habitable space. All accessory structures must meet all zoning and building setbacks and must comply with the requirements of KCC Title 17A (Critical Areas) and KCC Chapter 14.08 (Flood Damage Prevention).
         2. Platforms, sidewalks and driveways not more than 30 inches above adjacent grade and not over any basement or story below.
      ii. Section R105.3.2 Expiration of Application
         1. If, after a plan review has been initiated, an application for building permit requires corrections, a letter will be sent notifying the applicant of those items necessary to complete the review of the application and that the application will expire 180 days from the date of notification if the corrections are not submitted. If expired, the application becomes null and void and the deposit is forfeited.
         2. After a plan review has been completed, a letter will be sent notifying the applicant that the permit is ready for issuance and that if not purchased 180 days from the date of notification, the application will expire. The Building Official is authorized to grant one extension, not to exceed 365 days. The extension shall be requested in writing, prior to permit expiration, and justifiable cause shall be demonstrated. Fees for extension shall be established by resolution. If expired, the application becomes null and void and, the deposit is forfeited. If a completed application expires and the deposit is less than the plan review fee, the applicant is responsible for any outstanding balance and an invoice will be sent.
3. The International Mechanical Code (IMC), 2012 Edition, published by the International Code Council as adopted and amended by the State of Washington in Chapter 51-52 WAC; including the adoption of and amendments to the 2012 International Fuel Gas Code (IFGC), the 2012 National Fuel Gas Code (NFPA 54) and the 2012 Liquefied Petroleum Gas Code (NFPA 58).
4. The International Fire Code (IFC), 2012 Edition, published by the International Code Council as adopted and amended by the State of Washington in Chapter 51-54A WAC; including those standards of the National Fire Protection Association specifically referenced in the International Fire Code: PROVIDED, that, notwithstanding any wording in this code, participants in religious ceremonies shall not be precluded from carrying hand-held candles. The following appendices and amendments are specifically adopted:
   a. Appendices
      i. Appendix B: Fire Flow for Buildings
      ii. Appendix C: Fire Hydrant Locations and Distribution
      iii. Appendix D: Fire Apparatus Access Roads
      iv. Appendix E: Hazard Categories
      v. Appendix F: Hazard Ranking
      vi. Appendix G: Cryogenic Fluids-Weight and Volume Equivalents

      In case of conflict among the codes enumerated in subsections 1, 2, 3, and 4 of this section, the first named code shall govern over those following.
   b. Amendments
      i. Chapter 45: Referenced Standards
         1. NFPA standard reference numbers as follows:
            1. NFPA13-07: "Installation of Sprinkler Systems" to replace prior edition NFPA13-02.
            2. NFPA13D-07: "Installation of Sprinkler Systems in One and Two-Family Dwellings and Manufactured Homes" to replace prior edition NFPA13D-02.
            3. NFPA13R-07: "Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height" to replace prior edition NFPA13R-02.
            4. NFPA72-07: "National Fire Alarm Code" to replace prior edition NFPA72-02.
      ii. Appendix B: Fire Flow for Buildings to be amended as follows:
         1. Agricultural buildings used for the sole purpose of agricultural processing may be exempt from fire flow requirements if the following conditions are met:
            1. A monitored early detection system in compliance with current codes is installed and maintained;
            2. The separation from other buildings and combustible materials, including hay piles by a minimum of 60 feet shall be continuously maintained;
            3. Building size shall be limited to SEPA threshold requirements;
            4. Occupancy shall be limited to a maximum of five (5) persons; and
            5. Compliance with all applicable codes
5. The Uniform Plumbing Code (UPC), 2012 Edition, published by the International Association of Plumbing and Mechanical Officials as adopted and amended by the State of Washington in Chapter 51-56 WAC and Chapter 51-57 WAC.
6. The Washington State Energy Code, 2012 Edition, as set forth in Chapter 51-11 WAC , Chapter 51-11C WAC (Commercial) and Chapter 51-11R (Residential)
7. The International Property Maintenance Code (IPMC), 2012 Edition, as published by the International Code Council.
8. The International Wildland Urban Interface Code (WUI Code), most current edition, as published by the International Code Council; with the following adopted appendices and amendments:
   a. Appendix B: Vegetation Management Plan
   b. Amendments to the Wildland Urban Interface code specific to Kittitas County shall be located in KCC Title 20.

(Ord. 2013-013, 2013; Ord. 2013-006, 2013; Ord. 2011-001, 2011; Ord. 2010-010, 2010; Ord. 2010-003, 2010; Ord. 2008-22, 2008; Ord. 2007-29, 2007; Ord. 2007-19, 2007; Ord. 2004-18, 2004; Ord. 98-23, 1998; Ord. 95-7, 1995; Ord. 93-4, 1993; Ord. 92-29, 1992; Res. 84-29, 1984)

14.04.020 General requirements.

1. Conflict between Codes: Whenever there is a conflict between a Referenced Code in Section 14.04.010 of this code and the General Requirements contained in Section 14.04.020 of this code, the General Requirements shall apply.
2. Table R301.2(1), Climatic and Geographic Design Criteria, of the International Residential Code, is amended as follows:

Ground Snow Load k	Wind Speed d (mph)	Seismic Design Category f	Subject To Damage From			Winter Design Temp. e	Ice Shield Under-Layment required h	Flood Hazards g	Air Freezing Index i	Mean Annual Temp i
			Weathering a	Frost Line Depth b	Termite c					
Case Study (min. 30 Pf roof)1	85	C, D0 and D1 are present 2	Severe	24"	Slight to Moderate	2° F	Yes	Date Entered Into NFIP: 9/1979 Date of Current FIRM Maps Adopted: 5/5/1981 &	1,000 - 2,000	50°F

[1]All snow loads will be determined by the Building Official.

[2]The seismic design category (between C & D1) will be determined on a site-specific basis.

a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index (i.e., "negligible", "moderate" or "severe") for concrete as determined from the Weathering Probability Map [Figure R301.2(3)]. The grade of masonry units shall be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 or C 652.
b. The frost line depth may require deeper footings than indicated in Figure R 403.1(1). The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.
c. The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.
d. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [FigureR301.2(4)]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
e. The outdoor design dry-bulb temperature shall be selected from the columns of 97 1/2-percent values for winter. Deviations from the temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official.

f. The jurisdiction shall fill in this part of the table with the Seismic Design Category determined from Section R301.2.2.1.
g. The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the currently effective FIRM and FBFM, or other flood hazard map adopted by the community, as may be amended.
h. In accordance with Sections R905.2.7.1, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, for areas where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES". Otherwise, the jurisdiction shall fill in this part of the table with "NO."
i. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99%) value on the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32° Fahrenheit)" at www.ncdc.noaa.gov/oa/fpsf/.
j. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32° Fahrenheit)" at www.ncdc.noaa.gov/oa/fpsf/.
k. The Structural Engineers Association of Washington has conducted a case study (CS) for Washington State. This case study, titled "Snow Load Analysis for Washington", may be used to establish the ground snowload in all areas of Kittitas County in lieu of a site specific case study.

Publisher's note: NOAA has changed the URL www.ncdc.noaa.gov/fpsf.html to www.ncdc.noaa.gov/oa/fpsf/ and Kittitas County Code has been updated to reflect the change.

3. Professional Preparation of Plans: Kittitas County shall require a Washington State licensed design professional, licensed under the provisions of RCW 18.08, WAC 308-12 (for Architects) or RCW 18.43 (for Engineers) to stamp, prepare or oversee the preparation of plans and calculations for buildings or structures when ANY of the following criteria are met but is not limited to the following:
   a. A building of any occupancy over 4,000 square feet.
      Exception: residential buildings that do not contain more than 4 dwelling units; farm buildings of any size associated with commercial agriculture; buildings such as garages, sheds, barn or shelters for animals and machinery that are used in connection with or auxiliary to farm buildings, or in connection with or accessory to residential buildings of four dwelling units or less.
   b. Buildings containing five or more residential dwelling units.
      Exception: buildings less than 4000 square feet.
   c. All log and timber frame structures and log and timber frame structural components. This includes any log or beam style trusses used in stick framed buildings.
   d. All structures located above 70-psf ground snow load that are regulated by the International Residential Code.
   e. All structures located above 50-psf ground snow load that are regulated by the International Building Code.
4. Construction Plans: All submitted construction documents must be of sufficient detail and clarity to indicate the nature and extent of the work proposed. The amount of detail required will vary, depending on the nature and complexity of the project. The following minimum submittal standards for construction plans are as follows:
   a. Plans will be drawn to a minimum of 1/4" scale on appropriately sized paper with minimum 1" margins. Elevations may be 1/8" scale.
   b. Plans will be drawn on a minimum page size of 11" x 17".
   c. Plans must be on substantial paper, with clear and readable text. Minimum text sizes for hand-drawn plans should be 1/8" and 3/32" for CADD

Without these minimum standards, an application cannot be accepted.

(Ord. 2013-006, 2013; Ord. 2010-003, 2010; Ord. 2009-15, 2009; Ord. 2008-22, 2008; Ord. 2007-29, 2007; Ord. 2004-18, 2004)

14.04.030 Building relocation - Applicant.

1. Applicant must furnish to Kittitas County a bond, cashier's check or certified check in the sum of 1000.00 for houses and/or $500.00 for outbuildings in addition to hourly plan review fee and a $.30 per square foot of usable space regardless of the classification of the structure. The applicant must also submit an application for placement of the structure following and adhering to the adopted permit process and code requirements. Bond funds will be held by Kittitas County until the following conditions are met:
   a. Appropriate inspections have been approved by the building department for setback requirements, foundation, structural, mechanical, plumbing, life safety, energy, ventilation and fire codes.
   b. Electrical approval shall be made by the Washington State Department of Labor and Industries.
   c. Final access approval must be made by the Kittitas County Department of Public Works prior to the issuance of a certificate of occupancy or use of the structure.
   d. Final approval for potable water and sewage disposal from the Kittitas County Environmental Health Department is required prior to the issuance of a certificate of occupancy or use of the structure.
2. The structure must be completed as described in subsection (1) of this section within 365 days of the issuance of the building permit. If not completed, then the Building Official shall revoke the refund of the bond. This bond may then be utilized for the removal of the structure and any costs in excess of the bond amount shall be charged to the owner of record. The Building Official is authorized to grant one extension, not to exceed 365 days. The extension shall be requested in writing, prior to permit expiration, and justifiable cause shall be demonstrated. Fees for extension shall be established by resolution. If approved, any extension may occur only once.
3. The bond shall be held for 10 days from the date of compliance pursuant to KCC 5.16.070.
4. Refer to Chapter 5.16 KCC for definitions including other requirements for building relocation.

(Ord. 2013-006, 2013; Ord. 2010-003, 2010; Ord. 2008-22, 2008; Ord. 2007-29, 2007; Ord. 2004-18, 2004; Ord. 98-23, 1998)

14.04.040Mobile, manufactured, designated manufactured and modular homes.

1. Definitions:
   a. "Mobile home" is a factory built dwelling built prior to June 15, 1976, to standards other than the HUD Code, and acceptable under applicable state codes in effect at the time of construction or introduction of the home into the State. Mobile homes have not been built since the introduction of the HUD Manufactured Home Construction and Safety Standards Act. A mobile home (pre June 15, 1976) from outside Kittitas County cannot be brought into Kittitas County; however, a mobile home may be moved from one site to another within Kittitas County if a fire & life safety inspection is first performed and approved by Washington State Department of Labor and Industries.
   b. "Manufactured home" is a single family dwelling built according to the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards Act, which is a national, preemptive building code. A manufactured home also:
      - Includes plumbing, heating, air conditioning and electrical systems; and
      - Is built on a permanent chassis; and
      - Can be transported in one or more sections with each section at least eight feet wide and forty feet long when transported; or when installed on the site is three hundred twenty square feet or greater (see RCW 46.04.302).
   c. "Modular home" means a factory-assembled structure designed primarily for use as a dwelling when connected to the required utilities that include plumbing, heating and electrical systems contained therein, does not contain its own running gear and must be mounted on a permanent foundation. A modular home does not include a mobile home or manufactured home.
2. All manufactured, mobile or modular homes shall meet area specific snow load requirements. Snow load requirements shall be determined in the same method utilized for stick framed homes by the Building Official. Homes located in manufactured home parks have the following options available:
   a. Place a unit that meets snow load requirements.
   b. The homeowner or manufactured home park owner shall provide a snow removal maintenance program for the home. Such maintenance program shall reasonably ensure that the home shall be safe and habitable under snow load conditions. The program shall be contained within an agreement approved by Kittitas County and shall hold Kittitas County harmless from any claims or damages caused by snow load failure of the home. The agreement shall be legally recorded with the Kittitas County Auditor.
   c. Construct a shelter or ramada that meets the snowload requirement. When a manufactured home requires a snow shelter or ramada; the permit for the shelter or ramada must be issued prior to or concurrent with the manufactured home placement permit. The shelter or ramada shall be completed within 90 days of the issuance of a manufactured home placement permit, regardless of status of the manufactured home permit.

   For homes located outside of mobile home parks option (b) is not applicable.
3. All manufactured homes to be located in a Flood Hazard area shall comply with KCC Chapter 14.08 (Flood Damage Prevention).
4. All manufactured homes located in a Wildland Urban Interface area, as determined by Kittitas County, shall comply with the provisions of the current adopted International

Wildland-Urban Interface Code per KCC 14.04.010 (10)

5. All mobile and manufactured homes are State inspected dwellings and shall be placed on foundation systems that meet the requirements per the manufacturer's installation instructions or if the manufacturer is not specific, then to the standards listed in Chapter 296-150M WAC. All footings, foundations, skirting, landings, additions and other external appendages shall be inspected and approved by Kittitas County prior to occupancy.
6. Mobile and manufactured homes may be placed on stands or blocked in accordance with the manufacturer's installation instructions and skirted with materials approved for ground contact or below grade applications. Either of these dwellings placed on a basement shall require engineering. All alterations to a mobile or manufactured home shall require a permit through Washington State Department of Labor and Industries.
7. All modular home footings shall be designed by an engineer and specific to the home.
8. Any additions to a mobile, manufactured or modular home shall be by separate permit through Kittitas County. An additional permit may also be required by the Washington State Department of Labor and Industries.

(Ord. 2008-22, 2008; Ord. 2007-29, 2007; Ord. 2004-18, 2004; Ord. 98-23, 1998; Ord. 80-2 § 3, 1980; Ord. 71-3 § 2, 1971)

14.04.045 Recreational Vehicles and Park Model Trailers.

1. Definitions
   a. "Recreational vehicle" (RV) is a vehicular type unit designated as temporary living quarters for recreation camping, travel or seasonal use which has its own power or is mounted on or towed by another vehicle. The vehicle has a gross floor area of not more than three hundred twenty square feet. This definition includes vehicles such as travel trailers, camping trailers, truck campers and motor homes. An RV does not include a park model trailer for purposes of this section. A recreational vehicle is not considered a mobile or manufactured home and is not constructed to the International Building Code standards. A recreational vehicle has a green and silver insignia from the Department of Labor and Industries.
   b. "Park model trailer" A trailer designed to provide seasonal or temporary living quarters which may be used with temporary connections to utilities necessary for operation of installed fixtures and appliances. It has a gross trailer area not exceeding 400 square feet). A park model trailer does not include a modular home, a mobile home, or manufactured home.
2. All Park Model Trailers shall meet area specific snow load requirements. Snow load requirements shall be determined in the same method utilized for stick framed homes by the Building Official. To meet the area specific snow load requirement they have the following options available:
   a. Place a unit that meets snow load requirements.
   b. The Park Model Trailer owner or manufactured home park owner shall provide a snow removal maintenance program for the home. Such maintenance program shall reasonably ensure that the home shall be safe and habitable under snow load conditions. The program shall be contained within an agreement approved by Kittitas County and shall hold Kittitas County harmless from any claims or damages caused by snow load failure of the home. The agreement shall be legally recorded with the Kittitas County Auditor.
   c. Construct a shelter or ramada that meets the snowload requirement. When a Park Model Trailer requires a snow shelter or ramada; the permit for the shelter or ramada must be issued prior to or concurrent with a Conditional Use Permit (CUP) that authorizes the extended use of a Park Model Trailer. The shelter or ramada shall be completed within 90 days of the issuance of a Park Model Trailer, regardless of status of the CUP.
3. All Park Model Trailers located in a Wildland Urban Interface area, as determined by Kittitas County, shall comply with the provisions of the current adopted International Wildland-Urban Interface Code per KCC 14.04.010(10)
4. All Park Models are State inspected dwellings and shall be placed on foundation systems that meet the requirements per the manufacturer's installation instructions or if the manufacturer is not specific, then to the standards listed in Chapter 296-150P WAC. All footings, foundations, skirting, landings, additions and other external appendages shall be inspected and approved by Kittitas County prior to occupancy.
5. A Park Model Trailer may be placed on stands or blocked in accordance with the manufacturer's installation instructions and skirted with materials approved for ground contact or below grade applications. Otherwise the Park Model must be placed on a basement or poured concrete foundation and such placement shall require engineering. Alterations to a Park Model Trailer are prohibited.
6. Additions to a Park Model are prohibited.
7. An RV may not be used as a residence, except if it is a primary residence and is located in a manufacturer/mobile home community as defined in RCW 59.20.030 that was in existence before June 8, 2008. Such placement shall be conditioned upon meeting all the requirements placed upon a Park Models, mobile and/or manufactured home in the same location.
8. Except as provide in 17.92.010, unless an RV is being used as a primary residence pursuant to subsection (7) above, an RV may be used for no more than four (4) weeks out of any six (6) weeks and shall be fully licensed and ready for highway at all times. An RV must be disconnected from utilities during the weeks that it is not in use.
9. A Park Model Trailer must be connected to government approved utilities during use.
10. A Park Model Trailer may not be placed anywhere within the County, unless it is used as a primary residence and is located in manufactured/mobile home community as defined in RCW 59.20.030 that was in existence before June 8, 2008. Placement of Park Model Trailer is further restricted in KCC 14.08.295 and KCC 14.08.310. Additionally, such placement shall be conditioned upon meeting all the requirements placed upon a mobile and/ or manufactured home in the same location.

(Ord. 2010-002 , 2010)

14.04.046 Other factory built dwellings.

1. Factory built dwellings that are not certified as having been constructed to HUD Standards are prohibited.
2. This section shall not apply to Mobile, manufactured, designated manufactured and modular homes as defined in KCC 14.04.040 .
3. This section shall not apply to Recreational Vehicles and Park Model Trailers as defined in KCC 14.04.045.

(Ord. 2010-002 , 2010)

14.04.050 Dry cabins.

1. Dry cabins may be utilized as recreational dwelling units and may be located only in those remote areas where electrical power is not available. They may be utilized for no more than 90 days per year. The Building Official shall make the final determination regarding locations that qualify. These cabins shall have the following requirements and/or restrictions:
   a. A permit shall be required including critical areas approval before construction proceeds. Structural aspects will be enforced as with any other permitted building. Fire and life safety issues such as roof covering, solid fuel or gas appliance location and installation and smoke detectors shall apply as with any other habitable structure.
   b. The usable floor space shall be no less than 121 square feet and no more than 800 square feet of living area and not more than 200 additional square feet of attached garage or accessory use area. If the cabin has a loft area that could be utilized for sleeping purposes it must have an egress window as defined in the current adopted edition of the IRC. If heated with propane or oil, minimum insulation requirements will be required.
   c. Dry cabins shall be provided with either a privy or composting toilet for which a permit will also be required from the Kittitas County Environmental Health Department.
2. Only under special circumstances and by decision of the Building Official, in its entirety, shall decisions conflicting with this policy be made.
3. Fees shall be determined by adopted resolution.
4. Dry cabins may be constructed of alternative materials as approved by the Building Official. Factory assembled structures are not included in this category.
5. Habitable dry cabins intended for recreational use may be unheated.
6. Dry cabins located within the area designated as a Wild-Land Urban Interface area shall comply with the Wild-Land Urban Interface code with the following exception:
   a. Properties may be exempt from the sprinkler requirement, upon Fire Marshal approval. All other applicable Wild-Land Urban Interface Codes shall apply.

(Ord. 2010-003 , 2010; Ord. 2008-22, 2008; Ord. 2007-29, 2007; Ord. 2004-18, 2004; Ord. 98-23, 1998)

14.04.060 Fees.

1. All Kittitas County Community Development Service permit fees shall be established by resolution.
2. Investigation Fees: Work without a Permit
   a. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

b. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the building permit fee. This fee is an additional, punitive fee and shall not apply to the Permit Fees that may subsequently be issued. Payment of the investigative fee does not vest the illegal work with any legitimacy, nor does it establish any right to a Permit for continued development of that project. If the work done remains illegal for 90 days after service of the Stop Work Order, it shall be considered hazardous.
c. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

3. Fee Refunds
The Building Official may authorize the refunding of:
a. 100% of any fee erroneously paid or collected.
The Building Official shall not authorize refunding of any fee paid except on written application filed by the original permitee not later than 180 days after the date of fee payment.

(Ord. 2010-003 , 2010; Ord. 2008-22, 2008; Ord. 2004-18, 2004; Ord. 98-23, 1998; Ord. 94-14, 1994; Res. 81-5, 1981; Res. 71-15, 1971; Res. 71-6, 1971; Ord. 71-3 § 5, 1971)

14.04.070 Permits.

1. Except as specified in KCC 14.04.010 (work exempt from permit), no building or structure shall be erected, placed, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate permit for each building or structure has first been obtained from Kittitas County Community Development Services.
2. The building permit or copy thereof shall be kept on the site of the work until the completion of the project.
3. It shall be the duty of the permit holder or their agent to notify the building official that such work is ready for inspection. It shall be the duty of the person requesting any inspections required by this code to provide safe access to and means for inspection of such work.
4. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or shall notify the permit holder or an agent of the permit holder wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portions shall not be covered or concealed until authorized by the building official.
5. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the building official has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of Kittitas County. Certificates presuming to give authority to violate or cancel provisions of this code or other ordinances of Kittitas County shall not be valid.
   a. Exception: Certificates of occupancy are not required for work exempt from permits.
   b. Exception: Certificates of occupancy are not required for accessory buildings or structures. (All structures require a final inspection).
6. All permits shall expire by limitation and be declared void if any one of the following apply:
   a. Work is not started within 365 days of obtaining a permit.
   b. Work is abandoned for 365 days or more after beginning work.
   c. An inspection and approval of work completed has not been performed by Kittitas County Community Development Services for 365 days.
7. The Building Official is authorized to grant one or more extensions, not to exceed 365 days per extension. The extension shall be requested in writing, prior to permit expiration, and justifiable cause shall be demonstrated. Fees for extension shall be established by resolution.
8. If a permit has expired, a new permit may be obtained for one-half the amount of the original permit fee(s) for a new permit for such work, plus issuance fees and less plan review fees, provided no changes have been made or will be made in the original construction documents for such work, and provided further that the permit was reviewed under the current adopted codes. If the permit is renewed under a different code, a plan review must be completed and charged at the current rate. If construction has or, will, deviate from the original permit, a revisions permit must be submitted, approved and issued in addition to renewal of the expired permit. Fees shall be established by resolution.
9. The Building Official, or designee, is authorized to perform a final inspection and issue a Certificate of Occupancy on an expired permit, provided that all inspections have been successfully completed except for the final inspection. The Building Official may require a re-inspection fee. A re-inspection fee shall be established by resolution.

(Ord. 2013-006, 2013; Ord. 2010-003, 2010; Ord. 2009-05, 2009; 2008-22, 2008; Ord. 2004-18, 2004; Ord. 98-23, 1998; Ord. 9414, 1994; Ord. 80-2 § 5, 1980; Ord. 71-3 § 6, 1971)

Chapter 14.08
FLOOD DAMAGE PREVENTION*

Sections

Article I. Purpose and Definitions
14.08.010 Purpose.
14.08.015 Methods of reducing flood losses.
14.08.020 Definitions.

Article II. General Provisions
14.08.030 Lands to which this chapter applies.
14.08.040 Basis for establishing the areas of special flood hazard.
14.08.050 Compliance.
14.08.060 Abrogation and greater restrictions.
14.08.070 Interpretation.
14.08.080 Warning and disclaimer of liability.

Article III. Administration
14.08.090 Development permit required.
14.08.100 Designation of the administrator.
14.08.110 Application for development permit.
14.08.115 Elevation Certificates
14.08.120 Use of other base flood data.
14.08.130 Information to be obtained and maintained.
14.08.140 Alteration of watercourses.
14.08.150 Interpretation of FIRM boundaries.

Article IV. Variance Procedure
14.08.160 Appeal board.
14.08.170 Conditions for variances.

Article V. Provisions for Flood Hazard Reduction
14.08.180 General standards.
14.08.190 Anchoring.
14.08.195 (Deleted)
14.08.200 Construction materials and methods.

14.08.210 Utilities.
14.08.220 Subdivision proposals.
14.08.230 Review of building permits.
14.08.240 Specific standards.
14.08.250 Residential construction.
14.08.260 Detached accessory buildings (garages).
14.08.270 Nonresidential construction.
14.08.280 Critical facility.
14.08.290 Manufactured homes.
14.08.295 Recreational vehicles.
14.08.300 Floodways.
14.08.305 Wetlands management.
14.08.310 Standards for shallow flooding areas (AO Zones).
14.08.315 Standards for filling, grading in floodplain.

* *Prior legislation: Ords. 79-4, 81-3, 81-2, 82-4, 89-4.

Article I. Purpose and Definitions

14.08.010 Purpose.

It is the purpose of this chapter:

1. To protect human life and health;
2. To minimize expenditure of public money and costly flood control and flood relief projects;
3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. To minimize prolonged business interruptions;
5. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, and bridges located in areas of special flood hazard;
6. To help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
7. To ensure that potential buyers are notified that property is in an area of special flood hazard;
8. To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions; and
9. To administer the Washington State Floodplain Management Act (Chapter 86.16 RCW) and maintain Kittitas County's eligibility to participate in the National Flood Insurance Program. (Ord. 2001-03; Ord. 93-18 § 1, 1993).

14.08.015 Methods of reducing flood losses.

In order to accomplish its purposes, this chapter includes methods and provisions for:

1. Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
2. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
3. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
4. Controlling filling, grading, dredging, and other development which may increase flood damage; and
5. Preventing or regulating the construction of flood barriers which will unnaturally divert floodwaters or may increase flood hazards in other areas. (Ord. 2001-03).

14.08.020 Definitions.

Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this chapter it's most reasonable application.

Appeal
A request for review of the county floodplain administrator's interpretation or application of any provision of this chapter or a request for a variance.

Area of shallow flooding
A designated AO, or AH Zone on the flood insurance rate map (FIRM). The base flood depths range from one to three feet, a clearly defined channel does not exist, the path of flooding is unpredictable and indeterminate, and velocity flow may be evident. AO is characterized as sheet flow and AH indicates ponding.

Area of special flood hazard
The land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. Designation on maps always includes the letter A. Also referred to as "100-year floodplain" and "special flood hazard area."

Agriculture
"Agriculture" is the grazing, feeding, and watering of livestock; plowing, seeding, cultivation, and harvesting for the production of crops and pasture; soil and water conservation practices; the maintenance of farm or stock ponds, irrigation ditches, irrigation structures, drainage ditches, underground drainage systems, fences and farm roads, the control of noxious weeds or other generally accepted agriculture practices, and for purposes of this chapter does not include associated structures and/or appurtenances.

Base flood
The flood having a one percent chance of being equaled or exceeded in any given year. Also referred to as the "100-year flood." Designation on maps always includes the letter A.

Base flood elevation
The computed elevation to which flood water is anticipated to rise during the base flood period. Base Flood Elevations (also referred to as BFEs) are shown on Flood Insurance Rate Maps (FIRMs) and on the flood profiles. The BFE is the regulatory requirement for the elevation or floodproofing of structures. Relationship between the BFE and a structure's elevation determines the flood insurance premium.

Basement
Any area of the building having its floor subgrade (below ground level) on all sides.

Best available information
In the absence of official flood insurance rate map data, communities can use data from other federal, state, or other sources provided this data has either been generated using technically defensible methods or is based on reasonable historical analysis and experience.

Breakaway wall
A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

Critical facility
A facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to, schools, nursing homes, hospitals, police, fire and emergency response installations, installations which produce, use or store hazardous materials or hazardous waste, and certain service facilities for utilities and special utilities (as defined under Chapter 17.61 KCC) as determined by the administrator.

Development
Any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials located within the areas of special flood hazard.

Elevated building

For insurance purposes, a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, post, piers, pilings, or columns.

Elevation Certificate

The official form (FEMA Form 81-31) used to track development, provide elevation information necessary to ensure compliance with community floodplain management ordinances, and determine the proper insurance premium rate with Section B completed by Community Officials.

Existing manufactured home park or subdivision

A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the adopted floodplain management regulations.

Expansion to an existing manufactured home park or subdivision

The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Flood (or "flooding")

A general and temporary condition of partial or complete inundation of nonnally dry land areas from the unusual and rapid accumulation of runoff or surface waters from any source or overflow of inland waters.

Flood insurance rate map (FIRM)

The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Flood insurance study

The official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Boundary-Floodway Map, and the water surface elevation of the base flood.

Floodway

The channel of a river or other watercourse and the adjacent land areas (a portion of the 100-year floodplain) that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Lowest floor

The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for building access in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements in KCC 14.08.250(2).

Manufactured home

A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

Manufactured home park or subdivision

A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

New construction

Structures for which the "start of construction" commenced on or after the effective date of this ordinance codified in this chapter.

New manufactured home park or subdivision

A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of adopted floodplain management regulations.

Recreational vehicle

A a vehicle which is:

1. Built on a single chassis;
2. Four hundred square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Riverine

Relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

Start of construction

Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure

A walled and roofed building including a gas or liquid storage tank that is principally above ground.

Substantial damage

Damage of any origin sustained by a structure whereby the cost of restoring the structure to it's before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial improvement

Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

1. Before the improvement or repair is started; or
2. If the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.
3. The term does not include either (i) any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or (ii) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

Variance

A grant of relief from the requirements of this chapter which permits construction in a manner that would otherwise be prohibited by this chapter.

Water dependent

A structure for commerce or industry which cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations.

(Ord. 2012-009, 2012; Ord. 2007-22, 2007; Ord. 2001-03; Ord. 93-18 § 2.0, 1993).

Article II. General Provisions

14.08.030 Lands to which this chapter applies.

This chapter shall apply to all areas of special flood hazards within the jurisdiction of Kittitas County. (Ord. 2001-03; Ord. 93-18 § 3.1, 1993).

14.08.040 Basis for establishing the areas of special flood hazard.

The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study for the County of

Kittitas County," dated November 5, 1980, and any revisions thereto, with an accompanying flood insurance rate map (FIRM) and Flood Boundary and Floodway Map, and any revisions thereto, are hereby adopted by reference and declared to be a part of this chapter. The flood insurance study and the FIRM are on file at the Community Development Services Department. The best available information for flood hazard area identification as outlined in KCC 14.08.120 shall be the basis for regulation until a new FIRM is issued which incorporates the data utilized under KCC 14.08.120. (Ord. 2012-009, 2012; Ord. 2007-22, 2007; Ord. 2001-03; Ord. 93-18 § 3.2, 1993).

14.08.050 Compliance.
No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this chapter and other applicable regulations. (Ord. 2001-03; Ord. 93-18 § 3.3, 1993).

14.08.060 Abrogation and greater restrictions.
This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail. (Ord. 2001-03; Ord. 93-18 § 3.4, 1993).

14.08.070 Interpretation.
In the interpretation and application of this chapter, all provisions shall be:

1. Considered as minimum requirements;
2. Liberally construed in favor of the governing body; and
3. Deemed neither to limit nor repeal any other powers granted under state statutes. (Ord. 2001-03; Ord. 93-18 § 3.5, 1993).

14.08.080 Warning and disclaimer of liability.
The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This chapter does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of Kittitas County, any officer or employee thereof, or the Federal Insurance Administration, for any flood damages that result from reliance on this chapter or any administrative decision lawfully made hereunder. (Ord. 2001-03; Ord. 9318 § 3.6, 1993).

Article III. Administration

14.08.090 Development permit required.
A development permit shall be obtained before construction or development begins within any area of special flood hazard established in KCC 14.08.040. The permit shall be for all structures including manufactured homes, as set forth in definitions (KCC 14.08.020), and for all development including fill and other activities, also as set forth in definitions (KCC 14.08.020). (Ord. 2001-03; Ord. 93-18 § 4.1, 1993).

14.08.100 Designation of the administrator.
1. The Community Development Services director is appointed to administer and implement this chapter by granting or denying floodplain development permit applications in accordance with its provisions. The Community Development Services director shall also be responsible for interpretations of the flood insurance rate maps (FIRM), and floodplain and floodway field designations. The Kittitas County Community Development Services Department shall maintain and keep all files and related information regarding the county's National Flood Insurance Program eligibility.
2. The director of Community Development Services shall be responsible for field verification of first floor elevations at the time of framing inspection, and all other special construction requirements contained in this chapter. Community Development Services shall also be responsible for ascertaining whether all building permits issued in areas within the 100-year floodplain comply with all of the special construction requirements of this chapter.
3. The Kittitas County Community Development Services Planning and Building divisions shall review all development permits to determine that the permit requirements of this chapter have been satisfied; review all development permits to determine that all necessary permits have been obtained from those federal, state, or local government agencies from which prior approval is required.
4. Review all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the provisions of KCC 14.08.300 are met. (Ord. 2007-22, 2007; Ord. 2001-03; Ord. 93-18 § 4.2, 1993).

14.08.110 Application for development permit.
Applications for a building or floodplain development permit shall be made on forms furnished by Kittitas County and may include, but not be limited to, plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the following. Specifically, the following information is required:

1. Elevation in relation to mean sea level of the lowest floor (including basement) of all structures;
2. Elevation in relation to mean sea level to which any structure has been flood-proofed;
3. Certification by a registered professional engineer or architect that the flood-proofing methods for any nonresidential structure meet the flood-proofing criteria in KCC 14.08.270; and
4. Description of the extent to which a watercourse will be altered or relocated as a result of the proposed development. (Ord. 2001-03; Ord. 93-18 § 4.3, 1993).

14.08.115 Elevation certificates.
Flood elevation certificates will be required to be submitted to Community Development Services:

1. For construction drawings prior to issuance of a building permit
2. For a building under construction prior to scheduling of a framing inspection
3. For finished construction prior to issuance of a Certificate of Occupancy (Ord. 2007-22, 2007)

14.08.120 Use of other base flood data.
When base flood elevation data has not been provided (A and V Zones) in accordance with KCC 14.08.040, basis for establishing the areas of special flood hazard, the Community Development Services director shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source in order to administer KCC 14.08.240 through 14.08.290, specific standards, and KCC 14.08.300, Floodways. The applicant for proposed developments where no base flood elevation exists shall conduct a site specific engineering analysis to determine a base flood elevation for the project site. (Ord. 2007-22, 2007; Ord. 2001-03; Ord. 93-18 § 4.4, 1993).

14.08.130Information to be obtained and maintained.
1. Where base flood elevation data is provided through the flood insurance study, FIRM, or required as in KCC 14.08.120, obtain and record the actual (as built) elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.
2. For all new or substantially improved flood-proofed structures where base flood elevation data is provided through the flood insurance study, FIRM, or as required in KCC 14.08.120:
   a. Verify and record the actual elevation (in relation to mean sea level) to which the structure was flood-proofed; and
   b. Maintain the flood-proofing certifications required in KCC 14.08.110(3).
3. Maintain for public inspection all records pertaining to the provisions of this chapter.
4. Professional land surveyors shall be authorized to prepare elevation certificates for compliance with this chapter and the National Flood Insurance Program. Engineers and architects shall be authorized to prepare floodproofing certificates for compliance with this chapter and the National Flood Insurance Program. (Ord. 2013-008, 2013; Ord. 2012-009, 2012; Ord. 2007-34, 2007; Ord. 2001-03; Ord. 93-18 § 4.5, 1993).

14.08.140 Alteration of watercourses.
The director of Community Development Services shall:

1. Notify adjacent communities and the Department of Ecology prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.
2. Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished. (Ord. 2007-22, 2007; Ord. 2001-03; Ord. 93-18 § 4.6, 1993).

14.08.150 Interpretation of FIRM boundaries.

Make interpretations, where needed, as to exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in KCC 14.08.160. (Ord. 2001-03; Ord. 93-18 § 4.7, 1993).

Article IV. Variance Procedure

14.08.160 Appeal board.

1. The Kittitas County building appeals board as established by the county shall hear and decide appeals and requests for variances from the requirements of this chapter.
2. The appeals board shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the county in the enforcement or administration of this chapter.
3. Those aggrieved by the decision of the appeals board or any taxpayer may appeal such decision to the Kittitas County superior court as provided by law.
4. In passing upon such applications, the appeals board shall consider all technical evaluations, all relevant factors, standards specified in other sections of this chapter, and the following:
   a. The danger that materials may be swept onto other lands to the injury of others;
   b. The danger to life and property due to flooding or erosion damage;
   c. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
   d. The importance of the services provided by the proposed facility to the community;
   e. The necessity to the facility of a waterfront location, where applicable;
   f. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
   g. The compatibility of the proposed use with existing and anticipated development;
   h. The relationship of the proposed use to the comprehensive plan and floodplain management program for the area;
   i. The safety of access to the property in times of flood for ordinary and emergency vehicles;
   j. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and
   k. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
5. Generally, the only condition under which a variance from the elevation standard may be issued is for new construction and substantial improvements to be erected on a lot one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood elevation provided subsections (4)(a) through (k) of this section have been fully considered. As the lot size increases, the technical justification required for issuing the variance increases.
6. Upon consideration of the factors of subsection (4) of this section and the purposes of this chapter, the appeals board may attach such conditions to the granting of a variance as it deems necessary to further the purposes of this chapter.
7. Community Development Services shall maintain the records of all appeal actions and report any variances to the Federal Insurance Administration upon request.
8. After the county has rendered an order either granting or denying a flood control zone permit, said order may be appealed to the Pollution Control Hearings Board pursuant to state law. (Ord. 2007-22, 2007; Ord. 2001-03; Ord. 93-18 § 4.8, 1993).

14.08.170 Conditions for variances.

1. Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places without regard to the procedures set forth in the remainder of this section if they will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
2. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result. Variance requests in the designated floodway shall be accompanied by a professional engineering analysis of the resultant base flood discharge.
3. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief and upon:
   a. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
   b. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, and create a nuisance.
4. Variances as interpreted in the National Flood Insurance Program are based on the general zoning law principle that they pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from the flood elevation requirements should be quite rare.
5. Variances may be issued for nonresidential buildings in very limited circumstances to allow a lesser degree of flood-proofing than watertight or dry-flood-proofing, where it can be determined that such action will have low damage potential, and comply with all other variance criteria.
6. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation. (Ord. 2012-009, 2012; Ord. 2001-03; Ord. 93-18 § 4.9, 1993).

Article V. Provisions for Flood Hazard Reduction

14.08.180 General standards.

In all areas of special flood hazards, the following standards (set forth in KCC 14.08.190 through 14.08.230) are required. (Ord. 200103; Ord. 93-18 § 5.1, 1993).

14.08.190 Anchoring.

1. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.
2. All manufactured homes must likewise be anchored to prevent flotation, collapse, or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors (reference FEMA's "Manufactured Home Installation in Flood Hazard Areas" guidebook for additional techniques). (Ord. 2001-03; Ord. 93-18 § 5.1.1, 1993).

14.08.195 (Deleted).

(Ord. 2007-34, 2007; Ord. 2001-03).

14.08.200 Construction materials and methods.

1. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
2. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
3. Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding. (Ord. 2001-03; Ord. 93-18 § 5.1.2, 1993).

14.08.210 Utilities.

1. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
2. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters.
3. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

4. New water wells shall be constructed in compliance with WAC 173-160-171.
5. Fuel storage tanks shall either be elevated or anchored using methods and practices that minimize flood damage. (consistent with FEMA's "Protecting Building Utilities From Flood Damage" guidebook for techniques). (Ord. 2007-22, 2007; Ord. 2001-03; Ord. 93-18 § 5.1.3, 1993).

14.08.220 Subdivision proposals.

1. All subdivision proposals shall be consistent with the need to minimize flood damage.
2. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.
3. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage.
4. Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals and other proposed developments and shall be noted on the final mylar.
5. All subdivisions shall show on the face of both the preliminary and final plat, for either short or long plats, the boundary of the 100year floodplain and floodway. (Ord. 2007-22, 2007; Ord. 2001-03; Ord. 93-18 § 5.1.4, 1993).

14.08.230 Review of building permits.

Where elevation data is not available either through the flood insurance study, FIRM, or from another authoritative source (KCC 14.08.120), applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available. Failure to elevate at least two feet above the highest adjacent grade in these zones may result in higher insurance rates. (Ord. 2001-03; Ord. 93-18 § 5.1.5, 1993).

14.08.240 Specific standards.

In all areas of special flood hazards where base flood elevation data has been provided (Zones A1-30, AH, and AE) as set forth in KCC 14.08.040, Basis for establishing the areas of special flood hazard, or KCC 14.08.120, Use of other base flood data, the following provisions are required. (Ord. 200103; Ord. 93-18 § 5.2, 1993).

14.08.250 Residential construction.

1. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated one foot or more above the base flood elevation.
2. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic and hydrodynamic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:
   a. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
   b. The bottom of all openings shall be no higher than one foot above grade.
   c. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
3. Because of hydrodynamic loads, below grade crawlspace construction is not permitted in areas with flood velocities greater than 5 feet per second unless the design is approved by a registered architect or licensed engineer.
4. Any building utility systems within the crawlspace must be elevated above the Base Flood Elevation (BFE) or designed so that floodwaters cannot enter or accumulate within the system components during flood conditions. Ductwork, in particular must be located above the BFE or sealed to prevent the entry of floodwaters.
5. Portions of buildings below the BFE must be constructed with materials resistant to flood damage. This includes any joists, pony walls, beams, posts, insulation, wall coverings, wall sheathing or other materials that extend below the BFE.
6. The elevation of the interior crawlspace grade (inside of the foundation walls in crawlspace construction) must be at or above the lowest elevation of the exterior grade. Below-grade crawlspace foundations will be allowed only if all of the following conditions are met: (*buildings that have below-grade crawlspaces may have higher flood insurance premiums than buildings that have the preferred crawlspace construction, with the interior elevation at or above the lowest adjacent exterior grade*).
   a. The interior grade of the crawlspace (below the BFE) must not be more than 2 feet below the lowest adjacent exterior grade.
   b. The height of the below-grade crawlspace, measured from the interior grade of the crawlspace to the top of the crawlspace foundation wall must not exceed 4 feet at any point.
   c. There must be an adequate drainage system that removes floodwaters from the interior of the crawlspace. Possible options include natural drainage through porous, well drained soils and drainage systems such as perforated pipes, drainage tiles, gravel or crushed stone drainage by gravity, or mechanical means.
7. Garages attached to a residential structure must have the floor elevated above the BFE or be constructed according to the following conditions:
   a. The walls must have openings designed to automatically equalize hydrostatic and hydrodynamic flood forces by allowing for the entry and exit of floodwaters. (See the requirements listed above for the residential structure per 14.08.250).
   b. All portions of the garage below the BFE must be constructed with materials resistant to flood damage. This includes any studs, walls, beams, posts, insulation, wall coverings, wall sheathing or other materials that extend below the BFE. (Ord. 2007-34, 2007; Ord. 2007-22, 2007; Ord. 2001-03; Ord. 93-18 § 5.2.1, 1993)

14.08.260 Detached accessory buildings (garages and small storage sheds).

The following special provisions apply only to detached accessory structures used as garages or small storage sheds to single-family residences. When an accessory structure represents a minimal investment, the elevation or dry flood-proofing standards need not be met. However, all other requirements applicable to structures will be applicable. A minimum investment shall be determined by the applicable guiding authority, or by appeal under the variance procedure and shall be determined, if necessary, on a case-to-case basis. However, as a general application, an expenditure for the accessory structure of not more than 10 percent of the value of the main structure shall be considered a minimal investment.

1. Accessory structures shall not be used for human habitation and must be limited to parking and storage.
2. Accessory structures shall comply with the foundation opening requirements in KCC 14.08.250(2).
3. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters.
4. Accessory structures must be adequately anchored to prevent flotation, collapse, or lateral movement of the structure which may result in damage to other structures.
5. Accessory structures must comply with floodplain encroachment provisions of this chapter and the National Flood Insurance Program.
6. Service facilities such as electrical and heating equipment shall be elevated one foot or more above the base flood elevation.
7. Applicants that elect not to elevate the lowest floor of accessory structures under the provisions of this section shall be notified that flood insurance premium rates may be increased as a result of this practice. The applicant shall be aware that flood insurance rates may be increased as a result of this practice, and a note stating such shall be included in the issuance of related permits. (Ord. 2012-009, 2012; Ord. 2007-34, 2007; Ord. 2007-22, 2007; Ord. 2001-03; Ord. 93-18 § 5.2.2, 1993)

14.08.270 Nonresidential construction.

New construction and substantial improvement of any commercial, industrial or other nonresidential structures, except detached accessory structures, shall either have the lowest floor, including basement, elevated one foot or more above the base flood elevation; or, together with attendant utility and sanitary facilities, shall:

1. Be flood-proofed so that below one foot above the base flood level the structure is watertight with walls substantially impermeable to the passage of water.
2. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
3. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the official as set forth in KCC 14.08.130(2).
4. Nonresidential structures that are elevated, not flood-proofed, must meet the same standards for space below the lowest floor as described in KCC 14.08.250(2).
5. Applicants flood-proofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the flood-proofed level. (Ord. 2001-03; Ord. 93-18 § 5.2.3, 1993).

14.08.280 Critical facility.

Construction of new, critical facilities shall be located outside the limits of the special flood hazard area. However, new construction and substantial improvement of both new and existing critical facilities shall be permissible within the 100-year floodplain, provided no feasible alternative site is available, and provided the facility's nature is related to or

necessitates a riverine location (such as municipal water and sewer pump stations and related treatment facilities).

1. Critical facilities shall have the lowest floor elevated three feet or more above the base flood elevation or the height of the 500-year flood, whichever is higher; and
2. Flood-proofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters; and
3. Access routes to critical facilities shall be elevated to or above the base flood elevation to the extent possible. (Ord. 2012-009, 2012; Ord. 2001-03; Ord. 93-18 § 5.2.4, 1993).

14.08.290 Manufactured homes.

1. All manufactured homes to be placed or substantially improved on sites:
   a. Outside of a manufactured home park or subdivision;
   b. In a new manufactured home park or subdivision;
   c. In an expansion to an existing manufactured home park or subdivision; or
   d. In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood; shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated one foot or more above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement in accordance with KCC 14.08.190(2).
2. Manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision that are not subject to the above manufactured home provisions be elevated so that either:
   a. The lowest floor of the manufactured home is elevated one foot or more above the base flood elevation; or
   b. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement. (Ord. 2012-009, 2012; 2007-34, 2007; Ord. 2001-03; Ord. 93-18 § 5.2.5, 1993).

14.08.295 Recreational vehicles.

1. Recreational vehicles as defined in KCC 14.04.045 shall not be parked in a Flood Hazard Area from January 1st until the Wednesday before Memorial Day and again from November 15th through December 31st. The prohibition shall be inclusive of the end date of each period. An RV placed before the prohibited period shall not remain after November 14th; and
   - **Exception**: This regulation shall not be interpreted to prevent recreational use of property, but shall prohibit the unattended storage of all recreational vehicles and equipment during the flood season as outlined in 14.08.295 (1). If a notice of correction is placed upon the Recreational Vehicle and such notice is observed upon such Recreational Vehicle over 72 hours later, such observation shall create a rebuttable presumption of unattended storage. Such notice must reference that failure to remove it will create the before stated presumption.
   - **Exception**: Lawfully established, conditionally permitted uses (CUPs) such as campgrounds and recreational parks in existence prior to the adoption of this ordinance shall be allowed to continue their approved operations provided such uses are not dangerous to life and property and have and continue to comply with the laws and regulation as they existed at the time the CUP was issued. Such uses shall not be expanded and must comply with all rules and regulations regarding nonconforming uses.
2. Recreations vehicles as defined in KCC 14.04.045 shall be fully licensed and ready for highway use, on its wheels or jacking system, be attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions.
3. Park Model Trailers as defined in KCC 14.04.045 shall not be placed in a Flood Hazard Area.

Exception: to 1, 2, and 3 above. A recreational vehicle or Park Model Trailer being used as a primary residence and located in manufactured/mobile home community as defined in RCW 59.20.030 that was in existence before June 8, 2008 is exempted from the restrictions found in subsections 1, 2, and 3 above. The placement of such recreational vehicle or Park Model Trailer requires both a permit under KCC 17.92.020 and engineering to address the flood hazard. Additionally, such placement shall be conditioned upon meeting all the requirements placed upon a mobile and/or manufacture home in the same location.

(Ord. 2009-25, 2009; Ord. 200103)

14.08.300 Floodways.

Located within areas of special flood hazard established in KCC 14.08.040 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

1. Prohibit encroachments, including fill, new construction, substantial improvements, and other development, unless certification by a registered professional engineer is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels during the occurrence of the base flood discharge.
2. Construction or reconstruction of residential structures is prohibited within designated floodways, except for:
   a. Repairs, reconstruction, or improvements to a structure which do not increase the ground floor area; and
   b. Repairs, reconstruction or improvements to a structure, the cost of which does not exceed 50 percent of the market value of the structure either: (i) before the repair or reconstruction is started, or (ii) if the structure has been damaged, and is being restored, before the damage occurred. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety codes which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or to structures identified as historic places shall not be included in the 50 percent.
3. If subsection (1) of this section is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of KCC 14.08.180 through 14.08.310, provisions for flood hazard reduction, except for construction and reconstruction of residential structures that is prohibited by subsection (2) of this section.
4. Filling in the floodway is prohibited except for residential maintenance. Residential maintenance is considered the importing of bark or top soil for flower beds and gardens. The quantity of material must be able to be hauled in a pick up truck and not require the use of a commercial dump truck. The total amount of material shall not exceed one load per calendar year.
5. Traditional agricultural practices are exempt. (Ord. 2013-008, 2013; Ord. 2012-009, 2012; Ord. 2007-34, 2007; Ord. 2007-22, 2007; Ord. 2001-03; Ord. 93-18 § 5.3, 1993).

14.08.305 Wetlands management.

See KCC Title 17A. (Ord. 2001-03; Ord. 93-18 § 5.4, 1993. Formerly 14.08.310).

14.08.310 Standards for shallow flooding areas (AO Zones).

Shallow flooding areas appear on FIRMs as AO Zones with depth designations. The base flood depths in these zones range from one to three feet above ground where a clearly defined channel does not exist, or where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is usually characterized as sheet flow. In these areas, the following provisions apply:

1. New construction and substantial improvements of residential structures and manufactured homes within AO Zones shall have the lowest floor (including basements) elevated above the highest grade adjacent to the building, one foot or more above the depth number specified in feet on the FIRM (at least two feet above the highest adjacent grade to the structure if no depth number is specified).
2. New construction and substantial improvements of nonresidential structures within AO Zones shall either:
   a. Have the lowest floor (including basement) elevated above the highest adjacent grade of the building site, one foot or more above the depth number specified on the FIRM (at least two feet if no depth number is specified); or
   b. Together with attendant utility and sanitary facilities, be completely flood-proofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. If this method is used, compliance shall be certified by a registered professional engineer or architect as in KCC 14.08.270(3).
3. Require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.
4. Recreational vehicles placed on sites within AO Zones on the community's FIRM:
   a. Shall not be parked in a Flood Hazard Area from January 1st until the Wednesday before Memorial Day and again from November 15th through December 31st. The

prohibition shall be inclusive of the end dates of each period. An RV placed before the prohibited period shall not remain after November 14th; and

b. Shall be fully licensed and ready for highway use, on its wheels or jacking system, be attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions.

5. Park Model Trailers as defined in KCC 14.04.045 shall not be placed in an AO Zone.

Exception: to 4 and 5 above. A recreational vehicle or Park Model Trailer being used as a primary residence and located in manufactured/mobile home community as defined in RCW 50.20.030 that was in existence before June 8, 2008 is exempted from the restrictions found in subsections 4 and 5 above. However, the placement of such recreational vehicle or Park Model Trailer requires both a permit under KCC 17.92.020 and engineering to address the flood hazard. Additionally, such placement shall be conditioned upon meeting all the requirements placed upon a mobile and/or manufactured home in the same location. (Ord. 2009-25, 2009; Ord. 2001-03; Ord. 93-18 § 5.5, 1993. Formerly 14.08.320)

14.08.315 Standards for filling, grading in floodplain.
Filling, grading or other activity that would reduce the effective storage volume shall be mitigated by creating compensatory storage on-site, or off-site if legal arrangements can be made, to assure that the effective compensatory storage volume will be preserved over time; provided, however, that no increased upstream or downstream flood hazard shall be created by any fill authorized in the floodplain by this chapter or other applicable chapters. (Ord. 2011-013, 2011)

14.08.320 Standards for AE and A1-30 Zones with Base Flood Elevations but No Floodways.
In areas with base flood elevations (but a regulatory flood way has not been designated), no new construction, substantial improvements. or other development (including fill) shall be permitted within Zones A1-30 and AE on the county's FIRM. unless it is demonstrated that the cumulative effect of the proposed development. when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood. (Ord. 2012-009, 2012)

Chapter 14.12
FIRE RESISTANT/RETARDANT STANDARDS FOR ROOF COVERINGS

Sections

14.12.010 System adopted.
14.12.020 Minimum standards.
14.12.030 High and extreme fire hazard areas.
14.12.040 Moderate fire hazard areas.
14.12.050 Low fire hazard areas.
14.12.060 Deleted.
14.12.070 Deleted.
14.12.080 Deleted.
14.12.090 Applicable buildings.
14.12.100 Deleted.

14.12.010 System adopted.
The Kittitas County Board of Commissioners hereby adopts the wildfire hazard severity classification system developed to determine the Fire Hazard Area Classification in unincorporated areas of Kittitas County that are located outside of a fire department. This rating system was developed by the Rural Fire Protection District in cooperation with the Wildland Protection Agencies incorporating the natural factors of wildland fuels (timber, brush), slope (steepness of ground), aspect (direction of sun exposure), and climate into a "Wildfire Hazard Severity Classification System." These factors are reflected in four separate risk groups - low, moderate, high and extreme and they are incorporated into the wildfire hazard severity rating system requirements found in KCC 14.12.020, 14.12.030, 14.12.040, and 14.12.050. (Ord. 2007-29, 2007; Ord. 90-16 § 1, 1990).

14.12.020 Minimum standards.
Roof coverings placed on all new buildings and on all buildings being re-roofed as defined in KCC 14.12.090(3) in the unincorporated areas of Kittitas County shall have at least a "Class C" or better fire resistant/retardant rating as established by the International Building Code Chapter 1505.4, unless such roof coverings are governed by other more restrictive standards set out in this chapter, other ordinances of Kittitas County, or applicable state or federal standards. (Ord. 2007-29, 2007; Ord. 90-16 § 2, 1990).

14.12.030 High and extreme fire hazard areas.
In high and extreme fire hazard areas as determined by wildfire hazard severity classification, roof coverings placed on all new buildings and on all buildings being re-roofed as defined in KCC 14.12.090(3) shall be of fire resistant/retardant materials with no less than a "Class A" rating as defined by the International Building Code Chapter 1505.2, or as otherwise approved in writing with supporting reasons by the Kittitas County Fire Marshal. (Ord. 2007-29, 2007; Ord. 90-16 § 3, 1990).

14.12.040 Moderate fire hazard areas.
In moderate fire hazard areas as determined by wildfire hazard severity rating, roof coverings placed on all new buildings and on all buildings being re-roofed as defined in KCC 14.12.090(3) shall be of fire resistant/retardant materials with no less than a "Class B" rating as defined by the International Building Code Chapter 1505.3, or as otherwise approved in writing with supporting reasons by the Kittitas County Fire Marshal. (Ord. 2007-29, 2007; Ord. 90-16 § 4, 1990).

14.12.050 Low fire hazard areas.
In low fire hazard areas as determined by wildfire hazard severity rating, roof coverings placed on all new buildings and on all buildings being re-roofed as defined in KCC 14.12.090(3) shall be of fire resistant/retardant materials with no less than a "Class C" rating as defined by the International Building Code Chapter 1505.2, or as otherwise approved in writing with supporting reasons by the Kittitas County Fire Marshal. (Ord. 2007-29, 2007; Ord. 90-16 § 5, 1990).

14.12.060 Deleted.
(Ord. 2007-29, 2007; Ord. 90-16 § 6, 1990).

14.12.070 Deleted.
(Ord. 2007-29, 2007; Ord. 90-16 § 7, 1990).

14.12.080 Deleted.
(Ord. 2007-29, 2007; Ord. 90-16 § 8, 1990).

14.12.090 Applicable buildings.
These requirements shall apply to the following:

1. All buildings or structures constructed after the effective date of this section.
2. All additions to existing buildings or structures, regardless of size, constructed after the effective date of this section.
3. All buildings and structures which were in existence prior to the effective date of this section, when 25 percent or more of the roof is re-roofed. (Ord. 90-16 § 9, 1990).

14.12.100 Deleted
(Ord. 2007-29, 2007; Ord. 90-16 § 7 (attachment), 1990).

Title 15 | ENVIRONMENTAL POLICY*

Chapters

15.04 State Environmental Policy Act
15.08 Burn Bans

* Prior ordinance history for Chapter 15.4: Ordinance 84-5; 93-19; 96-19; 97-10; 98-10 (part), 1998; 2009-25, 2009

Chapter 15.04
STATE ENVIRONMENTAL POLICY ACT*

Sections

Article I. Authority
15.04.010 Authority.

Article II. General Requirements
15.04.020 Purpose of this part and adoption by reference.
15.04.030 Additional definitions.
15.04.040 Designation of responsible official.
15.04.050 Lead agency - determination and - responsibilities.
15.04.060 Transfer of lead agency status to state agency.
15.04.070 Additional timing considerations.

Article III. Categorical Exemptions and Threshold Determinations
15.04.080 Purpose of this part and adoption by reference.
15.04.090 Flexible thresholds for categorical exemptions.
15.04.110 Use of exemptions.
15.04.115 Environmental checklist.
15.04.120 Mitigated DNS.

Article IV. Environmental Impact Statement (EIS)
15.04.125 Purpose of this part and adoption by reference.
15.04.130 Preparation of EIS - Additional considerations.
15.04.140 Additional elements to be covered in EIS.

Article V. Commenting
15.04.150 Adoption by reference.
15.04.160 Public notice.
15.04.170 Designation of official to perform consulted agency responsibilities for the county.

Article VI. Using Existing Environnemental Documents
15.04.180 Purpose of this part and adoption by reference.

Article VII. SEPA and Agency Decisions
15.04.190 Purpose of this part and adoption by reference.
15.04.200 Substantive authority.
15.04.210 Appeals.
15.04.220 Notice/statute of limitations.

Article VIII. Definitions
15.04.230 Purpose of this part and adoption by reference.

Article IX. Categorical Exemptions
15.04.240 Adoption by reference.

Article X. Agency Compliance
15.04.250 Purpose of this part and adoption by reference.
15.04.260 Fees.
15.04.270 Administrative guidelines.
15.04.280 Severability.

Article XI. Forms
15.04.290 WAC 173-806-230 - Adoption by reference.

Article I. Authority

15.04.010 Authority.

The county adopts this chapter under the State Environmental Policy Act (SEPA), RCW 43.21C.120, and the SEPA procedures, WAC 197-11-904. This chapter contains this county's SEPA procedures and policies. The SEPA Rules, Chapter 197-11 WAC, must be used in conjunction with this chapter. (Ord. 2011-013, 2011)

Article II. General Requirements

15.04.020 Purpose of this part and adoption by reference.

This article contains the basic requirements that apply to the SEPA process. The county adopts the following sections of Chapter 197-11 of the Washington Administrative Code by reference, except as modified by additional definitions under KCC 15.04.030.

WAC

197-11-040 Definitions
197-11-050 Lead agency.
197-11-060 Content of environmental review.
197-11-070 Limitations on actions during SEPA process.
197-11-080 Incomplete or unavailable information.
197-11-090 Supporting documents.
197-11-100 Information required of applicants.
197-11-158 GMA project review - Reliance on existing plans, laws, and regulations.

197-11-164 Planned actions - Definitions and criteria.
197-11-168 Ordinances or resolutions designating planned actions - Procedures for adoption.
197-11-172 Planned actions - Project review
197-11-210 SEPA/GMA integration.
197-11-220 SEPA/GMA definitions.
197-11-228 Overall SEPA/GMA integration procedures.
197-11-230 Timing of an integrated GMA/SEPA process.
197-11-232 SEPA/GMA integration procedures for preliminary planning, environmental analysis, and expanded scoping.
197-11-235 Documents.
197-11-238 Monitoring.
197-11-250 SEPA/Model Toxics Control Act integration.
197-11-253 SEPA lead agency for MTCA actions.
197-11-256 Preliminary evaluation.
197-11-259 Determination of nonsignificance for MTCA remedial actions.
197-11-262 Determination of significance and EIS for MTCA remedial actions.
197-11-265 Early scoping of MTCA remedial actions.
197-11-268 MTCA interim actions. (Ord. 2011-013, 2011)

15.04.030 Additional definitions.
In addition to those definitions contained within WAC 197-11-700 through 197-11-799 and 197-11-220, when used in this chapter, the following terms shall have the following meanings, unless the context indicates otherwise:

Department
Any division, subdivision or organizational unit of the county established by ordinance, rule, or order.

SEPA rules
Chapter 197-11 WAC adopted by the Department of Ecology.

Ordinance
The ordinance, resolution, or other procedure used by the county to adopt regulatory requirements.

Early notice
The county's response to an applicant stating whether it considers issuance of a determination of significance likely for the applicant's proposal (mitigated determination of nonsignificance (DNS) procedures). (Ord. 2011-013, 2011)

15.04.040 Designation of responsible official.
1. For those proposals for which the county is the lead agency, the responsible official shall be the director of the department of community development or his appointed designee.
2. For all proposals for which the county is the lead agency, the responsible official shall make the threshold determination, supervise scoping and preparation of any required environmental impact statement (EIS), and perform any other functions assigned to the "lead agency" or "responsible official" by those sections of the SEPA rules that were adopted by reference in Section 15.04.020.
3. The county shall retain all documents required by the SEPA rules (WAC Chapter 197-11) and make them available in accordance with RCW Chapter 42.56. (Ord. 2011-013, 2011)

15.04.050 Lead agency determination and responsibilities.
1. The department within the county receiving an application for or initiating a proposal that involves a nonexempt action shall determine the lead agency for that proposal under WAC 197-11-050, 197-11-253, and 197-11-922 through 197-11-940, unless the lead agency has been previously determined or the department is aware that another department or agency is in the process of determining the lead agency.
2. When the county is the lead agency for a proposal, the department receiving the application shall determine the responsible official who shall supervise compliance with the threshold determination requirements, and if an EIS is necessary, shall supervise preparation of the EIS.
3. When the county is not the lead agency for a proposal, all departments of the county shall use and consider, as appropriate, either the DNS or the final EIS of the lead agency in making decisions on the proposal. No county department shall prepare or require preparation of a DNS or EIS in addition to that prepared by the lead agency, unless required under WAC 197-11-600. In some cases, the county may conduct supplemental environmental review under WAC 197-11-600.
4. If the county or any of its departments receives a lead agency determination made by another agency that appears inconsistent with the criteria of WAC 197-11-253 or 197-11-922 through 197-11-940, it may object to the determination. Any objection must be made to the agency originally making the determination and resolved within fifteen days of receipt of the determination, or the county must petition the department of ecology for a lead agency determination under WAC 197-11-946 within the fifteen-day time period. Any such petition on behalf of the county must be initiated by the responsible official.
5. Departments of the county are authorized to make agreements as to lead agency status or shared lead agency duties for a proposal under WAC 197-11-942 and 197-11-944: Provided, That the responsible official and any department that will incur responsibilities as the result of such agreement approve the agreement.
6. Any department making a lead agency determination for a private project shall require sufficient information from the applicant to identify which other agencies have jurisdiction over the proposal.
7. When the county is lead agency for a MTCA remedial action, the department of ecology shall be provided an opportunity under WAC 197-11-253(5) to review the environmental documents prior to public notice being provided. If the SEPA and MTCA documents are issued together with one public comment period under WAC 197-11-253(6), the county shall decide jointly with ecology who receives the comment letters and how copies of the comment letters will be distributed to the other agency. (Ord. 2011-013, 2011)

15.04.060 Transfer of lead agency status to a state agency.
For any proposal for a private project where the county would be the lead agency and for which one or more state agencies have jurisdiction, the county's responsible official may elect to transfer the lead agency duties to a state agency. The state agency with jurisdiction appearing first on the priority listing in WAC 197-11-936 shall be the lead agency and the county shall be an agency with jurisdiction. To transfer lead agency duties, the county's responsible official must transmit a notice of the transfer together with any relevant information available on the proposal to the appropriate state agency with jurisdiction. The responsible official of the county shall also give notice of the transfer to the private applicant and any other agencies with jurisdiction over the proposal. (Ord. 2011-013, 2011)

15.04.070 Additional timing considerations.
1. For nonexempt proposals, the DNS or the final EIS for the proposal shall accompany the county's staff recommendation to any appropriate advisory body, such as the planning commission.
2. If the county's only action on a proposal is a decision on a building permit or other license that requires detailed project plans and specifications, the applicant may request in writing that the county conduct environmental review prior to submission of the detailed plans and specifications. (Ord. 2011-013, 2011)

Article III. Categorical Exemptions and Threshold Determinations

15.04.080 Purpose of this part and adoption by reference.
This article contains the rules for deciding whether a proposal has a "probable significant, adverse environmental impact" requiring an environmental impact statement (EIS) to be prepared. This part also contains rules for evaluating the impacts of proposals not requiring an EIS. The county adopts the following sections by reference as supplemented in this part:

RCW

43.21C.410 Battery charging and exchange station installation.

WAC

197-11-300 Purpose of this part.
197-11-305 Categorical exemptions.
197-11-310 Threshold determination required.
197-11-315 Environmental checklist.
197-11-330 Threshold determination process.
197-11-335 Additional information.
197-11-340 Determination of nonsignificance (DNS).
197-11-350 Mitigated DNS.
197-11-355 Optional DNS process.
197-11-360 Determination of significance (DS)/ initiation of scoping.
197-11-390 Effect of threshold determination. (Ord. 2011-013, 2011)

15.04.090 Flexible thresholds for categorical exemptions.

1. The county establishes the following exempt levels for minor new construction under WAC 197-11-800(1)(b) based on local conditions:
   a. For residential dwelling units in WAC 197-11-800(1)(b)(i): up to 20 residential dwelling units.
   b. For agricultural structures in WAC 197-11-800(1)(b)(ii):
      i. up to 10,000 square feet of ground coverage within the boundaries of an urban growth area; or
      ii. up to 30,000 square feet of ground coverage outside the boundaries of an urban growth area. This exemption shall not apply to feed lots ;
   c. For office, school, commercial, recreational, service or storage buildings in WAC 197-11-800(1)(b)(iii): up to 12,000 square feet with associated parking up to 40 parking spaces;
   d. For parking lots in WAC 197-11-800(1)(b)(iv): up to 40 parking spaces;
   e. For landfills and excavations in WAC 197-11-800(1)(b)(v): up to 500 cubic yards.
2. Whenever the county establishes new exempt levels under this Section, it shall send them to the Department of Ecology , Headquarters Office, Olympia, Washington 98504 under WAC 197-11-800(1)(c). (Ord. 2012-009, 2012; Ord. 2011-013, 2011)

15.04.110 Use of exemptions.

1. Each department within the county that receives an application for a license or, in the case of governmental proposals, the department initiating the proposal shall determine whether the license and/or the proposal is exempt. The department's determination that a proposal is exempt shall be final and not subject to administrative review. If a proposal is exempt, none of the procedural requirements of this chapter apply to the proposal. The county shall not require completion of an environmental checklist for an exempt proposal.
2. In determining whether or not a proposal is exempt, the department shall make certain the proposal is properly defined and shall identify the governmental licenses required (WAC 197-11-060). If a proposal includes exempt and nonexempt actions, the department shall determine the lead agency, even if the license application that triggers the department's consideration is exempt.
3. If a proposal includes both exempt and nonexempt actions, the county may authorize exempt actions prior to compliance with the procedural requirements of this chapter, except that:
   a. The county shall not give authorization for:
      i. Any nonexempt action;
      ii. Any action that would have an adverse environmental impact; or
      iii. Any action that would limit the choice of alternatives.
   b. A department may withhold approval of an exempt action that would lead to modification of the physical environment, when such modification would serve no purpose if nonexempt action(s) were not approved; and
   c. A department may withhold approval of exempt actions that would lead to substantial financial expenditures by a private applicant when the expenditures would serve no purpose if nonexempt action(s) were not approved. (Ord. 2011-013, 2011)

15.04.115 Environmental checklist.

1. Except as provided in subsection (4) of this section, a completed environmental checklist (or a copy), in the form provided in WAC 197-11-960, shall be filed at the same time as an application for a permit, license, certificate, or other approval not specifically exempted in this chapter; except, a checklist is not needed if the county and applicant agree an EIS is required, SEPA compliance has been completed, or SEPA compliance has been initiated by another agency. The county shall use the environmental checklist to determine the lead agency, and if the county is the lead agency, for determining the responsible official and for making the threshold determination.
2. For private proposals, the county will require the applicant to complete the environmental checklist, providing assistance as necessary. For county proposals, the department initiating the proposal shall complete the environmental checklist for that proposal.
3. The county may require that it, and not the private applicant, will complete all or part of the environmental checklist for a private proposal, if either of the following occurs:
   a. The county has technical information on a question or questions that is unavailable to the private applicant; or
   b. The applicant has provided inaccurate information on previous proposals or on proposals currently under consideration.
4. For projects submitted as planned actions under WAC 197-11-164, the county shall use its existing environmental checklist form or may modify the environmental checklist form as provided in WAC 197-11-315. The modified environmental checklist form may be prepared and adopted along with or as part of a planned action ordinance, or developed after the ordinance is adopted. In either case, a proposed modified environmental checklist form must be sent to the department of ecology to allow at least a thirty-day review prior to use. (Ord. 2011-013, 2011)

15.04.120 Mitigated DNS.

1. As provided in this section and WAC 197-11-350, the responsible official may issue a DNS based on conditions attached to the proposal by the responsible official or on changes to, or clarifications of, the proposal made by the applicant.
2. An applicant may request in writing early notice of whether a DS is likely under WAC 197-11-350. The request must:
   a. Follow submission of a permit application and environmental checklist for a nonexempt proposal for which the department is lead agency; and
   b. Precede the county's actual threshold determination for the proposal.
   c. The responsible official should respond to the request for early notice within ten thirty working days. The response shall:
      i. Be written;
      ii. State whether the county currently considers issuance of a DS likely and, if so, indicate the general or specific area(s) of concern that is/are leading the county to consider a DS; and
      iii. State that the applicant may change or clarify the proposal to mitigate the indicated impacts, revising the environmental checklist and/or permit application as necessary to reflect the changes or clarifications.
   d. As much as possible, the county should assist the applicant with identification of impacts to the extent necessary to formulate mitigation measures.
   e. When an applicant submits a changed or clarified proposal, along with a revised or amended environmental checklist, the county shall base its threshold determination on the changed or clarified proposal and should make the determination within fifteen days of receiving the changed or clarified proposal:
      i. If the county indicated specific mitigation measures in its response to the request for early notice, and the applicant changed or clarified the proposal to include those specific mitigation measures, the county shall issue and circulate a DNS under WAC 197-11-340(2).
      ii. If the county indicated areas of concern, but did not indicate specific mitigation measures that would allow it to issue a DNS, the county shall make the threshold determination, issuing a DNS or DS as appropriate.
      iii. The applicant's proposed mitigation measures (clarifications, changes or conditions) must be in writing and must be specific. For example, proposals to "control noise" or "prevent storm water runoff' are inadequate, whereas proposals to "muffle machinery to X decibels" or "construct 200-foot storm water retention pond at Y location" are adequate.

iv. Mitigation measures which justify issuance of a mitigated DNS may be incorporated in the DNS by reference to agency staff reports, studies or other documents.

3. A mitigated DNS is issued under WAC 197-11-340(2), requiring a fourteen-day comment period and public notice.
4. Mitigation measures incorporated in the mitigated DNS shall be deemed conditions of approval of the permit decision and may be enforced in the same manner as any term or condition of the permit, or enforced in any manner specifically prescribed by the county.
5. If the county's tentative decision on a permit or approval does not include mitigation measures that were incorporated in a mitigated DNS for the proposal, the county should evaluate the threshold determination to assure consistency with WAC 197-11-340(3)(a) (withdrawal of DNS).
6. The county's written response under subsection (2) of this section shall not be construed as a determination of significance. In addition, preliminary discussion of clarifications or changes to a proposal, as opposed to a written request for early notice, shall not bind the county to consider the clarifications or changes in its threshold determination. (Ord. 2011-013, 2011)

Article IV. Environmental Impact Statement (EIS)

15.04.125 Purpose of this part and adoption by reference.

This article contains the rules for preparing environmental impact statements. The county adopts the following sections by reference, as supplemented by this part:

WAC

197-11-400 Purpose of EIS.
197-11-402 General requirements.
197-11-405 EIS types.
197-11-406 EIS timing.
197-11-408 Scoping.
197-11-410 Expanded scoping.
197-11-420 EIS preparation.
197-11-425 Style and size.
197-11-430 Format.
197-11-435 Cover letter or memo.
197-11-440 EIS contents.
197-11-442 Contents of EIS on nonproject proposals.
197-11-443 EIS contents when prior nonproject EIS.
197-11-444 Elements of environment.
197-11-448 Relationship of EIS to other considerations.
197-11-450 Cost-benefit analysis.
197-11-455 Issuance of DEIS.
197-11-460 Issuance of FEIS. (Ord. 2011-013, 2011)

15.04.130 Preparation of EIS - Additional considerations.

1. Preparation of draft and final EIS's (DEIS and FEIS) and draft and final supplemental EIS's (SEIS) is the responsibility of the department of community development under the direction of the responsible official. Before the county issues an EIS, the responsible official shall be satisfied that it complies with this chapter and WAC Chapter 197-11.
2. The DEIS and FEIS or draft and final SEIS may be "prepared" by county staff or by a consultant selected by the county or the applicant. If the responsible official requires an EIS for a proposal and determines that someone other than the county will prepare the EIS, the responsible official shall notify the applicant immediately after completion of the threshold determination. The responsible official shall also notify the applicant of the county's procedure for EIS preparation, including approval of the DEIS and FEIS prior to distribution.
   a. The Kittitas County planning department shall prepare and maintain a list of qualified environmental consultants and firms. Any proposed consultant whose name is not on the list must submit a statement of qualifications including information on experience in the preparation of environmental impact statements. Upon approval of the submitted qualifications, the planning director shall add the name to the list of qualified consultants.
3. The county may require an applicant to provide information the county does not possess, including specific investigations. However, the applicant is not required to supply information that is not required under this chapter or that is being requested from another agency. (This does not apply to information the county may request under another ordinance or statutes). (Ord. 2011-013, 2011)

15.04.140 Additional elements to be covered in EIS.

1. The analysis of the following additional elements may be included as part of the environment for the purpose of EIS content, but does not add to the criteria for threshold determinations or perform any other function or purpose under this chapter:
   a. Economy;
   b. Social policy analysis;
   c. Cost-benefit analysis;
   d. Any other element that may be dictated by special circumstances associated with the proposal.
2. Inclusion of these elements in an EIS will be at the discretion of the responsible official as determined by the scoping process. (Ord. 2011-013, 2011)

Article V. Commenting

15.04.150 Adoption by reference.

This article contains rules for consulting, commenting, and responding on all environmental documents under SEPA, including rules for public notice and hearings. The county adopts the following sections by reference, as supplemented in this part:

WAC

197-11-500 Purpose of this part.
197-11-502 Inviting comment.
197-11-504 Availability and cost of environmental documents.
197-11-508 SEPA register.
197-11-510 Public notice.
197-11-535 Public hearings and meetings.
197-11-545 Effect of no comment.
197-11-550 Specificity of comments.
197-11-560 FEIS response to comments.
197-11-570 Consulted agency costs to assist lead agency. (Ord. 2011-013, 2011)

15.04.160 Public notice.

1. Whenever possible, the county shall integrate the public notice required under this section with existing notice procedures for the county's nonexempt permit(s) or approval(s) required for the proposal.
2. Whenever the county issues a DNS under WAC 197-11-340(2) or a DS under WAC 197-11-360(3) the county shall give public notice as follows:
   a. If public notice is required for the nonexempt license, the notice shall state whether a DS or DNS has been issued and when comments are due.
   b. If an environmental document is issued concurrently with the notice of application, the public notice requirements for the notice of application in RCW 36.70B.110(4) will suffice to meet the SEPA public notice requirements in WAC 197-11-510(1).
   c. If no public notice is otherwise required for the permit or approval, the county shall give notice of the DNS or DS by:

i. Posting the property, for site-specific proposals;
ii. Publishing notice in a newspaper of general circulation in the county, city or general area where the proposal is located; and
iii. Whenever the county issues a DS under WAC 197-11-360(3), the county shall state the scoping procedure for the proposal in the DS as required in WAC 197-11-408 and in the public notice.iv.

3. If a DNS is issued using the optional DNS process, the public notice requirements for a notice of application in RCW 36.70B.110(4) as supplemented by the requirements in WAC 197-11-355 will suffice to meet the SEPA public notice requirements in WAC 197-11-510(1)(b).
4. Whenever the county issues a DEIS under WAC 197-11-455(5) or a SEIS under WAC 197-11-620, notice of the availability of those documents shall be given by:
   a. Indicating the availability of the DEIS in any public notice required for a nonexempt license; and
   b. Posting the property, for site-specific proposals;
   c. Publishing notice in a newspaper of general circulation in the county, city, or general area where the proposal is located; and
   d. Mailing a copy of the notice to property owners within five hundred feet of the proposal.
5. Public notice for projects that qualify as planned actions shall be tied to the underlying permit as specified in WAC 197-11-172(3).
6. The county may require an applicant to complete the public notice requirements for the applicant's proposal at his or her expense. (Ord. 2011-013, 2011)

15.04.170 Designation of official to perform consulted agency responsibilities for the county.

1. The director of the department of community development or his/her appointed designee shall be responsible for preparation of written comments for the county in response to a consultation request prior to a threshold determination, participation in scoping, and reviewing a DEIS.
2. The department of community development shall be responsible for the county's compliance with WAC 197-11-550 whenever the county is a consulted agency and is authorized to develop operating procedures that will ensure that responses to consultation requests are prepared in a timely fashion and include data from all appropriate departments of the county. (Ord. 2011-013, 2011)

Article VI. Using Existing Environmental Documents

15.04.180 Purpose of this part and adoption by reference.

This article contains rules for using and supplementing existing environmental documents prepared under SEPA or National Environmental Policy Act (NEPA) for the county's own environmental compliance. The county adopts the following sections of Chapter 197-11 by reference:

WAC

197-11-164 Planned actions - Definition and criteria.
197-11-168 Ordinances or resolutions designating planned actions - Procedures for adoption.
197-11-172 Planned actions - Project review.
197-11-600 When to use existing environmental documents.
197-11-610 Use of NEPA documents.
197-11-620 Supplemental environmental impact statement - Procedures.
197-11-625 Addenda - Procedures.
197-11-630 Adoption - Procedures.
197-11-635 Incorporation by reference - Procedures.
197-11-640 Combining documents. (Ord. 2011-013, 2011)

Article VII. SEPA and Agency Decisions

15.04.190 Purpose of this article and adoption by reference.

This article contains rules (and policies) for SEPA's substantive authority, such as decisions to mitigate or reject proposals as a result of SEPA. This article also contains procedures for appealing SEPA determinations to agencies or the courts. The county adopts the following sections by reference:

WAC

197-11-650 Purpose of this part.
197-11-655 Implementation.
197-11-660 Substantive authority and mitigation.
197-11-680 Appeals. (Ord. 2011-013, 2011)

15.04.200 Substantive authority.

1. The policies and goals set forth in this chapter are supplementary to those in the existing authorization of the county.
2. The county may attach conditions to a permit or approval for a proposal so long as:
   a. Such conditions are necessary to mitigate specific probable adverse environmental impacts identified in environmental documents pursuant to this chapter;
   b. Such conditions are in writing;
   c. The mitigation measures included in such conditions are reasonable and capable of being accomplished;
   d. The county has considered whether other local, state, or federal mitigation measures applied to the proposal are sufficient to mitigate the identified impacts; and
   e. Such conditions are based on one or more policies in subsection (4) of this section and cited in the license or other decision document.
3. The county may deny a permit or approval for a proposal on the basis of SEPA so long as:
   a. A finding is made that approving the proposal would result in probable significant adverse environmental impacts that are identified in a FEIS or final SEIS pursuant to this chapter and
   b. A finding is made that there are no reasonable mitigation measures capable of being accomplished that are sufficient to mitigate the identified impact; and
   c. The denial is based on one or more policies identified in subsection (4) of this section and identified in writing in the decision document.
4. The county designates and adopts by reference the following policies as the basis for the county's exercise of authority pursuant to this section:
   a. The county shall use all practicable means, consistent with other essential considerations of state policy, to improve and coordinate plans, functions, programs, and resources to the end that the state and its citizens may:
      i. Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;
      ii. Assure for all people of Washington safe, healthful, productive, and aesthetically and culturally pleasing surroundings;
      iii. Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;
      iv. Preserve important historical, cultural, and natural aspects of our national heritage;
      v. Maintain, wherever possible, an environment which supports diversity and variety of individual choice;
      vi. Achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and
      vii. Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.
   b. The county recognizes that each person has a fundamental and inalienable right to a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.
   c. The county adopts by reference the policies in the following county ordinances, resolutions, plans, rules, and regulations by reference:
      i. The Kittitas County Floodplain Management Plan; adopted December 1996, as may hereby be amended;
      ii. The Kittitas County Shoreline Management Master Program, as may hereafter be amended;
      iii. The Kittitas County Comprehensive Plan adopted December 2010, as may hereafter be amended;
      iv. Kittitas County Noise Ordinance, Chapter 9.45 of this code;
      vi. Kittitas County Zoning Code, Title 17 of this code, as may hereafter be amended;
      vii. The Kittitas County Building Code, Chapter 14.04 of this code, as may hereafter be amended;
      viii. The Kittitas County Flood Damage Prevention Ordinance, Title 14 of this code, as may hereafter be amended;

ix. The Kittitas County Recreation Plan/Outdoor Recreation Inventory, as may hereafter be amended
x. The Kittitas County Building and Construction Code, Title 14 of this code, as may hereafter be amended;
xi. The Kittitas County Board of Health regulations, Title 8 of this code;
xii. Kittitas County Subdivision Code, Title 16 of this code, as may hereafter be amended;
xiii. The Kittitas County Roads and Bridges Code, Title 12 of this code, as may hereafter be amended;
xiv. The Kittitas County Storm Water Management Ordinance, Title 12 of this code, as may hereafter be amended;
xv. The Kittitas County Critical Areas Ordinance, Title 17A of this code, as may hereafter be amended;
xvi. Kittitas County-wide planning policies, adopted July 26, 2010, as may hereafter be amended. (Ord. 2011-013, 2011)

15.04.210 Appeals.

1. The county establishes the following administrative appeal procedures under RCW 43.21C.075 and WAC 197-11-680:
   a. An administrative appeal relating to a FEIS or DNS for a nonexempt action that does not require a public hearing shall be heard by the Hearing Examiner.
   b. An administrative appeal relating to a FEIS or DNS for a nonexempt action that requires a public hearing shall be combined with and heard by the reviewing body for the underlying action.
   c. Administrative appeals relating to a DS shall be heard by the hearing examiner.
   d. For any appeal under this subsection, the county shall provide for a record in compliance with KCC 15A.07.
2. The county shall give official notice under WAC 197-11-680(5) whenever it issues a permit or approval for which a statute or ordinance establishes a time limit for commencing judicial appeal. (Ord. 2011-013, 2011)

15.04.220 Notice/statute of limitation.

1. The county, applicant for, or proponent of an action may publish a notice of action pursuant to RCW 43.21C.080 for any action.
2. The form of the notice shall be substantially in the form provided in WAC 197-11-990. The notice shall be published by the county auditor, applicant or proponent pursuant to RCW 43.21C.080. (Ord. 2011-013, 2011)

Article VIII. Definitions

15.04.230 Purpose of this article and adoption by reference.

This article contains uniform usage and definitions of terms under SEPA. The county adopts the following sections by reference, as supplemented by WAC 173-806-040, except as modified by additional definitions under KCC 15.04.030:

WAC

197-11-700 Definitions.
197-11-702 Act.
197-11-704 Action.
197-11-706 Addendum.
197-11-708 Adoption.
197-11-710 Affected tribe.
197-11-712 Affecting.
197-11-714 Agency.
197-11-716 Applicant.
197-11-718 Built environment
197-11-720 Categorical exemption.
197-11-721 Closed record appeal.
197-11-722 Consolidated appeal.
197-11-724 Consulted agency.
197-11-726 Cost benefit analysis.
197-11-728 County.
197-11-730 Decision maker.
197-11-732 Department.
197-11-734 Determination of nonsignificance (DNS).
197-11-736 Determination of significance (DS).
197-11-738 EIS.
197-11-740 Environment
197-11-742 Environmental checklist
197-11-744 Environmental document.
197-11-746 Environmental review.
197-11-750 Expanded scoping.
197-11-752 Impacts.
197-11-754 Incorporation by reference.
197-11-756 Lands covered by water.
197-11-758 Lead agency.
197-11-760 License.
197-11-762 Local agency.
197-11-764 Major action.
197-11-766 Mitigated DNS.
197-11-768 Mitigation.
197-11-770 Natural environment.
197-11-772 NEPA.
197-11-774 Nonproject.
197-11-775 Open record hearing.
197-11-776 Phased review.
197-11-778 Preparation.
197-11-780 Private project.
197-11-782 Probable.
197-11-784 Proposal.
197-11-786 Reasonable alternative.
197-11-788 Responsible official.
197-11-790 SEPA.
197-11-792 Scope.
197-11-793 Scoping.
197-11-794 Significant.
197-11-796 State agency.
197-11-797 Threshold determination.
197-11-799 Underlying governmental action. (Ord. 2011-013, 2011)

Article IX. Categorical Exemptions

15.04.240 Adoption by reference.
The county adopts by reference the following rules for categorical exemptions, as supplemented in this ordinance, including KCC 15.04.090 (Flexible thresholds), KCC 15.04.110 (Use of exemptions).

WAC
197-11-800 Categorical exemptions.
197-11-880 Emergencies.
197-11-890 Petitioning DOE to change exemptions. (Ord. 2011-013, 2011)

Article X. Agency Compliance

15.04.250 Purpose of this article and adoption by reference.
This article contains rules for agency compliance with SEPA, including rules for charging fees under the SEPA process, designating categorical exemptions that do not apply within critical areas, listing agencies with environmental expertise, selecting the lead agency, and applying these rules to current agency activities. The county adopts the following sections by reference:

WAC
197-11-900 Purpose of this part.
197-11-902 Agency SEPA policies.
197-11-916 Application to ongoing actions.
197-11-920 Agencies with environmental expertise.
197-11-922 Lead agency rules.
197-11-924 Determining the lead agency.
197-11-926 Lead agency for governmental proposals.
197-11-928 Lead agency for public and private proposals.
197-11-930 Lead agency for private projects with one agency with jurisdiction.
197-11-932 Lead agency for private projects requiring licenses from more than one agency, when one of the agencies is a county.
197-11-934 Lead agency for private projects requiring licenses from a local agency, not a county and one or more state agencies.
197-11-936 Lead agency for private projects requiring licenses from more than one state agency.
197-11-938 Lead agencies for specific proposals.
197-11-940 Transfer of lead agency status to a state agency.
197-11-942 Agreements on lead agency status.
197-11-944 Agreements on division of lead agency duties.
197-11-946 DOE resolution of lead agency disputes.
197-11-948 Assumption of lead agency status. (Ord. 2011-013, 2011)

15.04.260 Fees.
1. For every environmental checklist the county will review when it is lead agency, the county shall establish a fee by resolution and shall collect the fee prior to undertaking a threshold determination.
2. For every environmental impact statement, the county shall require the following fees for its activities in accordance with the provisions of this chapter:
   a. When the county is the lead agency for a proposal requiring an EIS and the responsible official determines that an EIS shall be prepared by employees of the county, the county may charge and collect a reasonable fee from any applicant to cover costs incurred by the county in preparing the EIS. The responsible official shall advise the applicant(s) of the projected costs for the EIS prior to actual preparation; the applicant shall post bond or otherwise ensure payment of such costs.
   b. The responsible official may determine that the county will contract directly with a consultant for preparation of an EIS, or a portion of the EIS, for activities initiated by some persons or entity other than the county and may bill such costs and expenses directly to the applicant. The county may require the applicant to post bond or otherwise insure payment of such costs. Such consultants shall be selected by mutual agreement of the county and applicant after a call for proposals.
   c. If a proposal is modified so that an EIS is no longer required, the responsible official shall refund any fees collected under (a) or (b) of this subsection which remain after incurred costs are paid.
      i. For SEPA appeals, the county shall establish a fee by resolution and shall collect the fee prior to scheduling any appeal hearing.
      ii. The county may collect a reasonable fee from an applicant to cover the cost of meeting the public notice requirements of this ordinance relating to the applicant's proposal.
      iii. The county may charge any person for copies of any document prepared under this chapter, and for mailing the document, in a manner provided by chapter 42.17 RCW. (Ord. 2011-013, 2011)

15.04.270 Administrative guidelines.
The responsible official is authorized to adopt further administrative guidelines to provide processing, administration and interpretation of these regulations. All such policies shall be in writing and available to the public in the offices of the department of community development. (Ord. 2011-013, 2011)

15.04.280 Title.
If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of this ordinance, or the application of the provision to other persons or circumstances, shall not be affected. (Ord. 2011-013, 2011)

Article XI. Forms

15.04.290 Adoption by reference.
The county adopts the following forms and sections by reference:

WAC
197-11-960 Environmental checklist.
197-11-965 Adoption notice.
197-11-970 Determination of nonsignificance (DNS).
197-11-980 Determination of significance and scoping notice (DS).
197-11-985 Notice of assumption of lead agency status.
197-11-990 Notice of action. (Ord. 2011-013, 2011)

Chapter 15.08
BURN BANS

Sections
15.08.010 Established when.
15.08.020 Open burning prohibited.

15.08.030 Violation - Penalty.

15.08.010 Established when.

1. The Kittitas County fire marshal may, after a written determination to the Kittitas County board of commissioners that there is an extreme fire hazard in the county, establish a prohibition against burning in incinerators, open burning, and recreational fires as such are defined in 1997 Uniform Fire Code, Article 11, Section 1102. The Kittitas County fire marshal shall notify the Kittitas County board of commissioners, in writing, when such a burning ban should be lifted because the period of extreme fire hazard has ceased.
2. The Kittitas County board of commissioners may rescind the establishment of a burn ban or modify the condition of a burn ban upon petition to the board or upon the request for a meeting by a member of the board. Such rescission or modification by the board shall occur only after holding a public meeting on this matter. The issuance of a burn ban by the fire marshal is presumed valid and shall only be rescinded or modified upon entry of finding of facts from the record which clearly demonstrate that there is not an extreme fire hazard warranting the issuance of a burn ban or that the limitation of the burn ban are excessive under the circumstances.
3. The Kittitas County fire marshal may grant campgrounds or special events an exemption to a burn ban upon application to the county fire marshal and the payment of a processing fee in the amount of forty dollars per hour with a minimum of one hour. Any exemption shall contain such conditions as the fire marshal deems necessary to mitigate the concerns for extreme fire hazard (1997 Uniform Fire Code, Appendix II-A, Section 13). Such exemptions and conditions shall be in writing. A copy of such exemption (with conditions) shall be prominently posted at the burning site and shall be provided to the Kittitas County board of commissioners. Any party feeling aggrieved by a denial of a burn ban exemption or the conditions imposed as part of the grant of an exemption may appeal such decision to the Kittitas County board of commissioners. (Ord. 2002-08 (part), 2002: Ord. 94-17 § 1, 1994).

15.08.020 Open burning prohibited.

It is unlawful to engage in burning in any unincorporated area in Kittitas County in an incinerator, open fire or recreational fire after the Kittitas County fire marshal has established the burn bans and prior to the bans being lifted unless such burning is conducted in accordance with a written exemption pursuant to Section 15.08.010(c). (Ord. 2002-08 (part), 2002: Ord. 94-17 § 2, 1994).

15.08.030 Violation - Penalty.

Any person, company, firm, corporation or other legal entity who:

1. Violates Section 15.08.020 shall be guilty of an infraction, punishable by a fine of two hundred fifty dollars.
2. Violates Section 15.08.020 a second time within any twelve-month period shall be guilty of a misdemeanor, punishable by up to ninety days in jail and/or a fine of up to one thousand dollars.
3. Violates Section 15.08.020 three or more times within ten years shall be guilty of a gross misdemeanor, punishable by up to three hundred sixty-five days in jail and/or a fine of five thousand dollars. (Ord. 2002-08 (part), 2002: Ord. 94-17 § 3, 1994).

Title 15A | PROJECT PERMIT APPLICATION PROCESS*

Chapters

15A.01 Administration, Purpose and Objective
15A.02 Definitions
15A.03 Project Permit Application Review
15A.04 Integration of SEPA and Appeals of SEPA Actions
15A.05 Hearings
15A.06 Notice of Decision
15A.07 Administrative Decisions Appeals
15A.08 Judicial Appeal
15A.09 Planned Actions
15A.10 Amendments
15A.11 Development Agreements
15A.12 Coordination with State Permitting
15A.13 Site Plan Review

* Prior legislation: Ords. 96-19 and 97-05.

Chapter 15A.01
ADMINISTRATION, PURPOSE AND OBJECTIVE

Sections

15A.01.010 Purpose and authority.
15A.01.020 Administrative and enforcement officers.
15A.01.030 Applicability.
15A.01.040 Roles and responsibilities.
15A.01.050 Severability.

15A.01.010 Purpose and authority.

It is the purpose of this title to effectively and efficiently administer applications for land use development activities by combining environmental review process, both procedural and substantive, with the procedure for review of project permits.

1. Each local government planning under RCW 36.70A.040 shall establish a permit review process that provides for the integrated and consolidated review and decision on two or more project permits relating to a proposed project action, including a single application review and approval process covering part of or all project permits requested by an applicant for all or part of a project action, and a designated permit coordinator.
2. When a project permit application is filed, the project review process should include land use, environmental, public, and governmental review so that documents prepared under different requirements can be reviewed together by the public and other agencies, in one project review process. In the event of inconsistencies within county code pertaining to such processing, this title shall control. (Ord. 2000-07; Ord. 98-10, 1998)

15A.01.020 Administrative and enforcement officers.

1. It shall be the duty of the Community Development Services director or such other persons designated by the county commissioners to administer the provisions of this title.
2. The prosecuting attorney may institute any necessary legal proceedings to enforce the provisions of this title.
3. The county sheriff and his authorized representatives shall have the authority to enforce the provisions of this title. (Ord. 2007-22, 2007; Ord. 2000-07; Ord. 98-10, 1998)

15A.01.030 Applicability.

The provisions of this title shall apply to all land use permits under KCC Titles 15, 15A, 16, 17, and 17A, county shoreline master program, and to any related regulation or any other ordinance or law implementing these provisions. In the event of conflict with the current county code, this title shall control. (Ord. 2000-07; Ord. 98-10, 1998)

15A.01.040 Roles and responsibilities.

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

1. **Applicant**. An applicant is expected to read and understand the county comprehensive plan and code and be prepared to fulfill the obligations placed on the applicant. Pre-application conferences are available to anyone who wishes to discuss such obligations prior to submittal.
2. **Community Development Services Director**.
   a. The Community Development Services Director (CDS Director) is responsible for the administration of portions of KCC Title 15, Environmental Policy, Title 15A, Project Permit Application Process, Title 16, Subdivisions, Title 17, Zoning, Title 17A, Critical Areas, and the shoreline master program.
   b. Upon request or as determined necessary, the CDS Director shall interpret the meaning or application of the provisions of said titles and issue a written administrative interpretation. Requests for interpretation shall be written and shall concisely identify the issue and desired interpretation.
   c. Administrative land use decisions on certain zoning conditional uses, and variances from the standards and dimensional regulations of the zoning code, KCC Title 17, such as setback and yard restrictions.
3. **Board of County Commissioners**. In addition to its legislative responsibilities under KCC Title 15B, the board shall review and act on the following subjects pursuant to this title:
   a. Recommendations of the Hearing Examiner or Planning Commission. Decision-making process by the board shall consist of a public meeting or meetings wherein the board reviews the written record transmitted from the Hearing Examiner for Quasi judicial matters and the Planning Commission for Legislative matters and issues a written decision in resolution or ordinance form. During such meeting(s), appropriate county staff will present the record to the board, providing information as necessary to ensure county code compliance. No new comment or information will be allowed by the board during the decision-making process.
   b. Appeals of administrative SEPA actions regarding an action without an underlying permit.
   c. Open record appeals of administrative SEPA actions when the board of county commissioners makes decision on, or hears appeals of, the underlying action.
   d. Closed record appeals of administrative SEPA actions, exclusive of Hearing Examiner SEPA appeal decisions.
4. **Hearing Examiner**. The Hearing Examiner shall review and make recommendations to the board of county commissioners on the following applications and subjects:
   a. All Quasi judicial review processes including:
      i. applications for preliminary plats
      ii. Rezone applications.
   b. Other actions requested or remanded by the board of county commissioners.
   c. Development agreements.
   d. Appeals of administrative determinations on certain zoning conditional users, and variances from the standards and dimensional regulations of the zoning code, KCC Title 17, such as setback and yard restrictions.
   e. Conditional use permits pursuant to the zoning code, KCC Title 17
   f. Shoreline permits, including variances, conditional uses, and shoreline substantial development permits pursuant to the shoreline master program.
   g. Open record appeals of administrative SEPA actions when the Hearing Examiner makes decision on, or hears appeals of, the underlying action.

15A.01.050 Severability.
If any chapter, section, subsection, sentence, clause, phrase, part or portion of this title is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this title or the application of the provisions to other persons or circumstances. (Ord. 2000-07; Ord. 98-10, 1998)

Chapter 15A.02
DEFINITIONS

Sections
15A.02.010 Generally.
15A.02.020 Administrator.
15A.02.030 Repealed.
15A.02.040 Consistency.
15A.02.050 Land use decision.
15A.02.060 Open record hearing.
15A.02.070 Person.
15A.02.080 Project permit or project permit application.
15A.02.090 Public meeting.

15A.02.010 Generally.
Certain terms and words used in this title are defined in the following sections. Words used in the present tense include the future; words in the singular number include the plural number; and words in the plural number include the singular number; the word "building" includes the word "structure," and the word "shall" is mandatory and not directory. (Ord. 2000-07; Ord. 98-10, 1998)

15A.02.020 Administrator.
"Administrator" means the county planning director or his/her designee. (Ord. 2000-07; Ord. 98-10, 1998)

15A.02.030 Repealed. (Ord. 2012-009, 2012; Ord. 2000-07; Ord. 98-10, 1998)

15A.02.040 Consistency.
"Consistency" means, including but not limited to, compliance, conformity and consistency, and refers to performance in accordance with Kittitas County comprehensive plan and development regulations. (Ord. 2000-07; Ord. 98-10, 1998)

15A.02.050 Land use decision.
"Land use decision" means a final determination by a local jurisdiction's body or officer with the highest level of authority to make the determination, including those with authority to hear appeals, on:

1. An application for a project permit or other governmental approval required by law before real property may be improved, developed, modified, subdivided, or used, but excluding applications for permits or approvals to use, vacate, or transfer streets, parks, and similar types of public property, excluding applications for legislative approvals such as area-wide rezones and annexations, and excluding applications for business licenses;
2. An interpretive or declaratory decision regarding the application to a specific property of zoning or other ordinance or rules regulating the improvement, development, modification, maintenance, or use of real property; and
3. The enforcement by a local jurisdiction of ordinances regulating the improvement, development, modification, maintenance, or use of real property. (Ord. 2000-07; Ord. 9810, 1998)

15A.02.060 Open record hearing.
"Open record hearing" means a hearing by a single hearing body or officer, authorized by the local government to conduct such hearings, that creates the local government's record through testimony and submission of evidence and information under procedures prescribed by the local government by ordinance or resolution. (Ord. 2000-07; Ord. 98-10, 1998)

15A.02.070 Person.
"Person" means an individual, partnership, corporation, association, public or private organization, or government entity or agency. (Ord. 2000-07; Ord. 98-10, 1998)

15A.02.080 Project permit or project permit application.
"Project permit" or "project permit application" means any land use or environmental permit or license required from a local government for a project action, including but not limited

to building permits, subdivisions, binding site plans, planned unit developments, conditional uses, shoreline substantial development permits, site plan review, permits or approvals required by critical areas ordinances, site-specific rezones authorized by a comprehensive plan or subarea plan, but excluding the adoption or amendment of a comprehensive plan, subarea plan, or development regulations. (Ord. 2000-07; Ord. 98-10, 1998)

15A.02.090 Public meeting.
"Public meeting" means an informal meeting, hearing, workshop, or other public gathering of people to obtain comments from the public or other agencies on a proposed project permit prior to the local government's decision. A public meeting may include, but is not limited to, a design review or architectural control board meeting, a special review district or community council meeting, or a scoping meeting on a draft environmental impact statement. A public meeting does not include an open record hearing. The proceedings at a public meeting may be recorded and a report or recommendation may be included in the local government's project permit application file. (Ord. 2000-07; Ord. 98-10, 1998)

Chapter 15A.03
PROJECT PERMIT APPLICATION REVIEW

Sections

15A.03.010 Complete application defined.
15A.03.020 Pre-application conference.
15A.03.030 Application and accompanying data.
15A.03.040 Determination of complete application.
15A.03.045 Permit processing time.
15A.03.050 Fee schedule.
15A.03.060 Notice of application.
15A.03.070 Specific procedures for permit review.
15A.03.080 Projects exempt from the provisions of notice of application.
15A.03.090 Review actions on project permit applications.
15A.03.100 Criteria for review of all project actions.
15A.03.110 Posting sites.

15A.03.010 Complete application defined.
The definition of a complete project permit application is defined in the relevant section of the zoning code, subdivision code, or, if applicable, development agreement adopted pursuant to this title. (Ord. 2000-07; Ord. 98-10, 1998)

15A.03.020 Pre-application conference.
A pre-application conference is offered to all interested potential applicants. Applicants are encouraged but not required to request this conference except in the case of a Cluster Platting and Conservation Platting, Planned Unit Development, master planned resort, conditional use permit, shoreline permit, rezone and any preliminary plat over nine (9) lots where a pre-application conference is required.

1. Prior to formal submittal of a project permit application, one or more optional conferences with appropriate county department representatives and other public agency representatives may be requested by the applicant. The date, time and place of such conferences shall be at the mutual agreement of the participants.
2. Such conferences are intended as informal discussion and review of possible applications to assist the possible applicant in discovery of appropriate county regulations, standards, application formats and review processes that would be required of a project.
3. Such conferences are not publicized and the public is not permitted to attend in order that a potential applicant's interests be protected. ((Ord. 2013-001, 2013; Ord. 2011-013, 2011; Ord. 2010-014 , 2010; Ord. 2007-22, 2007; Ord. 2007-22, 2007; Ord. 2000-07; Ord. 98-10, 1998)

15A.03.030 Application and accompanying data.
1. Written application for the approval of the following project activities: zoning variance; zoning conditional use; short plat, long plat or subdivision; shorelines substantial development/conditional use, master planned resort; and site-specific rezone shall be filed in complete form in the Community Development Services office upon forms prescribed for that purpose by the administrator.
2. The written application shall be accompanied by a site plan showing the dimensions and arrangement of the proposed development or changes including all proposed land uses and structures; points of access, roads and parking areas; septic tank and drainfield and replacement areas; areas to be cut or filled; and natural features such as contours, streams, gullies, cliffs, etc. The administrator may require other drawings, topographic surveys, photographs, or other material essential to an understanding of the proposed use and its relationship to the surrounding properties.
3. Applications for project permits shall be signed by the owner(s) of the property.
4. Appropriate fee(s) paid in full. (Ord. 2010-014 , 2010; Ord. 2007-22, 2007; Ord. 2000-07; Ord. 98-10, 1998)

15A.03.040 Determination of complete application.
1. Within 28 days after receiving a project permit application, the local permitting agency shall mail or provide in person a written determination to the applicant, stating either:
   a. That the application is complete; or
   b. That the application is incomplete and what is necessary to make the application complete. An incomplete application shall expire after 180 calendar days unless the requested supplemental information is submitted in complete form.
2. To the extent known by the permitting agency, the permitting agency shall identify other agencies of local, state or federal governments that may have jurisdiction over some aspect of the application.
3. A project permit application is complete for the purposes of this title when it meets the procedural submission requirements of Kittitas County and is sufficient for continued processing even though additional information may be required or project modifications may be undertaken subsequently. The determination of completeness shall not preclude Kittitas County from requesting additional information or studies either at the time of the notice of completeness or subsequently if new information is required or substantial changes in the proposed action occur.
4. Within 14 days after an applicant has submitted to the permitting agency additional information identified by the permitting agency as being necessary for a complete application, the permitting agency shall notify the applicant whether the application is complete or what additional information is necessary. In determining the number of days that have elapsed after Kittitas County has notified the applicant that the application is complete, the following periods shall be excluded:
   a. i. Any period during which the applicant has been requested by Kittitas County to correct plans, perform required studies, or provide additional required information. The period shall be calculated from the date Kittitas County notifies the applicant of the need for the additional information until the earlier of the date Kittitas County determined whether the additional information satisfies the request for information or 14 days after the date the information has been provided to Kittitas County.
      ii. If Kittitas County determines that the additional information submitted by the applicant is insufficient, it shall notify the applicant of the continued deficiencies and the procedures under subsection (D)(1)(a) of this section shall apply as if a new request for studies has been made.
   b. Any period during which an environmental impact statement is being prepared following a determination of significance pursuant to Chapter 43.21C RCW, if Kittitas County and the applicant in writing agree to a time period for completion of an environmental impact statement.
   c. Any period of administrative appeals of project permits, if an open record hearing or a closed record appeal, or both, are allowed. The time period to consider and decide such appeals shall not exceed:
      i. Ninety days for an open record appeal hearing;
      ii. Sixty days for a closed record appeal; and
      iii. The parties to an appeal may agree to extend these time periods.
   d. Any extension of time mutually agreed upon by the applicant and Kittitas County.
   e. These time limits do not apply to a project permit application, if the project:
      i. Requires an amendment to the comprehensive plan or a development regulation;

ii. Requires approval of a new fully contained community as provided in RCW 36.70A.350, a master planned resort as provided in RCW 36.70A.360, or the siting of an essential public facility as provided in RCW 36.70A.200;
iii. Is substantially revised by the applicant, in which case the time period shall start from the date at which the revised project application is determined to be complete.

f. If Kittitas County is unable to issue its final decision within the time limits provided, it shall provide written notice of this fact to the applicant. The notice shall include a statement of reasons why the time limits have not been met and an estimated date of issuance of the notice of final decision.
g. Applications shall be void if they remain incomplete for more than 180 days.
h. This section shall apply to project permit applications filed on or after the date of adoption of this title. (Ord. 2000-07; Ord. 9810, 1998)

15A.03.045 Permit processing time.

1. Once an application has been deemed complete, the Director may request the applicant to submit additional corrections, studies or other information on the proposed project. The Director shall set a reasonable deadline for the submittal of corrections, studies or other information when requested, and shall provide written notification of such requests to the applicant.
2. Failure by the applicant to meet such deadline shall be cause for the application to be void. However, an extension of such deadline may be requested by an applicant if the request is made prior to the expiration of the deadline. Extension requests shall be submitted in writing, include a justification of why an extension is warranted, and include an extension fee, to be determined through resolution.
3. When considering a request for a deadline extension, the Director shall give consideration to the code provisions to which the project is vested, if any. In order to assure equity in permit processing between past, current, and future applicants, deadline extensions shall be limited to one extension after code provisions affecting the project have changed. Once code provisions have changed as to make the vested code substantially different than current code, a requested deadline extension of up to six months may be granted, but it shall be the final extension granted. The Director shall determine whether code changes have created substantially different regulations.
4. The Director shall provide a written, mailed response to the applicant with its decision on each extension request. (Ord. 2013-001, 2013; Ord. 2010-014 , 2010)

15A.03.050 Fee schedule.

The fees for such application processes related to this title shall be established annually by resolution and may be obtained from the Community Development Services department. Fees shall be payable to Kittitas County and shall not be refundable in any case. (Ord. 2007-22, 2007; Ord. 2000-07; Ord. 98-10, 1998)

15A.03.060 Notice of application.

Kittitas County shall provide a notice of application to the public and the departments and agencies with jurisdiction. If Kittitas County has made a SEPA determination of significance under Chapter 43.21C RCW concurrently with the notice of application, the notice of application shall be combined with the determination of significance and scoping notice. Nothing in this subsection prevents a determination of significance and scoping notice from being issued prior to a notice of application.

1. The notice of application shall be provided within 14 days after the determination of completeness in the following method:
   a. Publishing notice, including at least the project location in other than a legal description, brief description of project, type of permit(s) required, comment period dates, and location where the complete application may be reviewed in the newspaper of general circulation in the general area where the proposal is located or in a local land use newsletter published by Kittitas County. Additional legal notice may be published for development applications located in the upper county in newspapers published at least weekly, in addition to the legal publishing requirement in the official county paper of record.
   b. Notifying public or private groups with known interest in a certain proposal or in the type of proposal being considered.
   c. Mailing to adjacent landowners. Adjacent landowners are the owners of real property, as shown by the records of the county assessor, located within 500 feet of any portion of the boundary of the proposal's tax parcel or lot of record (real property). If the owner of the real property which is proposed for activity owns another parcel or parcels of real property which lie adjacent to the real property proposed for activity, notice shall be given to owners of real property located within 500 feet of any portion of the boundaries of such adjacently located parcels of real property owned by the owner of the real property proposed for activity.
   d. Notifying the news media.
   e. Posting notice via the Kittitas County Website.
   f. Posting the site as outlined in KCC 15A.03.110.
2. The notice of application shall include the following:
   a. The date of initial application, the date of the notice of completion for the application, and the date of the notice of application.
   b. A description of the proposed project action and a list of the project permits included in the application and, if applicable, a list of any additional studies requested to complete the application.
   c. The identification of other permits not included in the application to the extent known by Kittitas County.
   d. The identification of existing environmental documents that evaluate the proposed project.
   e. The location where the application and any studies can be reviewed.
   f. A statement of the public comment period, which shall be not less than 14 nor more than 30 days following the date of the notice of application. This comment period shall be pursuant to Table A at the end of this title.
   g. Statement of the right of any person to comment on the application, receive notice of and participate in any hearings, request a copy of the decision once made, and any appeal rights.
   h. Kittitas County will accept public comments at any time prior to the closing of the public comment period of the specific application.
   i. The date, time, place and type of hearing, if applicable and scheduled at the date of notice of the application.
   j. A statement of the preliminary determination, if one has been made at the time of notice, of those development regulations that will be used for project mitigation and of consistency.
   k. Identify the designated permit coordinator.
   l. Any other information determined appropriate by Kittitas County.
3. If the administrator has a reasonable basis for determining significant adverse environmental impacts are unlikely (pursuant to Chapter 15.04 KCC, SEPA Regulations) for a proposal, the notice of application comment period will suffice for purposes of compliance with Chapter 197-11 WAC, and a second comment period after issuance of the SEPA threshold determination will not be required; provided, the notice of application includes the following:
   a. A statement indicating that the county expects to issue a DNS for the proposal; and
   b. A statement indicating that the optional DNS process is being used, and that this may be the only opportunity to comment on the environmental impacts of the proposal; and
   c. A statement indicating that the proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an EIS is prepared; and
   d. A statement indicating that a copy of the subsequent threshold determination for the specific proposal may be obtained upon request.
4. A notice of application shall not be required for project permits that are categorically exempt under Chapter 43.21C RCW (SEPA), unless a public comment period is required or for projects identified in KCC 15A.03.080, Projects exempt from the provisions of notice of application. (Ord. 2007-22, 2007; Ord. 2000-07; Ord. 98-10, 1998)

15A.03.070 Specific procedures for permit review.

The specific procedures for individual permit applications and independent administrative actions, including public comment period, public hearing, decision-making body, and appeals, are established pursuant to Table A at the end of this title. (Ord. 2000-07; Ord. 98-10, 1998)

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

The following project proposals and land use actions shall be exempt from the provisions of notification when not associated with a larger, overall project. These projects allow an abbreviated application format and do not involve public review or hearing unless appeal to an administrative determination involving the underlying project is properly filed:

1. An act of subdivision not required to be accomplished by long plat, large lot subdivision or short plat;
2. Land use activity permitted without benefit of conditional use approval (administrative or quasi-judicial), as listed in KCC Title 17, Zoning;
3. Minor amendments or modifications to approved developments or permits. Minor amendments are those which may affect the precise dimensions or locations of buildings, accessory structures and driveways, but do not affect the overall project character, increase the number of lots, dwelling units, or density, or decrease the quality or amount of

open space;
4. Building and associated construction permits, including but not limited to mechanical, plumbing, tank and manufactured home placement, etc.;
5. Sign permit;
6. Flood development permit;
7. Critical areas binding determination;
8. Septic and associated health permits, including vault privy, pool and food handler, etc.;
9. Well and/or community water system permit;
10. Approval to access onto county road;
11. Acts of right-of-way vacation;
12. Miscellaneous county actions related to use of public areas or facilities; and
13. Those actions categorically exempt from SEPA review, pursuant to Chapter 15.04 KCC, except as may be required by KCC 15A.03.060(D). (Ord. 2007-22, 2007; Ord. 2000-07; Ord. 98-10, 1998)

15A.03.090 Review actions on project permit applications.
Project review shall include the following steps:

1. A notice of determination of completeness to the applicant.
2. A notice of application to the public and agencies with jurisdiction.
3. No more than one consolidated open record hearing and no more than one closed record appeal.
4. Provisions may be allowed by the local jurisdiction for any public meeting or required open record hearing that may be held on the project by another local, state, regional, federal, or other agency, in accordance with provisions of Chapter 36.70B RCW.
5. A single report by a representative of the administrator, stating all the decisions made as of the date of the report on all project permits included in the consolidated permit process. The report shall state any mitigation required or proposed under the development regulations or the agency's authority under RCW 43.21C.060 . The report may be the local permit. If a threshold determination other than a determination of significance has not been issued by Kittitas County, the report shall include or append this determination.
6. A notice of decision.
7. Except as otherwise provided for in this title, Kittitas County shall issue its notice of final decision on a project permit application within 120 days after Kittitas County notifies the applicant that the application is complete. (Ord. 2000-07; Ord. 98-10, 1998)

15A.03.100 Criteria for review of all project actions.
Project review should start from the fundamental land use planning choices made in local comprehensive plans and regulations, include review of consistency and land use impacts.

1. Applicable comprehensive plans and regulations that identify the type of land use for the site, specify density, and identify and provide for funding of public facilities needed to serve the proposed development and site should be the standard for project review. Consistency should be determined in the project review process by considering four factors found in applicable plans or regulations:
   a. The type of land use permitted at the site, including uses that may be allowed under certain circumstances, such as planned unit developments and conditional uses, if the criteria for their approval have been satisfied;
   b. The level of development allowed, such as units per acre or other measures of density;
   c. Infrastructure, such as the adequacy of public facilities and services identified in the comprehensive plan, to serve the proposed project; and
   d. The character of the proposed development, such as compliance with specific development standards.
2. In determining consistency, the determinations made pursuant to this title shall be controlling.
3. Project review should not require additional studies or mitigation under Chapter 43.21C RCW (SEPA) where existing regulations have adequately addressed a proposed project's probable specific adverse environmental impacts.
4. Supplemental authority as specified by Chapter 43.21C RCW should be used to the extent that existing requirements do not adequately address a project's specific probable adverse environmental impacts.
5. Nothing in this title limits the authority of a permitting agency to approve, condition, or deny a project as provided in its development regulations adopted under Kittitas County comprehensive plan and development regulations and its policies adopted under RCW 43.21C.060. Project review shall be used to identify specific project design and conditions relating to the character of the development, such as details of site plans, curb cuts, drainage swales, transportation demand management, or other measures to mitigate a proposal's probable adverse environmental impacts, if applicable.
6. Consistency between the proposed project and applicable regulations or plan should be determined through a project review process that integrates land use and environmental impact analysis, so that governmental and public review of the proposed project, involving development regulations under Chapter 36.70A RCW, and environmental process under Chapter 43.21C RCW run concurrently and not separately.
7. During project review, Kittitas County or any subsequent reviewing body shall not reexamine alternatives to or hear appeals on the items identified in such Kittitas County comprehensive plan and development regulation standards, except for issues of code interpretation.
8. When holding a hearing on a project permit application, the hearing body should utilize the following issues outlined as a review guide: earth, air, water (including irrigation water and its conveyances), plants, animals, energy and natural resources, environmental health, land and shoreline use, housing, aesthetics, light and glare, recreation, historic and cultural preservation, transportation, public services, and utilities. (Ord. 2000-07; Ord. 9810, 1998)

15A.03.110 Posting site.

1. These provisions shall apply to all development applications, except for development applications processed administratively.
2. The applicant shall post the subject property with signs as required by Community Development Services.
3. Signs shall be posted on each road frontage on the subject property and shall be clearly visible and accessible.
4. Signs shall be posted and on-site prior to issuance of a Notice of Application.
5. The sign shall be a minimum 2 feet by 3 feet and laminated and posted in a sturdy manner to remain on-site until fifteen days after the expiration of the notice of decision appeal period. It shall be the responsibility of the applicant to properly dispose of the sign.
6. At the time of development application, Community Development Services will identify the number of signs needed and the general location of each sign on the subject property.
7. It shall be the responsibility of the applicant to place the structure in which the sign will be posted on-site. At such time the structure and sign is in place, the applicant shall contact Community Development Services. (Ord. 2007-22, 2007)

Chapter 15A.04
INTEGRATION OF SEPA AND APPEALS OF SEPA ACTIONS

Sections
15A.04.010 SEPA integration.
15A.04.020 Appeal of SEPA actions.
15A.04.030 Notice of SEPA actions.

15A.04.010 SEPA integration.
The State Environmental Policy Act is not intended to create a cause of action unrelated to a specific governmental action. Kittitas County shall integrate the permit procedures in this title with environmental review under Chapter 43.21C RCW (SEPA) and Chapter 15.04 KCC as follows.

1. Existing plans, regulations, rules or laws that provide environmental analysis and measures that avoid or otherwise mitigate the probable specific adverse environmental impacts of proposed projects should be integrated with, and should not be duplicated by, environmental review under Chapter 43.21C RCW and Chapter 15.04 KCC.
2. Through an integrated project review process:
   a. If the applicable regulations require studies that adequately analyze all of the project's specific probable adverse environmental impacts, additional studies under SEPA will not be necessary on those impacts;
   b. If the applicable regulations require measures that adequately address such environmental impacts, additional measures would likewise not be required under SEPA; and
   c. If the applicable regulations do not adequately analyze or address a proposal's specific probable adverse environmental impacts, additional review will be required.
3. In deciding whether a specific adverse environmental impact has been addressed by an existing rule or law of another agency with jurisdiction with environmental expertise with regard to a specific environmental impact, Kittitas County shall consult orally or in writing with that agency. In making this deferral, Kittitas County shall base or condition its project approval on compliance with these other existing rules or laws.
4. Nothing in this title limits the authority of an agency in its review or mitigation of a project to adopt or otherwise rely on environmental analyses and requirements under other laws.
5. Except for a determination of significance, the administrator may not issue his/her threshold determination under SEPA, or issue a decision or a recommendation on a project permit until the expiration of the public comment period on the notice of application, except for categorical exemptions.
6. Nonsignificant threshold determinations shall be included with or appended to the single report of decision or recommendation.
7. An environmental impact statement (EIS) shall be prepared on proposals for legislation and other major actions having a probable significant, adverse environmental impact. The EIS may be combined with the recommendation or report on the proposal or issued as a separate document. The substantive decisions or recommendations shall be clearly identified in the combined document. (Ord. 2000-07; Ord. 98-10, 1998)

15A.04.020 Appeal of SEPA actions.

1. Appeals shall be of the governmental action together with its accompanying environmental determinations. Kittitas County shall consolidate an appeal of procedural issues made under Chapter 43.21C RCW and Chapter 15.04 KCC (such as a decision to require particular mitigation measures or to deny a proposal) with a hearing or appeal on the underlying governmental action by providing for a single simultaneous hearing before one hearing body to consider the agency decision on a proposal and any environmental determinations made, with the exception of the appeal, if any, of a threshold determination of significance.
2. Appeals of environmental determinations made or lacking under Chapter 43.21C RCW or Chapter 15.04 KCC shall be commenced within 10 working days to the Kittitas County board of commissioners, with appropriate administrative fee. Such appeals shall be filed pursuant to Chapter 15A.07 KCC. The agency shall give official notice stating the date and place for commencing an appeal. If there is no time period for appealing the underlying governmental action, and a notice of action under RCW 43.21C.080 is used, appeals shall be commenced within the time period specified by RCW 43.21C.080.
3. Appeals on SEPA procedures shall be limited to review of a final threshold determination and final EIS. These appeals may occur prior to an agency's final decision on a proposed action. Appeal of the intermediate steps under SEPA (e.g., lead agency determination, scoping, draft EIS adequacy) shall not be allowed.
4. Kittitas County shall provide for only one administrative appeal of a threshold determination or of the adequacy of an EIS. Successive administrative appeals on these issues shall not be allowed. (Ord. 2000-07; Ord. 9810, 1998)

15A.04.030 Notice of SEPA actions.

1. Notice of any SEPA action taken by a governmental agency may be publicized by the acting governmental agency in substantially the form as set forth in rules adopted under RCW 43.21C.110:
   a. By publishing notice on the same day of each week for two consecutive weeks in a legal newspaper of record;
   b. By filing notice with the Department of Ecology at its main office in Olympia prior to the date of the last newspaper publication; and
   c. Mailing notice to all parties on the notice of application listing, as defined in Chapter 15A.03 KCC.
2. Except as otherwise provided in RCW 43.21C.075(5)(a), any action to set aside, enjoin, review, or otherwise challenge any such governmental action or subsequent governmental action for which notice is given as provided in subsection A of this section on grounds of noncompliance with the provisions of this title and other laws shall be commenced within 21 days from the date of last newspaper publication of the notice pursuant to subsection A of this section, or be barred. (Ord. 2000 07; Ord. 98-10, 1998)

Chapter 15A.05
HEARINGS

Sections

15A.05.010 Hearings.
15A.05.020 Procedures for hearings.

15A.05.010 Hearings.

Kittitas County shall hold a public hearing on each application for a project permit if one is so required.

1. Upon the filing of an application for a development activity as set forth in this title and other laws, the administrator shall, in consultation with the appropriate hearing body chair, set the time and place for a public hearing if one is so required on such a matter, and written notice thereof shall be sent through the United States mail to all parties on the notice of application listing, as defined in Chapter 15A.03 KCC.
2. Kittitas County may combine any hearings on a project permit with any hearings that may be held by another local, state, regional, federal, or other agency; provided, that the hearing is held within the geographic boundary of the local government. Hearings shall be combined if requested by an applicant, as long as the joint hearing can be held within required time periods or the applicant agrees to the schedule in the event that additional time is needed in order to combine the hearings. All agencies of the state of Washington, including municipal corporations and counties participating in a combined hearing shall issue joint hearing notices and develop a joint format, select a mutually acceptable hearing body or officer, and take such other actions as may be necessary to hold joint hearings consistent with each of their respective statutory obligations. Each government entity shall render their respective decision according to their statutory obligations. (Ord. 2000-07; Ord. 9810, 1998)

15A.05.020 Procedures for hearings.

Public hearings shall be conducted in accordance with the hearing body's rules of procedure and shall serve to create or supplement an evidentiary record upon which the body will base its decision. The chair shall open the public hearing and, in general, observe the following sequence of events:

1. Staff presentation, including submittal of any administrative reports. Members of the hearing body may ask questions of the staff.
2. Applicant presentation, including submittal of any materials. Members of the hearing body may ask questions of the applicant.
3. Testimony or comments by the public germane to the matter. Questions directed to the staff or the applicant shall be posed by the chair at its discretion.
4. Rebuttal, response or clarifying statements by the staff and the applicant.
5. The evidentiary portion of the public hearing shall be closed and the hearing body shall deliberate on the matter before it. (Ord. 2000-07; Ord. 98-10, 1998)

Chapter 15A.06
NOTICE OF DECISION

Sections

15A.06.010 Notice of decision issuance.
15A.06.020 Order to include finding of fact.

15A.06.010 Notice of decision issuance.

A notice of decision shall be provided that includes a statement of any threshold determination made under Chapter 43.21C RCW (SEPA) and the procedures for administrative

appeal, if any. The notice of decision may be a copy of the report or decision on the project permit application. For projects requiring Hearing Examiner or Planning Commission review and Board of County Commissioner approval, the notice shall be the signed ordinance or resolution.

1. Kittitas County shall provide notice of decision in the same manner as the notice of application.
2. The notice of decision shall be provided to the following persons:
   a. The applicant;
   b. Any person who, prior to the rendering of the decision, specifically requested notice of the decision;
   c. Any person who, prior to the rendering of the decision, submitted substantive comments on the application. (Ord. 2007-37, 2007; Ord. 2000-07; Ord. 98-10, 1998)

15A.06.020 Order to include finding of fact.
Kittitas County shall, in making an order, requirement, decision or determination, include in a written record of the case the findings of fact upon which the action is based. (Ord. 2000-07; Ord. 98-10, 1998)

Chapter 15A.07
ADMINISTRATIVE DECISIONS APPEALS

Sections
15A.07.010 Appeal of determination or decision.
15A.07.020 Procedures for Administrative appeals.
15A.07.030 Repealed.
15A.07.040 Remand.
15A.07.050 Appeal of decision - Scope of authority.

15A.07.010 Appeal of determination or decision.
1. An appeal of an administrative land use decision shall be filed with the board of county commissioners within 10 working days of the date of the decision.
2. Appeals shall contain a written, concise statement identifying:
   a. The decision being appealed;
   b. The name and address of the appellant and his interest(s) in the matter;
   c. The specific reasons why the appellant believes the decision to be wrong. The appellant shall bear the burden of proving the decision was wrong;
   d. The desired outcome or changes to the decision;
   e. The appeals fee.
   The appeal shall contain only the above listed material, and shall not contain or attempt to introduce new evidence, testimony, or declaration.
3. Upon the filing of a timely appeal, the administrator shall, in consultation with the appropriate hearing body chair pursuant to KCC 15A.01.040, set the time and place at which the matter will be considered and establish a briefing schedule for the parties. The appellant's brief shall be due 30 days prior to the hearing date. Briefing from the County and any other Respondents shall be due 10 working days prior to the hearing date. There shall be no response or rebuttal briefing by any party. The officer from whom the appeal is being taken shall forthwith transmit to the reviewing body and the parties all of the records pertaining to the decision being appealed. Briefing shall be limited to legal argument based upon the documents comprising the record that formed the basis for the administrative decision on appeal that have been transmitted to the parties by said officer. (Ord. 2010-008 ; Ord. 2000-07; Ord. 98-10, 1998)

15A.07.020 Procedures for Administrative appeals.
1. Administrative appeals shall serve to provide argument and guidance for the body's decision. No new evidence or testimony shall be given or received. The briefing shall not contain new evidence, testimony, or declarations, but shall consist only of legal arguments based upon the documents comprising the record as transmitted to the parties by the relevant officer. The parties to the appeal shall submit timely written statements or arguments to the decision-making body.
2. The hearing body shall deliberate on the matter in public in the manner of a closed record hearing and reach its decision on the appealed matter.
3. A written decision by the hearing body shall be issued within 30 days of the close of the Administrative Hearing. (Ord. 2010-008 ; Ord. 2000-07; Ord. 98-10, 1998)

15A.07.030 Repealed. (Ord. 2010-008 ; Ord. 2000-07; Ord. 98-10, 1998)

15A.07.040 Remand.
In the event the reviewing body determines that the public hearing record or record on appeal is insufficient or otherwise flawed, that body may remand back to the hearing body to correct the deficiencies. The reviewing body shall specify the items or issues to be considered and the time frame for completing the additional work. (Ord. 2000-07; Ord. 98-10, 1998)

15A.07.050 Appeal of decision - Scope of authority.
In exercising the power granted herein, the reviewing body may, in conformity with county code, reverse or affirm, wholly or in part, or may modify the order, requirement, decision or determination appealed from, and may make such order, requirement, decision or determination as should be made and, to that end, shall have all the powers of the officer from whom the appeal is taken, insofar as the decision on the particular issue is concerned. (Ord. 2000-07; Ord. 98-10, 1998)

Chapter 15A.08
JUDICIAL APPEAL

Sections
15A.08.010 Judicial appeal.

15A.08.010 Judicial appeal.
1. Proceedings for review shall be commenced by filing a land use petition in superior court. This process shall be the exclusive means of judicial review of land use decisions, except for:
   a. Land use decisions of a local jurisdiction that are subject to review by a quasi-judicial body created by state law, such as the Shorelines Hearings Board or the Growth Management Hearings Board;
   b. Judicial review of applications for a writ of mandamus or prohibition; or
   c. Claims provided by any law for monetary damages or compensation.
2. The land use petition is timely if it is filed and served on all required parties within 21 days of the issuance of the land use decision pursuant to Chapter 36.70C RCW.
3. For the purposes of this section, the date on which a land use decision is issued is:
   a. Three days after a written decision is mailed by the local jurisdiction or, if not mailed, the date on which the local jurisdiction provides notice that a written decision is publicly available;
   b. If the land use decision is made by ordinance or resolution by a legislative body sitting in a quasi-judicial capacity, the date the body passes the ordinance or resolution; or
   c. If neither subsection (C)(1) nor (C)(2) applies, the date the decision is entered into the public record.
4. Standing to bring a land use petition is limited to the following persons:
   a. The applicant and the owner of property to which the land use decision is directed;
   b. Another person aggrieved or adversely affected by the land use decision, or who would be aggrieved or adversely affected by a reversal or modification of the land use decision. A person is aggrieved or adversely affected only when all of the following conditions are present:
      i. The land use decision has prejudiced or is likely to prejudice that person;

ii. That person's asserted interests are among those that the local jurisdiction was required to consider when it made the land use decision;
iii. A judgment in favor of that person would substantially eliminate or redress the prejudice to that person caused or likely to be caused by the land use decision; and
iv. The petitioner has exhausted his or her administrative remedies to the extent required by law. (Ord. 2000-07; Ord. 98-10, 1998)

Chapter 15A.09
PLANNED ACTIONS

Sections

15A.09.010 Planned actions.
15A.09.020 SEPA integration with planned actions.

15A.09.010 Planned actions.

1. For the purposes of this chapter, a planned action means one or more types of project actions that:
   a. Are designated planned actions by an ordinance or resolution adopted by Kittitas County under RCW 36.70A.040;
   b. Have had the significant impacts adequately addressed in an environmental impact statement prepared in conjunction with a comprehensive plan or subarea plan adopted under Chapter 36.70A RCW, or a fully contained community, a master planned resort, a master planned development, or a phased project;
   c. Are subsequent or implementing projects for the proposals listed in subsection (A)(1) or (A)(2) of this section;
   d. Are located within an urban growth area, as defined in RCW 36.70A.030;
   e. Are not essential public facilities as defined in RCW 36.70A.200; and
   f. Are consistent with a comprehensive plan adopted under Chapter 36.70A RCW.
2. Kittitas County shall limit planned actions to certain types of development or to specific geographical areas that are less extensive than the jurisdictional boundaries of the county and may limit a planned action to a time period identified in the environmental impact statement or the ordinance or resolution. (Ord. 2000-07; Ord. 98-10, 1998)

15A.09.020 SEPA integration with planned actions.

A planned action does not require a threshold determination under Chapter 43.21C RCW and Chapter 15.04 KCC, or the preparation of an environmental impact statement, but is subject to environmental review and mitigation. (Ord. 2000-07; Ord. 98-10, 1998)

Chapter 15A.10
AMENDMENTS

Sections

15A.10.010 Continual evaluation.
15A.10.020 Review procedure.
15A.10.030 Deficiencies during project permit review.
15A.10.040 Public participation program for amendments.

15A.10.010 Continual evaluation.

The Kittitas County comprehensive plan, elements thereof, and development regulations shall be subject to continuing evaluation and review by Kittitas County. (Ord. 2000-07; Ord. 98-10, 1998)

15A.10.020 Review procedure.

Nonproject legislative actions, including but not limited to the adoption and amendment of the comprehensive plan and development regulations, are exempt from the procedural requirements of this title. The procedures for nonproject legislative actions are provided for in KCC Title 15B. (Ord. 2000-07; Ord. 98-10, 1998)

15A.10.030 Deficiencies during project permit review.

If, during project permit review, Kittitas County identifies deficiencies in county plans or regulations, the project permit review shall continue, and the identified deficiencies shall be docketed for possible future amendments pursuant to KCC Title 15B. For purposes of this section, a deficiency in a comprehensive plan or development regulation refers to the absence of required or potentially desirable contents of a comprehensive plan or development regulation. It does not refer to whether a development regulation addresses a project's probable specific adverse environmental impacts which the permitting agency could mitigate in the normal project review process. (Ord. 2000-07; Ord. 98-10, 1998)

15A.10.040 Public participation program for amendments.

Any interested person, including applicants, citizens, county commission and board members, and staff of other agencies may suggest plan or development regulation amendments. The suggested amendments shall be docketed with the Community Development Services department and considered by Kittitas County planning commission and board of county commissioners on at least an annual basis pursuant to KCC Title 15B, consistent with the provisions of RCW 36.70A.130. (Ord. 2007-22, 2007; Ord. 2000-07; Ord. 98-10, 1998)

Chapter 15A.11
DEVELOPMENT AGREEMENTS

Sections

15A.11.010 Development agreements.
15A.11.020 General requirements.
15A.11.030 Request for development agreement.
15A.11.040 Effect.
15A.11.050 Recording parties and successors bound.
15A.11.060 Public hearing.
15A.11.070

15A.11.010 Development agreements.

Kittitas County may enter into development agreements pursuant to RCW 36.70B.170 through 36.70B.210. A decision to enter into a development agreement shall be made on a case-by-case basis. A development agreement may be appropriate for large, complex or phased projects, or projects which were not contemplated by existing development regulations or existing application procedures. A development agreement may include provisions which are different or in addition to other county development regulations, as long as impacts are mitigated. (Ord. 2000-07; Ord. 9810, 1998)

15A.11.020 General requirements.

1. Kittitas County may enter into a development agreement with a person having ownership or control of real property within the county's jurisdiction.
2. A development agreement must set forth the development standards and other provisions that shall apply to and govern and vest the development, use and mitigation of the development of the real property for the duration specified in the agreement.
3. A development agreement shall be consistent with applicable county development regulations, except as such development regulations have been modified by the development standards contained in the agreement.
4. A development agreement does not affect the validity of a contract rezone, concomitant agreement, annexation agreement, or other agreement in existence on July 23, 1995,

or adopted under separate authority, that includes some or all of the development standards provided in subsection E of this section.

5. For purposes of this chapter, "development standards" include, but are not limited to:
   a. Project elements such as permitted uses, residential densities, and nonresidential densities and intensities or building sizes;
   b. Mitigation measures, development conditions, and other requirements under Chapter 43.21C RCW;
   c. Design standards such as maximum heights, setbacks, drainage and water quality requirements, landscaping, and other development features;
   d. Road and sidewalk standards;
   e. Affordable housing;
   f. Water, sewer, storm drainage and other infrastructure requirements;
   g. Parks and open space preservation;
   h. Phasing;
   i. Development review processes, procedures and standards for implementing decisions, including methods of reimbursement to the county for review processes;
   j. A build-out or vesting period for applicable development standards;
   k. Process for amending the development agreement; and
   l. Any other appropriate development requirement or procedure.
6. A development agreement may obligate a party to fund or provide services, infrastructure, or other facilities. Project applicants and local governments may include provisions and agreements whereby applicants are reimbursed over time for financing public facilities. A development agreement shall reserve authority to impose new or different regulations to the extent required by a serious threat to public health and safety. (Ord. 2000-07; Ord. 98-10, 1998)

15A.11.030 Request for development agreement.
A project applicant may submit a request for a development agreement to Kittitas County. The request should describe the project and the specific reasons why the project is suitable for a development agreement. The request should identify the development standards set forth in KCC 15A.11.020(E) that the applicant is requesting be included in the development agreement and any other reasonable information requested by the county. The request shall be filed with the planning office upon forms prescribed for that purpose by the administrator. The fee for such request shall be established pursuant to KCC 15A.03.050. (Ord. 2000-07; Ord. 98-10, 1998)

15A.11.040 Effect.
Unless amended or terminated, a development agreement is enforceable during its term by a party to the agreement. A development agreement and the development standards in the agreement govern during the term of the agreement, or for all or that part of the built-out period specified in the agreement, and may not be subject to an amendment to a zoning ordinance or development standard or regulation adopted after the effective date of the agreement. A permit or approval issued by Kittitas County after the execution of the development agreement must be consistent with the development agreement. (Ord. 2000-07; Ord. 98-10, 1998)

15A.11.050 Recording parties and successors bound.
A development agreement affecting property in Kittitas County shall be recorded with the real property documents of Kittitas County. During the term of the development agreement, the agreement is binding on the parties, their successors and assigns, including any city that assumes jurisdiction through incorporation or annexation of the area covering the property subject to the development agreement. (Ord. 2000-07; Ord. 98-10, 1998)

15A.11.060 Public hearing.
The county shall only approve a development agreement by ordinance or resolution after a public hearing. The county legislative body, or other body designated by the legislative body to conduct the public hearing, may conduct the hearing. If the development agreement relates to a project permit application, the provisions of Chapter 36.70C RCW shall apply to the appeal of the decision on the development agreement. (Ord. 2000-07; Ord. 98-10, 1998)

15A.11.070
Nothing in RCW 36.70B.170 through 36.70B.200 and Section 501, Ch. 374, Laws of 1995, or this chapter is intended to authorize the county to impose impact fees, inspection fees, or dedications or to require any other financial contributions or mitigation measures except as expressly authorized by other applicable provisions of state law. (Ord. 2000-07; Ord. 98-10, 1998)

Chapter 15A.12
COORDINATION WITH STATE PERMITTING

Sections
15A.12.010 State permit coordination.

15A.12.010 State permit coordination.
Kittitas County may enter into coordinated permitting process with state and local permitting agencies pursuant to Chapter 90.60 RCW upon a case-by-case basis. Such decision to enter into a coordinated permitting process with other state and local agencies shall be made by the administrator on a case-by-case basis. (Ord. 2000-07; Ord. 98-10, 1998)

Chapter 15A.13
SITE PLAN REVIEW

Sections
15A.13.010 Purpose.
15A.13.020 Applicability.
15A.13.030 Procedures.
15A.13.040 Criteria for approval.
15A.13.050 Amendments to approved site plans.
15A.13.060 Appeals of site plan determinations.

15A.13.010 Purpose.
Site plan review is an evaluation of development plans to identify compliance with applicable regulations, requirements and standards; to ensure that the proposal is coordinated with known and planned development on adjacent sites and within the subarea; to determine whether roads, access, capital facilities and utilities are adequate to serve the proposed development; and to ensure that development will protect the health, safety and general welfare of County residents. (Ord. 2009-25, 2009)

15A.13.020 Applicability.
Site plan review and approval is required prior to the development, occupancy or use of any site within the area. Site plan review shall apply to all new development, redevelopment, expansion or site improvements that will change the physical conditions of a site and is required prior to issuance of building permit. Site plan review is not intended to review and determine the appropriateness of a given use on a particular site. (Ord. 2010-011 ; Ord. 2009-25, 2009)

15A.13.030 Procedures.
1. The process for review of a site plan shall be as follows:
   a. Review of proposals that are consistent with the applicable land use designation in the Comprehensive Plan and Subarea Plan, and with the applicable zoning designation shall be processed as an administrative decision and shall be determined by the Director of Community Development Services pursuant to KCC 15A.07.
   b. Review for proposals that also require preliminary subdivision approval or zoning reclassification shall be heard and decided by the Hearing Examiner, consistent with the procedures rezones specified in KCC 15A.03.

2. Site plan review may be conducted independently or concurrently with any other development approval or permit required by this title.
3. Preapplication conference. A preapplication conference between the applicant and County staff is optional but is recommended. Refer to KCC 15A.03.020.
4. Application Requirements. An application for site plan review shall include the following:
   a. Narrative description of the proposal including: (a) site size, building size, and impervious surface coverage, and amount of area devoted to open space and recreation, landscaping and parking; calculations of gross and net density (b) designations of the property in the Comprehensive Plan, Snoqualmie Subarea Plan and zoning; (c) elevations and perspective drawings of proposed structures and other proposed improvements; (d) any agreements, covenants or other provisions that affect the proposal; and (e) signatures, mailing addresses and phone numbers of all owners of record or agents of the subject property.
   b. Vicinity map, showing site boundaries and existing roads and accesses within and bounding the site;
   c. Site plans, drawn to a scale no less than one inch equals fifty feet, showing the location and size of uses, buffer and open space areas, landscaped areas, areas of disturbance outside building footprints, and any existing structures, easements and utilities;
   d. Topographic map, based on a site survey, delineating existing contours at no less that 5-foot intervals, and which locates existing streams, wetlands and other natural features;
   e. Conceptual landscape plan;
   f. Parking and circulation plan;
   g. Preliminary stormwater management plan;
   h. Preliminary utilities plan;
   i. Other reports or studies as determined applicable by the Director, including but not limited to geotechnical, critical areas, and/or traffic;
   j. SEPA environmental checklist unless the proposal is categorically exempt per KCC 15.04, Environmental Policy, or the applicant has agreed to prepare an environmental impact statement;
   k. A list of the names and addresses of property owners of record within 500 feet of the project boundaries. The Director of Community Development Services may modify these requirements based on the size, scope and complexity of the proposal.
5. Review and processing of applications for site plan review shall follow the procedures for review of other project permits as specified in KCC 15A.03. (Ord. 2010-011 ; Ord. 2009-25, 2009)

15A.13.040 Criteria for approval.
To be approved, or approved with conditions, a site plan must be consistent with the County's Comprehensive Plan and the Subarea Plan, and with all applicable development regulations, codes and other County requirements. A proposed site plan shall also satisfy the criteria of KCC 17.60B.050. (Ord. 2010-011 ; Ord. 2009-25, 2009)

15A.13.050 Amendments to approved site plans.
Proposed alterations to an approved site plan shall be processed consistent with KCC 17.36.070. (Ord. 2009-25, 2009)

15A.13.060 Appeals of site plan determinations.
Appeals of decisions on site plans shall follow the procedures of KCC 15A.07. (Ord. 2009-25, 2009)

Table A

	Step 1 Public Comment Period	Step 2 Open Record Hearing	Step 3 Decision	Step 4 Administrative Appeal	Step 5 Judicial Appeal*
Site Plan Review:	15 days	None	Staff	BOCC	Sup. Court
Zoning Variance:	15 days	None	Staff	HE	Sup. Court
Permitted Administrative Uses[5]:	15 days	None	Staff	BCC	Sup. Court
Short Plats:	15 days	None	Staff	BCC	Sup. Court
Segregations/Lot Line Adjustments:	None	None	Staff	BCC	Sup. Court
SEPA Actions: Appeals of threshold determinations:	15 days	None	Staff	HE	Sup. Court
SEPA Actions: The exercise of substantive SEPA authority and adequacy of an EIS[1]:	15 days	None	Staff	HE/BCC[2]	Sup. Court
Independent administrative rulings:	None	None	Staff	HE/BCC[3]	Sup. Court
Zoning Conditional Uses (Administrative):	15 days	None	Staff	HE	Sup. Court
Zoning Conditional Uses (Hearing):	15 days	HE	BCC	None	Sup. Court
Long Plats:	15 days	HE	BCC	None	Sup. Court
Shorelines Substantial Development/Cnd. Use:	15 days	HE	BCC	None	Shorelines Board
Shorelines Setback Variance:	15 days	HE	BCC	None	Shorelines Board
Site-Specific Rezone to Zoning Map (Including PUD)[4]:	30 days	HE	BCC	None	Sup. Court
Development Agreement:	30 days	BCC	BCC	None	Sup. Court

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

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

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

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

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

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

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

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

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

Title 15B | AMENDMENTS TO COUNTY PLANS, CODES AND STANDARDS

Chapters
15B.01 Administration, Purpose and Objective
15B.02 Definitions
15B.03 Amendments to Comprehensive Plan
15B.04 Amendments to Development Regulations

15B.05 Appeals

Chapter 15B.01
ADMINISTRATION, PURPOSE AND OBJECTIVE

Sections

15B.01.010 Purpose and authority.
15B.01.020 Applicability.
15B.01.030 Administration - Roles and responsibilities.
15B.01.050 Severability.

15B.01.010 Purpose and authority.

Nonproject legislative actions, including, but not limited to, the adoption and amendment of the comprehensive plan and development regulations, are exempt from the procedural requirements of Title 15A of this code and Chapter 36.70B RCW. Such actions often require substantial written and oral testimony as the review of such documents may involve revisions at both the advisory and legislative level, thereby necessitating multiple open record hearings. It is therefore the intent of this chapter to provide a process for the consistent and orderly facilitation for nonproject legislative actions in compliance with Chapters 36.70A and 43.21C RCW. (Ord. 98-10 (part), 1998).

15B.01.020 Applicability.

The provisions of this title shall apply to comprehensive plan and development regulation amendments under Titles 15, 16, 17, and 17A of this code. (Ord. 9810 (part), 1998).

15B.01.030 Administration - Roles and responsibilities.

It shall be the duty of the county planning director or such other persons designated by the board of county commissioners to administer the provisions of this title; however, the legislative process is a cooperative activity including many different elected and appointed boards and county staff. The specific responsibilities of these bodies is set forth below and outlined in Table B at the end of this title, Procedures for Non-Docketed Legislative Items.

1. Planning Director. The planning director is responsible for the administration of this title, and portions of Chapter 15.04, SEPA Regulations.
2. Board of County Commissioners. The board shall review and act on recommendations of the planning commission. Decision making process by the board shall consist of a public hearing or meeting wherein the board reviews the written record transmitted from the planning commission and issues a written decision in resolution or ordinance form. Additional written and/or oral testimony may be considered by the board at said public hearing or meeting.
3. Planning Commission. The planning commission shall review and make recommendations to the board of county commissioners on the following applications and subjects:
   a. Amendments pursuant to KCC 15B, Amendments to County Plans, Codes and Standards.
   b. Other actions requested or remanded by the board of county commissioners.
4. Superior Court. Hears appeals to administrative SEPA actions along with underlying legislative decision.
5. Growth Hearings Board. Hears appeals to administrative SEPA actions along with underlying legislative decision relating to growth management planning, pursuant to RCW 36.70A.280(1)(a). (Ord. 2011-013, 2011; Ord. 98-10 (part), 1998).

15B.01.050 Severability.

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

Chapter 15B.02
DEFINITIONS

Sections

15B.02.010 Generally.
15B.02.020 Person.
15B.02.030 Consistency.
15B.02.040 Open record hearing.
15B.02.050 Public meeting.

15B.02.010 Generally.

Generally. Certain terms and words used in this title are defined in the following sections. Words used in the present tense include the future; words in the singular number include the plural number; and words in the plural number include the singular number. The word "shall" is mandatory and not directory. (Ord. 98-10 (part), 1998).

15B.02.020 Person.

"Person" means an individual, partnership, corporation, association, public or private organization, or government entity or agency. (Ord. 98-10 (part), 1998).

15B.02.030 Consistency.

"Consistency" means, including but not limited to, compliance, conformity and consistency, and refers to performance in accordance with Kittitas County comprehensive plan and development regulations. (Ord. 98-10 (part), 1998).

15B.02.040 Open record hearing.

"Open record hearing" means a hearing by a single hearing body or officer, authorized by the local government to conduct such hearings, that creates the local government's record through testimony and submission of evidence and information under procedures prescribed by the local government by ordinance or resolution. (Ord. 98-10 (part), 1998).

15B.02.050 Public meeting.

"Public meeting" means an informal meeting, hearing, workshop, or other public gathering of people to obtain comments from the public or other agencies on a proposed comprehensive plan or development regulation amendment prior to the local government's decision. A public meeting may include, but is not limited to, a planning commission meeting, a board of county commissioners study session, or a scoping meeting on a draft environmental impact statement. A public meeting does not include an open record hearing. The proceedings at a public meeting may be recorded and a report or recommendation may be included in the local government's applicable legislative file. (Ord. 98-10 (part), 1998).

Chapter 15B.03
AMENDMENTS TO COMPREHENSIVE PLAN

Sections

15B.03.010 Amendments limited to annual review - Exceptions.
15B.03.020 Concurrent review except during emergencies.
15B.03.030 Docketing.
15B.03.035 Application requirements.
15B.03.040 Procedures.

15B.03.010 Amendments limited to annual review - Exceptions.
Proposed amendments or revisions of the comprehensive plan are considered by the county board of commissioners no more frequently than once a year except that amendments may be considered more frequently pursuant to Table B at the end of this title, Procedures for Non-Docketed Legislative Items:

1. The initial adoption of a subarea plan; and
2. The adoption or amendment of a shoreline master program under the procedures set forth in Chapter 90.58 RCW. (Ord. 98-10 (part), 1998).

15B.03.020 Concurrent review except during emergencies.
All proposals shall be considered by Kittitas County concurrently so the cumulative effect of the various proposals can be ascertained. However, after appropriate public participation Kittitas County may adopt amendments or revisions to its comprehensive plan whenever an emergency exists or to resolve an appeal of a comprehensive plan filed with a growth management hearings board or with the court. (Ord. 98-10 (part), 1998).

15B.03.030 Docketing.
Any interested person, including applicants, citizens, county commission and board members, and staff of other agencies may suggest plan or development regulation amendments. The suggested amendments shall be docketed with the planning department for annual consideration by the Kittitas County planning commission and board of county commissioners. For purposes of this section, docketing refers to compiling and maintaining a list of suggested changes to the comprehensive plan in the planning department in a manner that will ensure such suggested changes will be considered by Kittitas County and will be readily available for review by the public. Docketing for the calendar year shall be taken from January 1st to June 30th of each calendar year. Amendments docketed after June 30th shall be considered in the following calendar year. Amendments to the comprehensive plan docketed by June 30th shall be approved or denied by the board of county commissioners on or before December 31st of that same calendar year. (Ord. 98-10 (part), 1998).

15B.03.035 Application requirements.
Applications shall be filed on forms prescribed by the Community Development Services department. The application shall be accompanied by a SEP A checklist in conformance with the KCC 15.04 SEPA Regulations and by review fee(s) paid in full. The fee for such application shall be established annually by resolution. (Ord. 2011-013, 2011)

15B.03.040 Procedures.
Kittitas County shall maintain and provide for the following procedures, when considering amendments to the comprehensive plan, in order to facilitate public participation:

1. Broad Dissemination of Proposals and Alternatives. The docket shall be available for public review in the planning department during regular business hours. Alternatives to a proposal may be submitted by any party prior to the closing of the written testimony portion of the public hearing before the planning commission.
2. Opportunity for Written Comments. Written testimony shall be allowed from the date of docketing up to the date of closing of the public written testimony portion of the public hearing.
3. Public Meetings. Study sessions and hearings shall be held only after effective notice has been distributed.
4. Provisions for Open Discussion. Hearings shall allow for time allotments in order that all parties that wish to give oral or written testimony may do so.
5. Communication Programs and Information Services. A newsletter shall be produced for distribution to all parties that have requested to receive it by mail by the planning department that summarizes amendments docketed and projected meeting and hearing dates. Copies of proposed amendments shall be available at cost of reproduction.
6. Consideration of and Response to Public Comments. Planning commission and board of county commissioners members should review the testimony submitted in their findings.
7. Notice of Decision. Publication in the paper of record of a notice that Kittitas County has adopted the comprehensive plan or amendment thereto, and such publication shall state all petitions relating to whether or not such action is in compliance with the goals and requirements of this chapter, or Chapters 36.70A, 43.21C or 90.58 RCW must be filed within sixty days after the publication date. (Ord. 98-10 (part), 1998).

Chapter 15B.04
AMENDMENTS TO DEVELOPMENT REGULATIONS

Sections
15B.04.010 Changes consistent with comprehensive plan.
15B.04.020 Revisions limited to annual review - Exceptions.
15B.04.030 Docketing.
15B.04.035 Application requirements.
15B.04.040 Procedures.

15B.04.010 Changes consistent with comprehensive plan.
Any change to development regulations shall be consistent with and implement the comprehensive plan as adopted pursuant to Chapter 36.70A RCW. (Ord. 98-10 (part), 1998)

15B.04.020 Revisions limited to annual review - Exceptions.
Proposed amendments or revisions of development regulations shall be docketed for annual consideration by the county board of commissioners in order to review the cumulative effect of the various proposals and thereby ensure consistency. However, amendments may be considered more frequently at the discretion of the planning director; provided appropriate public participation takes place pursuant to Table B at the end of this title, Procedures for Non-Docketed Legislative Items. (Ord. 98-10 (part), 1998)

15B.04.030 Docketing.
For purposes of this section, docketing refers to compiling and maintaining a list of suggested changes to the development regulation(s) in the planning department in a manner that will ensure such suggested changes will be considered by Kittitas County and will be readily available for review by the public. Docketing for the calendar year shall be taken from January 1st to June 30th of each calendar year. Amendments docketed after June 30th shall be considered in the following calendar year. Amendments to development regulations docketed by June 30th shall be approved or denied by the board of county commissioners on or before December 31st of that same calendar year. (Ord. 98-10 (part), 1998)

15B.04.035 Application requirements.
Applications shall be filed on forms prescribed by the Community Development Services department. The application shall be accompanied by a SEPA checklist in conformance with the KCC 15.04 SEPA Regulations and by review fee(s) paid in full. The fee for such application shall be established annually by resolution. (Ord. 2011-013, 2011)

15B.04.040 Procedures.
Kittitas County shall utilize the procedures listed in Section 15B.03.040 when considering amendments to docketed development regulations in order to facilitate public participation. (Ord. 98-10 (part), 1998)

Chapter 15B.05
APPEALS

Sections
15B.05.010 Appeals.
15B.05.020 Growth management hearings board.
15B.05.030 Superior court.

15B.05.010 Appeals.
The final adoption of and/or amendments to the Kittitas County comprehensive plan or development regulations, combined with any administrative environmental determinations (e.g., final threshold determination or final EIS) issued pursuant to Chapter 15.04 of this code, may be appealed through the growth management hearings board, superior court, and/or other applicable federal or state law. (Ord. 98-10 (part), 1998).

15B.05.020 Growth management hearings board.
Proceedings for review by the growth management hearings board may be commenced by filing a petition pursuant to RCW 36.70A.290. (Ord. 98-10 (part), 1998).

15B.05.030 Superior court.
Proceedings for review by superior court may be commenced by requesting a writ of mandamus, writ of prohibition, or by filing a petition pursuant to RCW 36.70A.295. (Ord. 98-10 (part), 1998).

Table B
Procedures for Non-Docketed Legislative Items

	Open Record Hearing	SEPA Review	Public Hearing*	SEPA Review**	Admin. Appeal	Decision	Judicial/SEPA Appeal***
DR/CP Amendment	PC	Staff	BCC	Staff	None	BCC	Sup. Court/GMA Board

* May be open or closed record at the discretion of the BCC.

** Supplemental SEPA review may be required if substantial changes occur at BCC level.

*** Growth management related documents are appealed to the growth management hearings board, pursuant to RCW 36.70A.280(1)(a).

Title 16 | SUBDIVISIONS*

Chapters
16.04 General Provisions
16.05 Binding Site Plans
16.06 Administrative Segregations
16.08 Definitions
16.09 Cluster Platting and Conservation Platting
16.12 Preliminary Plats
16.18 Irrigation and Sprinkling
16.20 Final Plats
16.24 Survey Data - Dedications
16.28 Development of Illegally Divided Land
16.32 Short Plat Requirements
16.36 Large Lot Subdivision
16.40 Penalties

* For provisions regarding private sewage disposal systems in plats, see Ch. 13.08 of this code.
Prior ordinance history: Ords. 70-13, 71-8, 73-2, 73-8, 73-10, 74-1, 75-3, 75-4, 75-13, 75-12, 76-3, 76-5, 77-2, 773, 77-4, 79-2, 79-3, 80-1, 81-4, 82-3, 84-6, 87-5, 89-3, 90-5, 92-3, 92-11, 96-19, Res. 80-25, and DPW-1-82.

Chapter 16.04
GENERAL PROVISIONS

Sections
16.04.010 Applicability.
16.04.020 Exemptions.
16.04.030 Administration.
16.04.040 Procedure - Application and fees.

16.04.010 Applicability.
A. Every division and boundary line adjustment within the unincorporated area of Kittitas County shall proceed in compliance with this title and Kittitas County Code.
B. Every division and boundary line adjustment within the unincorporated area of Kittitas County shall proceed in compliance with KCC Title 12 Road Standards, KCC Title 20.10 Wildland Urban Interface Code as published by the International Code Council; with the adopted appendices and amendments as listed in KCC Title 20.10, and the International Fire Code. (Ord. 2013-013, 2013; Ord. 2013-001, 2013; Ord. 2005-31, 2005)

16.04.020 Exemptions.
The provisions of this title shall not apply to:

1. An alteration made for the purpose of adjusting boundary lines as defined in KCC 16.08.055.
2. Divisions made by testamentary provisions or the laws of descent;
3. Cemeteries and other burial plots while used for that purpose;
4. Divisions for industrial or commercial use, provided the division is in accordance with KCC Chapter 16.05;
5. Divisions for the purpose of lease to permit travel trailers to be placed upon the land , provided the division is in accordance with KCC Chapter 16.05;
6. Divisions for residential condominiums, provided the division is in accordance with KCC Chapter 16.05;
7. Divisions for the purpose of leasing land for facilities providing personal wireless services while used for that purpose. "Personal wireless services" means any federally licensed personal wireless service. "Facilities" means unstaffed facilities that are used for the transmission or reception, or both, of wireless communication services including, but not necessarily limited to, antenna arrays, transmission cables, equipment shelters, and support structures; and
8. Divisions into lots or tracts of less than three (3) acres that is recorded in accordance with Chapter 58.09 RCW and is used or to be used for the purpose of establishing a site for construction and operation of consumer-owned or investor-owned electric utility facilities. For purposes of this subsection, "electric utility facilities" means unstaffed facilities, except for the presence of security personnel, that are used for or in connection with or to facilitate the transmission, distribution, sale, or furnishing of electricity including, but not limited to, electric power substations. This subsection does not exempt a division of land from the zoning and permitting laws and regulations of cities, towns, counties, and municipal corporations. Furthermore, this subsection only applies to electric utility facilities that will be placed into service to meet the electrical needs of a utility's existing and new customers. New customers are defined as electric service locations not already in existence as of the date that electric utility facilities subject to the provisions of this subsection are planned and constructed. (Ord. 2013-001, 2013; Ord. 2012-006 , 2012; Ord. 2011-013 , 2011; Ord. 2005-31, 2005)

16.04.030 Administration.
The Director is vested with the duty of administering subdivision and platting regulations within the unincorporated areas of the County, and may prepare and require the use of such forms as are essential to their administration. (Ord. 2013-001, 2013; Ord. 2005-31, 2005)

16.04.040 Procedure - Application and fees.
Any person desiring to subdivide the land in an unincorporated area of the County shall submit a preliminary plat (see KCC Chapter 16.12) to the Director which shall be accompanied by filing fees established annually by the Board under separate action. (Ord. 2013-001, 2013; Ord. 2005-31, 2005)

Chapter 16.05
BINDING SITE PLAN

Sections
16.05.010 Binding Site Plan Alternative to Platting.
16.05.020 Requirements.
16.05.030 Appeal.
16.05.040 Recording.
16.05.060 Amendments and Rescindment.

16.05.010 Binding Site Plan Alternative to Platting.
Any person desiring to subdivide land (1) for sale or lease of commercially or industrially zoned property or (2) for purposes of lease when no residential structure other than travel trailers are permitted to be placed upon the land when the county has approved a binding site plan for the use of the land in accordance with local regulations or (3) for divisions of land into tracts or lots for condominiums as provided for in chapter 64.32 or 64.34 RCW , may use this process in lieu of the subdivision process pursuant to chapter 58.17 RCW or (4) for divisions of land for special utilities as defined in KCC 17.61 and public facilities as defined in KCC 17.62.

1. For sale or lease of commercially or industrially zoned property through an administratively approved binding site plan, which upon approval, allows improvements and final development approval to be done administratively.
2. This process may be used to divide land by the owner of any legal lot for lease for residential use by travel trailers, in accordance with local land use regulations, through an administratively approved binding site plan.
3. This process may be used to divide land by the owner of any legal lot, which is to be developed for residential condominiums pursuant to chapter 64.32 RCW.
4. This process may be used to divide land by the owner of any legal lot, which is to be developed for special utilities or public facilities in accordance with local land use regulations, through an administratively approved binding site plan. (Ord. 2005-31, 2005)

16.05.020 Requirements.
A. Whenever a binding site plan for an eligible project is proposed on a parcel of land for which neither a planned unit development or a building permit has been approved for the entire parcel, the following must be satisfied prior to recording:
   1. A conceptual site plan shall be prepared in a form prescribed by the director which includes the following information (if appropriate to the project type):
      a. Maximum number of dwelling units permitted.
      b. Approximate size and location of all proposed buildings.
      c. Approximate layout of an internal vehicular circulation system, including proposed ingress and egress.
      d. Approximate location of proposed open space, including required landscaped areas, if any.
      e. Approximate location of parking areas.
      f. Location and size of utility trunk lines serving the site.
      g. Topography detailed to five-foot intervals.
      h. Location of water storage and fire hydrant location.
      i. Demonstrate that the requirements of Chapter 13.35, Kittitas County Code, Adequate Water Supply Determination, can be met.
   2. Upon application, the director shall distribute copies to public agencies having pertinent expertise or jurisdiction and all persons owning real property within 300 feet from and parallel to the boundaries of the proposed activities and such contiguous area under the legal control of the applicant for review and comment.

B. The director shall consider, and base his decision to approve with or without conditions, deny or return the application on the following:
   1. Conformance of the proposed site plan with any approved building permit or planned unit development and any conditions on a portion of the site, and with any applicable codes and ordinances, of the State of Washington and Kittitas County. The director shall identify, to the extent feasible, conditions likely to be imposed on building permits related to dedication of right-of-way or open space, and tracts, easements or limitations which may be proposed or required for utilities, access, drainage controls, sanitation, potable water supply, protection of sensitive areas or other unique conditions or features which may warrant protection of the public health, safety and welfare. Such preliminary conditions shall not be binding at the time of building permit approval.
   2. The recommendations and comments of agencies having pertinent expertise or jurisdiction.
   3. Proof that all lots or tracts created by binding site plan are approved for irrigation delivery by the appropriate irrigation entity or entities.
   4. The director may require dedication of additional road right-of-way pursuant to criteria contained in Kittitas County Code.

C. Additional documents shall be submitted as necessary for review and approval and may include a plat certificate, boundary survey, agreements, easements, covenants.
D. The plan must be approved and signed in the same manner as a short plat. Prior to recording, the director shall verify the final plan and any attachments to determine whether the binding site plan is accurate and complete and complies with any conditions or approval. Approval of a binding site plan does not give the applicant a vested right to build without regard to subsequent changes in zoning or building codes or other applicable land use regulations prior to application for a building permit on the subject property. (Ord. 2014-005, 2014; Ord. 2011-013, 2011; Ord. 2005-31, 2005)

16.05.030 Appeal.
Any decision by the director shall be final unless appealed to the Board of County Commissioners as provided for in KCC 15A.07. (Ord. 2005-31, 2005)

16.05.040 Recording.
The proposed binding site plan approved by the County shall be recorded with the Kittitas County Auditor within 30 days of approval. Upon recording, the site plan shall be binding on the owner, his heirs and assigns, and shall permit the division of land within the site. Divisions shall only be permitted upon the filing of a declaration under the Horizontal Regimes Act, Chapter 64.32 R.C.W, provided the structure or structures, road and parking systems, and related facilities substantially conform to the recorded building plan. (Ord. 2005-31, 2005)

16.05.060 Amendments and Rescindment.
1. Amendment of a recorded binding site plan shall be accompanied by following the same process as required for a new application as set forth in this Chapter.
2. Upon request of the owner or owners of a legal lot or lots subject to a recorded site plan, the director shall rescind all or a portion of the binding site plan, provided that any portion of a binding site plan which is rescinded shall be considered to be one lot unless divided by an approved subdivision or short subdivision.
3. Signatures of owners of portions of a binding site plan which are not altered by an amendment or rescission plan, which are not altered by an amendment or rescission, are not required on the amended binding site plan or application for rescission. (Ord. 2005-31, 2005)

Top

Chapter 16.06
ADMINISTRATIVE SEGREGATIONS*

Sections
16.06.010 Repealed.
16.06.020 Repealed.
16.06.030 Repealed.
16.06.040 Expiration and Credit.

16.06.050 Repealed.
16.06.060 Repealed.

16.06.010 Repealed.
(Ord. 2012-006 , 2012; Ord. 2011-013 , 2011)

16.06.020 Repealed.
(Ord. 2012-006 , 2012; Ord. 2011-013 , 2011)

16.06.030 Repealed.
(Ord. 2012-006 , 2012; Ord. 2011-013 , 2011)

16.06.030 Repealed.
(Ord. 2012-006 , 2012; Ord. 2011-013 , 2011)

16.06.040 Expiration and Credit.
All administrative segregation applications that have not received a letter of official denial and have received preliminary approval, shall, within 3 months of the adoption of this Ordinance, either (1) be submitted for final approval pursuant to the administrative segregation regulation in effect when the applications received preliminary approval, (an extension of up to three months may be requested by applicants who have submitted everything necessary for final review except the survey so long as the applicant demonstrates that they have financially obligated themselves, by payment of a deposit for example, to have the survey done within the extension period), or (2) convert to either a short plat, long plat, or large lot subdivision by notifying Kittitas County of the desire to convert and by paying any additional fees necessary for the review of the application to which the matter is being converted. Such converting applicant shall be eligible to credit application fees paid towards an appropriate subdivision in accord with this code section. As an example, if the prior administrative segregation application was creating three lots, it would be appropriate for the applicant to credit the fee towards a short plat application and provide all necessary additional materials to make up a complete short plat application. Similarly, if the administrative segregation application had been to create 20 lots, the new application should be for a long plat and the applicant would need to submit all needed additional fees and materials, including SEPA review, to make a compete long plat application. Prior to one year from the passage of this ordinance the converting applicant must submit the remaining necessary materials (potentially including all SEPA documentation and including proof of preliminary approval and fees paid) to create a complete short plat, long plat, or large lot subdivision application. Upon payment of the additional fee and submission of the additional necessary materials the converting applicant shall receive a vesting date establishing the land use regulations that will govern the review of the converted application. Applications that neither finish nor complete the conversion process by the deadlines herein shall be expired and void. The County shall endeavor to send all undenied administrative segregation applications individual notice of this regulation, but actual receipt of such notice is not necessary for the applicant to be bound by this regulation and the time limits contained herein. All applications by applicants who fail to request final administrative segregation approval or, for conversions to subdivision applications, fail to provide proof of amounts paid (including acceptance the subdivision fee credit) and preliminary acceptance, and provide additional materials within the time limits provided in this ordinance, are expired and void. Kittitas County shall provide notice to the Yakama Nation of all applications submitted for final approval no less than 14 days before such approval and shall consider comment from the Yakama Nation in each instance of final review. Nothing in this section exempts applicants for administrative segregations from any applicable laws including, but not limited to, the Washington Department of Ecology's Upper Kittitas Ground Water Rule, Chapter 173-539A WAC, the Kittitas County Zoning Ordinance, Title 17 KCC, the Kittitas County Critical Areas Ordinance, Title 15 KCC, Title 17A KCC, or the Kittitas County Shoreline Master Program. Nothing in this section shall be construed to expand or diminish the rights or obligations of persons receiving final approval of an administrative segregation application before September 18, 2012. (Ord. 2012-006 , 2012; Ord. 2011-013 , 2011)

Top

Chapter 16.08
DEFINITIONS

Sections

16.08.010 Word construction.
16.08.015 Repealed.
16.08.020 Alley.
16.08.040 Block.
16.08.050 Board.
16.08.055 Boundary line adjustment.
16.08.056 Cluster.
16.08.057 Cluster plat.
16.08.060 Comprehensive plan.
16.08.070 Conservation plat.
16.08.080 Dedication.
16.08.086 Director.
16.08.087 Division.
16.08.090 Easement.
16.08.100 Large lot subdivision.
16.08.110 Lot.
16.08.115 Minimum lot size.
16.08.117 Open space.
16.08.118 Parcel creation.
16.08.120 Planning commission.
16.08.130 Plat.
16.08.135 Plat certificate.
16.08.140 Plat, final.
16.08.160 Public works director.
16.08.165 Road, public and private.
16.08.185 Short plat.
16.08.186 Short Subdivision.
16.08.190 Subdivider.
16.08.200 Subdivision.

16.08.010 Word construction.
Whenever the words and phrases appear in this title they shall be given the meaning attributed to them by this chapter. When not inconsistent with the context, words used in the present tense shall include the future; the singular shall include the plural, and the plural the singular; the word "shall" is always mandatory, and the word "may" indicates a use of discretion in making a decision. (Ord. 2005-31, 2005)

16.08.015 Repealed.
(Ord. 2012-006 , 2012; Ord. 2011-013 , 2011; Ord. 2010-014 , 2010; Ord. 2005-31, 2005)

16.08.020 Alley.
"Alley" means a strip of land dedicated to public use providing vehicular and pedestrian access to the rear side of properties which abut and are served by a public road. (Ord.

2005-31, 2005)

16.08.040 Block.
"Block" means a group of lots, tracts, or parcels within well-defined and fixed boundaries. (Ord. 2013-001, 2013; Ord. 2005-31, 2005)

16.08.050 Board.
"Board" means the Board of Kittitas County Commissioners. (Ord. 2005-31, 2005)

16.08.055 Boundary line adjustment.
"Boundary line adjustment" means making alterations to existing lots, tracts or parcels through adjusting one (1) or more property lines. A boundary line adjustment is an alteration made for the purposes of adjusting boundary lines, which does not create any lot, tract, or parcel, which contains insufficient area and/or dimensions to meet minimum requirements for a building site. No lot or parcel resulting from a boundary line adjustment may be smaller than the minimum size allowed in that zone; provided, however, if the lot or parcel was already a nonconforming lot size that did not meet the minimum lot size for that zone, a boundary line adjustment may adjust boundaries so that nonconforming lot is larger even if it still continues to be less than the minimum lot size for that zone.

Boundary line adjustments are not intended to make changes that result in increased development or density otherwise regulated by applicable land use codes. The resulting legal descriptions shall incorporate the original legal descriptions and the resulting change to those descriptions.

Boundary line adjustments must comply with KCC 16.18 and KCC Title 12 Road Standards. (Ord. 2013-001, 2013; Ord. 2005-31, 2005)

16.08.056 Cluster.
"Cluster" consists of a grouping of buildable contiguous lots or building envelopes within the cluster plat or conservation plat boundary. Individual clusters need not be contiguous but must be within the project boundary. (Ord. 2013-001, 2013;)

16.08.057 Cluster Plat.
"Cluster Plat" means a land division where the applicable zoning requirements are modified to provide an alternative land division method for the development layout, configuration and design of lots, buildings and structures, roads, utility lines and other infrastructure in order to preserve natural, resource, and scenic qualities of open lands. (Ord. 2013-001, 2013;)

16.08.060 Comprehensive plan.
"Comprehensive plan" means the current comprehensive plan of the County, adopted by the Board pursuant to State law. (Ord. 2013-001, 2013; Ord. 2005-31, 2005)

16.08.070 Conservation plat.
"Conservation plat" means a land division where the applicable zoning requirements are modified to provide an alternative land division method characterized by compact lots and common open space or natural resource lands, where the natural features of the land, resource potential, and rural character are maintained to the greatest extent possible while accommodating development. (Ord. 2013-001, 2013;)

16.08.080 Dedication.
"Dedication" means the deliberate conveyance of land by an owner or corporation for any general or public uses, reserving to himself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The intention to dedicate shall be evidenced by the owner by the presentment for filing of a final plat or short plat showing the dedication thereon; and, the acceptance by the public shall be evidenced by the approval of such plat for filing by the Board. (Ord. 2013-001, 2013; Ord. 2005-31, 2005)

16.08.086 Director.
"Director" is the director of Kittitas County Community Development Services department or designee. (Ord. 2013-001, 2013; Ord. 2005-31, 2005)

16.08.087 Division.
"Division" means the creation of a lot through short or long subdivision, large lot subdivision, etc., but not including a boundary line adjustment. (Ord. 2013-001, 2013; Ord. 2012-006 , 2012; Ord. 2005-31, 2005)

16.08.090 Easement.
"Easement" means a grant by a property owner to specific persons or to the public to use land for a specific purpose or purposes. (Ord. 2005-31, 2005)

16.08.100 Large lot subdivision.
"Large lot subdivision" means any subdivision of land into two (2) or more lots or parcels the smallest of which is twenty (20) acres or greater. (See KCC 16.36 for standards and requirements) (Ord. 2013-001, 2013; Ord. 2005-31, 2005)

16.08.110 Lot.
"Lot" means a fractional part of subdivided lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area. The term shall include tracts or parcels. (Ord. 2005-31, 2005)

16.08.115 Minimum lot size.
Minimum Lot sizes for the respective zones can be found in Title 17 of this code. (Ord. 2005-31, 2005)

16.08.117 Open space.
"Open space" means any land area. the preservation of which in its present use would conserve and enhance natural or scenic resources; or protect streams or water supplies; or promote conservation of soils, wetlands, rural and resource lands; or enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations, sanctuaries or other open space; or enhance recreation opportunities; or preserve historic sites. Public open space is publicly owned land that has been or will be set aside for open space and recreational use. Private open space is privately owned land that has been or will be set aside as provided in Title 16 of this code, by voluntary conservation, or by land reserve easements. Open space does not include utility easements, road easements, or areas used for stormwater ponds or septic facilities. (Ord. 2013-001, 2013;)

16.08.118 Parcel creation.
"Parcel creation" means the creation of a lot through short or long subdivision, large lot subdivision, etc. and including boundary line adjustments. (Ord. 2013-001, 2013; Ord. 2012-006 , 2012; Ord. 2005-31, 2005)

16.08.120 Planning commission.
"Planning commission" means the Kittitas County planning commission. (Ord. 2005-31, 2005)

16.08.130 Plat.
"Plat" means a map or representation of a short or long subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, roads and alleys or other divisions and dedications. (Ord. 2005-31, 2005)

16.08.135 Plat certificate.
"Plat certificate" means a certificate showing ownership of land proposed for short or long subdivision, including all encumbrances thereon. (Ord. 2005-31, 2005)

16.08.140 Plat, final.
"Final plat" means the final drawing/map and dedication prepared for administrative or Board approval and filing for record with the county auditor, all in accordance with county

subdivision procedures and minimum requirements. (Ord. 2013-001, 2013; Ord. 2005-31, 2005)

16.08.160 Public works director.
"Public works director" means the public works director or his or her designee. (Ord. 2005-31, 2005)

16.08.165 Road, public and private.
"Road, public and private" for definition see Title 12 of this code for definition. (Ord. 2005-31, 2005)

16.08.185 Short plat.
"Short plat" is the map or representation of a short subdivision. (Ord. 2005-31, 2005)

16.08.186 Short Subdivision.
"Short subdivision" means the division or re-division of land into four (4) or fewer lots, tracts, parcels, sites or divisions, for the purpose of sale, lease, or transfer of ownership any one of which is less than twenty (20) acres. (Ord. 2013-001, 2013; Ord. 2005-31, 2005)

16.08.190 Subdivider.
"Subdivider" means a person, including a corporate person, who undertakes to create a subdivision. (Ord. 2005-31, 2005)

16.08.200 Subdivision.
"Subdivision" means the division or re-division of land into five (5) or more lots, tracts, parcels, sites or divisions for the purpose of sale, lease or transfer of ownership any one of which is less than twenty (20) acres. (Ord. 2013-001, 2013; Ord. 2005-31, 2005)

Top

Chapter 16.09
CLUSTER PLATTING and CONSERVATION PLATTING

Sections
16.09.010 Purpose and Intent.
16.09.020 Repealed.
16.09.025 Applicability.
16.09.030 Repealed.
16.09.040 Development Regulations.
16.09.060 Lot Size.
16.09.080 Process for Approval.
16.09.090 Repealed.
16.09.100 Repealed.

16.09.010 Purpose and Intent.
With the recognition of the value of retention of rural densities in rural lands, while protecting our critical areas, water resources and resource lands, and with recognition that urban densities belong in urban designated lands, Kittitas County also recognizes the need for innovative planning tools to achieve these goals. Encouraged by the Growth Management Act (GMA), this chapter provides innovative land division techniques that will accommodate appropriate resource, rural and urban densities and uses at levels that are consistent with the conservation of resource lands and preservation of rural character.

In order to provide tools to foster appropriate densities, while making development economically feasible, to recognize benefits to the greater community through an effort to conserve natural resource lands, ensure the continued existence of open space, conserve water resources, protect public health by reducing the number of septic drain fields, concentrate urban densities in urban growth areas and minimize the impact of "Rural Sprawl" in rural lands as designated in the Kittitas County Comprehensive Plan, Cluster Platting and Conservation Platting techniques will foster the development of urban, rural and resource designated lands at appropriate densities while conserving resource lands, protecting rural character, protecting the environment and maintaining a high quality of life in Kittitas County. (Ord. 2013-001, 2013; Ord. 2010-014 , 2010; Ord. 2009-25, 2009; Ord. 2006-36, 2006; Ord. 2005-35, 2005)

16.09.020 Repealed
(Ord. 2013-001, 2013; Ord. 2009-25, 2009; Ord. 2006-36, 2006; Ord. 2005-35, 2005)

16.09.025 Applicability.
Cluster Platting and Conservation Platting are an alternative method for the division of land.

1. Cluster platting is permitted in the following zone Plan designations:
   a. All zones in the Urban land use designation;
   b. All zones in the Rural Residential land use designation;
   c. All zones in the Rural Recreation land use designation; and
   d. All zones in Rural LAMIRDs.
2. Conservation platting is permitted in the following zone classifications, provided the parcel or combination of contiguous parcels meets the following required minimum land area:
   a. Agriculture 20, with a minimum land area of forty (40) acres;
   b. Forest and Range, with a minimum land area of forty (40) acres; and
   c. Commercial Agriculture, with a minimum land area of eighty (80) acres.

(Ord. 2013-008, 2013; Ord. 2013-001, 2013; Ord. 2010-014 , 2010)

16.09.030 Repealed.

(Ord. 2013-001, 2013; Ord. 2010-014 , 2010; Ord. 2009-25, 2009; Ord. 2006-36, 2006; Ord. 2005-35, 2005)

16.09.040 Development Regulations.
1. Cluster plats and conservation plats are subject to the following provisions:
   a. Notification Requirement. If appropriate, the final plat and all conveyance instruments shall contain the following notice: "The subject property is within or near existing agricultural or other natural resource areas on which a variety of activities may occur that are not compatible with residential development for certain periods of varying duration. Agricultural or other natural resource activities performed in accordance with county, state and federal laws are not subject to legal action as public nuisances. Kittitas County has adopted right to farm provisions contained in the Section 17.74 of the Kittitas County Zoning Code."
   b. Compliance with County Development Regulations. Unless otherwise specified by this chapter, all development activities authorized through this chapter shall comply with all existing, applicable county development regulations, including but not limited to: subdivision ordinance, zoning code, shoreline master program, road standards, fire and life safety, critical areas, and floodplain development ordinance. In addition, Cluster Platting and Conservation Platting shall not be used prospectively in conjunction with the Kittitas County planned unit development zone (KCC Chapter 17.36).
   c. Applications. Applications shall be evaluated for the possible impacts to adjacent agricultural uses. Residential parcel densities allowed in rural and resource areas can have a significant impact on agricultural, forestry and mineral resource uses. Conditions may be placed on development proposals through the normal Kittitas County permitting authority, which protect agricultural lands from possible impacts related to incompatible land uses.
   d. Farmstead. The farmstead, including the pre-existing residential and associated out buildings within the project boundary, will not be required to become part of a cluster

of residences.

e. Location. Clustered lots shall be located within the project boundary in a manner that best recognizes the purpose and intent of cluster plats or conservation plats, including but not limited to, the location of the natural resource lands, critical areas as identified in KCC 17.A , purpose of open space, etc.

f. Access to Public Lands. Applications that included parcels which share property line boundaries with public lands which allow public use must maintain or enhance existing public access points. Maintained or enhanced public access points to public lands shall be in conformance with requirements as identified by federal, state, and local agencies having jurisdiction over said public lands. Documentation demonstrating such shall be submitted as part of the project application.

g. Open Space. All open space shall contain appropriate covenants and restrictions to ensure the area will not be further subdivided in the future, the use of the open space for the purpose specified will continue in perpetuity, and the open space will be appropriately maintained to control noxious weeds and fire hazards.

2. Cluster plats are subject to the following provisions:
   a. The cluster development does not exceed the density permitted by the zone in which the development is located;
   b. The proposed cluster is not within one thousand three hundred twenty (1,320) feet between the lot lines of any other cluster or existing residential structure unless the residential structure(s) is part of the proposed development;
   c. The cluster development does not exceed six (6) residences per cluster;
   d. No residential dwelling within the cluster is further than one hundred (100) feet from another residential dwelling; and
   e. Sixty percent (60%) of the land outside of the cluster remains in contiguous open space in perpetuity. Open space in cluster plats shall be held in common ownership.
3. Conservation plats are subject to the following provisions:
   a. The conservation development does not exceed the density permitted by the zone in which the development is located;
   b. No conservation plat is adjacent to another cluster or conservation plat so that the total conservation development exceeds six (6) units unless the proposed developments are separated by an existing County road;
   c. Any new residential dwelling must be within one hundred (100) feet of an existing residential dwelling, unless the existing residential dwelling is part of the farmstead; and
   d. Seventy percent (70%) of the land outside of the conservation cluster remains in open space for resource use in perpetuity. Open space in conservation plats may either be held in common ownership, owned by a conservation entity, or remain in the ownership of the farmstead or resource parcel.

(Ord. 2013-001, 2013; Ord. 2011-013 , 2011; Ord. 2010-014 , 2010; Ord. 2006-36, 2006; Ord. 96-6 (part), 1996)

16.09.060 Lot Size.

1. Generally: The size of the lots to be developed shall be no larger than necessary to meet the minimum Washington State Department of Health requirements and the Kittitas County Code.
2. Exceptions:
   a. The existing farmstead lot can be up to ten (10) acres in size; and
   b. New lots may be as large as five (5) acres if building envelopes are established on the plat that ensure the same development pattern that would occur with smaller lots created consistent with subsection 16.09.060.1 above.

(Ord. 2013-001, 2013; Ord. 2006-36, 2006; Ord. 2005-35, 2005)

16.09.080 Process for Approval.

1. Prior to submitting an application the applicant shall submit a request for a Pre-application Conference with the staff of Community Development Services. (CDS). CDS will schedule the pre-application conference and invite other county departments and outside agencies as appropriate to review and offer comments regarding the application and to assist the applicant in the appropriate process.
2. Submit preliminary Cluster Plat or Conservation Plat map in conformance with requirements in KCC Chapter 15A Project Permit Application Review, KCC Chapter 16.12 Preliminary Plats or KCC Chapter 16.32 Short Plat Requirements, as applicable, and Title 12 Road Standards.
3. Cluster Plats and Conservation Plats are to be processed as a short subdivision or subdivision, depending on the number of lots proposed, and are subject to the review process as provided for in KCC Title 15A Project Permit Application Process.
4. Final Cluster Plat or Conservation Plat approval must be in conformance with KCC Chapter 16.20 Final Plats.
5. Documentation shall be submitted by the applicant stating how the proposed development meets the intent of KCC Chapter16.09. (Ord. 2013-001, 2013; Ord. 2010-014 , 2010; Ord. 2009-25, 2009; Ord. 2007-22, 2007; Ord. 2006-36, 2006; Ord. 2005-35, 2005)

16.09.090 Repealed.

(Ord. 2013-001, 2013; Ord. 2010-014 , 2010; Ord. 2009-25, 2009; Ord. 2007-22, 2007; Ord. 2006-36, 2006; Ord. 2005-35, 2005)

16.09.100 Repealed.

(Ord. 2013-001, 2013; Ord. 2010-014 , 2010; Ord. 2009-25, 2009; Ord. 2007-22, 2007; Ord. 2006-36, 2006; Ord. 2005-35, 2005) Top

Chapter 16.12
PRELIMINARY PLATS

Sections

I DRAWING REQUIREMENTS
16.12.010 Generally.
16.12.020 Preliminary plat general information.
16.12.030 Existing conditions.

II DESIGN STANDARDS
16.12.040 Comprehensive plan and zoning regulation conformance.
16.12.090 Lot size.
16.12.110 Required easements.

III FILING
16.12.120 Receiving - Filing procedure.

IV HEARING
16.12.130 Date, notice - Procedure.
16.12.140 Scope.
16.12.150 Road, sewer, water and fire system recommendations.
16.12.160 Facilities - Improvements.
16.12.170 Comprehensive plan conformance.

V HEARING EXAMINER'S ACTION
16.12.180 Findings and report.
16.12.190 Records.

VI BOARD ACTION

16.12.200 Date and records.
16.12.210 Acceptance or rejection.
16.12.230 Records.

VII PRELIMINARY APPROVAL

16.12.240 Development authorization.
16.12.250 Expiration.

I DRAWING REQUIREMENTS

16.12.010 Generally.

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

16.12.020 Preliminary plat general information.

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

1. All preliminary plat drawings shall be submitted on eighteen by twenty-four inch sheets. When required by the county public works director, proposed road plans and profiles prepared by a licensed civil engineer shall be submitted on standard 22" x 36" sheets for review. The scale shall be 1" = 100' horizontal and 1" = 10' vertical, sheet one.
2. Names of proposed subdivision, all sheets.
3. Location of subdivision by section, township, range, county and state, all sheets.
4. Legal description of land contained within the subdivision.
5. Name(s) and address of the owner(s), subdivider(s), surveyor, engineer and date of survey.
6. Scale (1" = 200', or greater) north arrow and date, sheet one.
7. Vicinity map showing the boundary lines of all adjacent subdivisions, roads, streets, rivers, streams, canals, or any other information that will assist the planning commission in considering the plat, sheet one.
8. Proposed platted boundary lines, lot and road dimensions, and gross acreage, sheet one.
9. A statement regarding the contemplated sewage disposal, potable water supply, and drainage improvements for the proposed subdivision.
10. All access easements.
11. All irrigation ditch easements or historical ditch locations. (Ord. 2010-014 , 2010; Ord. 2005-31, 2005)

16.12.030 Existing conditions.

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

1. Contour lines at intervals of five feet for slopes less than thirty percent, and ten feet for slopes over thirty percent at preliminary review only , or the use of USGS maps to represent elevations and slopes at preliminary review may be used and where such maps are utilized at preliminary review they must be verified by Contour lines of five feet for slopes less than thirty percent and ten feet for slopes over thirty percent at final review.
2. Location, width and type of all roads, streets, alleys, easements, and rights-of-way on and adjacent to the proposed subdivision.
3. Location of all existing ditches apparent or of record, marshes, areas subject to flooding, and the direction of flow of all water courses, as required by KCC 17A.05.015 .
4. Existing uses of the property, including the location and nature of all acreage, fences and/or other structures.
5. Any additional information deemed necessary by Kittitas County.
6. The total acreage and number of lots included within the subdivision shall be indicated on sheet one of the plat.
7. Except for administrative segregations, one soil log shall be performed and information recorded for each lot within the proposed subdivision. Soil logs shall be in accordance with chapter 246-272A WAC . (Ord. 2010-014 , 2010; Ord. 2005-31, 2005)

II DESIGN STANDARDS

16.12.040 Comprehensive plan and zoning regulation conformance.

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

16.12.090 Lot size.

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

16.12.110 Required easements.

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

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

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

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

III FILING

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

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

IV HEARING

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

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

16.12.150 Road, sewer, water and fire system recommendations.
The planning official, county public works director, county health officer, and the county Fire Marshal, shall certify to the Hearing Examiner, prior to the hearing, their respective recommendations as to the adequacy of the proposed road system, the proposed sewage disposal and potable water supply systems; compliance with Kittitas County Code Chapter 13.35, Adequate Water Supply Determination; and fire and life safety protection facilities within the subdivision. The recommendations of the planning official, county public works director, county health officer, and the county Fire Marshal, shall be attached to the Hearing Examiner's report for transmittal to the board. (Ord. 2014-005, 2014; Ord. 2011-013, 2011; Ord. 2005-31, 2005)

16.12.160 Facilities - Improvements.
The Hearing Examiner shall determine whether the proposal includes appropriate provisions for drainage, roads, alleys, and other public ways, water supplies, sanitary wastes, parks, playgrounds, fire and life safety protection facilities, school sites and grounds and other public and private facilities and improvements as required by the Kittitas County Code. (Ord. 2011-013 , 2011; Ord. 2005-31, 2005)

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

V HEARING EXAMINER'S ACTION

16.12.180 Findings and report.
Not later than ten days following conclusion of the open record predecision hearing, the Hearing Examiner shall submit its written report and recommendations to the legislative body. The Hearing Examiner may recommend that the proposed plat be approved, conditionally approved or disapproved. Conditions of approval shall be precisely recited in the Hearing Examiner's report and shall include recommended protective improvements, if any. (Ord. 2010-014 , 2010; Ord. 2005-31, 2005)

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

VI BOARD ACTION

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

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

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

VII PRELIMINARY APPROVAL

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

16.12.250 Expiration.
A final plat meeting all requirements of this chapter shall be submitted to the board for approval within the timeframe specified by RCW 58.17.140 . Failure to do so will result in the preliminary plat being expired and no longer valid. No further action is necessary regarding an application once the preliminary plat has expired pursuant to this chapter. Any applicant who files a written request with the administrator within 30 days before the expiration date, showing that the applicant has attempted in good faith to submit the final plat within the time period and that the associated fees are paid, shall be granted a one-year extension. Such an extension can be requested and granted five times. (Ord. 2010-014 , 2010; Ord. 2010-02, 2010; Ord. 2005-31, 2005)

Top

Chapter 16.16
ROAD CONSTRUCTION STANDARDS AND OTHER REQUIRED IMPROVEMENTS

Sections
16.16.080 Protective improvements for topographically hazardous lands. (Ord. 2005-31, 2005)

16.16.080 Protective improvements for topographically hazardous lands.
Land on which exists any topographical conditions hazardous to the safety or general welfare of persons or property in or near a proposed subdivision shall not be subdivided unless the construction of protective improvements will eliminate the hazards or unless land subject to the hazard is reserved for uses as will not expose persons or property to the

hazard. Protective improvements shall be constructed prior to final plat approval. Protective improvements and restrictions on use shall be clearly noted on the final plat. (Ord. 2005-31, 2005)

Top

Chapter 16.18
IRRIGATION AND SPRINKLING

Sections

16.18.010 Purpose.

I IRRIGATION

16.18.020 Irrigation entity defined.
16.18.030 Parcel creation- Irrigation water delivery system requirements.
16.18.035 Certificate of Irrigation Entity.
16.18.040 Irrigation representative - Selection.
16.18.050 Irrigation representative - Duties generally.

II SPRINKLER SYSTEMS

16.18.060 Purpose.
16.18.070 Definitions.

16.18.010 Purpose.

1. The purpose of this article is to provide for an orderly system of providing irrigation water to property which is undergoing parcel creation in accordance with KCC Title 16 for such lands as are entitled to irrigation water from irrigation entities, and to require the installation of an irrigation water delivery system.

2. This ordinance neither grants nor changes water rights. (Ord. 2005-31, 2005)

I IRRIGATION

16.18.020 Irrigation company defined.
The following definition shall apply in this article:

"Irrigation entity" means any one of the following irrigation companies, or the successor in interest thereto: the Kittitas Reclamation District, the Taneum Ditch Company, the Cascade Irrigation District, the Ellensburg Water Company, the West Side Irrigation Company, the Thorp Mill Ditch, the Bull Ditch, the Packwood Ditch, the Fogarty Ditch, the Farrel Ditch, the Tjossem Ditch, the Younger Ditch, the Ellensburg Mill and Feed Ditch and all other organized irrigation districts and/or companies or any privately held individual water right of record. including holders of pre – 1917 ancient water rights. (Ord. 2005-31, 2005)

16.18.030 Parcel creation- Irrigation water delivery system requirements.
Any parcel creation proposed for land served by or crossed by an irrigation entity shall provide a water delivery system together with rights-of-way to each lot created by the parcel creation with an irrigation right. The parcel creation shall also provide for easements or rights-of-way from the water source to the water delivery system. A drawing shall be submitted showing elevations, the location of lots and the location of the proposed water delivery system. Such systems shall not impair the rights or uses of downgradient water owners or users. The downgradient irrigation water users shall be considered and consulted in preparing the design of the proposed water delivery system. The Director shall refer such proposed parcel creation to the irrigation entity or entities which will furnish water to the parcel creation, and the Director shall take into consideration any comments made by the irrigation entity concerning the proposed water delivery system.

The applicant/land owner shall certify whether an apparent or recorded right-of-way or easement is located on the property proposed for parcel creation. If there is an apparent or recorded right-of-way or easement located on the subject property, the applicant/land owner shall provide the County with the name and address of the right-of-way or easement owner. (Ord. 2005-31, 2005)

16.18.035 Certificate of Irrigation Entity.
A certificate of the irrigation entity representative stating that the proposed parcel creation meets the irrigation entity requirements for continued irrigation of the lands within the entities boundaries may be submitted as proof of compliance in substantially the following form:

(copy as follows)
I hereby certify that the irrigation plan for (name of parcel creation) conforms to the requirements of (irrigation entity).

Dated this day of A.D., 20
(irrigation entity) Representative

(Ord. 2005-31, 2005)

16.18.040 Irrigation representative - Selection.
The owners of any platted property hereafter platted who may be entitled to irrigation water from an irrigation entity shall, prior to receiving irrigation water, select a person as an irrigation representative. (Ord. 2005-31, 2005)

16.18.050 Irrigation representative - Duties generally.
The irrigation representative shall be the representative of the plat to the irrigation entity in all matters concerning the delivery of water from the irrigation entity to the platted property including, but not limited to, making arrangements for delivery of water, coordinating water use between lot owners, and generally attending to all matters having to do with the water delivery. (Ord. 2005-31, 2005)

II SPRINKLER SYSTEMS

16.18.060 Purpose.
The purpose of this article is to provide for water conservation and to improve surface and ground water quality by diminishing the amount of surface water interfering with the operation of on site sewage systems and wells on residential property. Platted lots where the size of the lots in any plat is three acres or less shall be irrigated by either a sprinkler irrigation system or drip irrigation system that meets the requirements of the irrigation entity that supplies the water. (Ord. 2005-31, 2005)

16.18.070 Definitions.
The following definitions shall apply in this article:

1. "Drip irrigation system" means a system for the delivery of water to land by permitting water to fall in drops by the use of pipes which have very small perforations or specially designed outlets to permit a very small amount of water to drip from the pipe.
2. "Sprinkler irrigation system" means a closed system for delivery of water to the land whereby irrigation is ultimately achieved by the piping of all water through a sprinkling device that has the effect of distributing the water to the land surface in small scattered droplets in a rain-like manner. (Ord. 2005-31, 2005)

Top

Chapter 16.20
FINAL PLATS

Sections

16.20.010 Requirements.
16.20.020 Final plat general information.
16.20.030 Certificate of title - Computer sheets.
16.20.040 Plat drawing.
16.20.050 Dedications, easements, alleys.
16.20.060 Receipt of final plat.
16.20.070 Submission to board.
16.20.080 Approval or disapproval.

16.20.010 Requirements.

The final plat shall conform substantially to the preliminary plat, as approved by the board of county commissioners, and shall meet the requirements in Sections 16.20.020 through 16.20.050 of this chapter. (Ord. 2005-31, 2005)

16.20.020 Final plat general information.

1. The final plat shall be drawn on polyester film in a neat and legible manner.
2. The final plat shall be drawn to such a scale as to make a sheet eighteen inches by twenty-four inches. Should this size sheet unduly congest the drawing, the plat may be submitted on two or more sheets of the above dimensions. The perimeter of the subdivision shall be depicted with heavier lines than appear elsewhere on the plat. A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of one inch on the sides. The scale shall be one (1) inch equals two hundred (200) feet, or greater, unless otherwise approved by the director.
3. All lettering shall be printed with permanent ink.
4. Each sheet of the final plat shall contain the subdivisions name at the top of the sheet in large letters followed underneath with the section, township, range, county and state. The space for recording the receiving number is in the upper right hand corner, sheet numbers at the bottom of the sheets.
5. It shall show all courses and distances necessary to re-stake any portion of said plat.
6. Required monuments shall be shown together with a legend of monuments on the face of each plat sheet. (Ord. 2005-31, 2005)

16.20.030 Certificate of title - Computer sheets.

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

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

16.20.040 Plat drawing.

The plat drawing shall contain all the following requirements:

1. Section Data. All section, township, municipal and county lines lying within or adjacent to the subdivision;
2. Tie Monuments. The location of all monuments or other evidence used as ties to establish the subdivision's boundaries;
3. Plat Monuments. The location of all permanent control monuments found or established within the subdivision;
4. Boundaries. The boundary of the subdivision, with complete bearings and lineal dimensions in heavier lines;
5. Bearing and Distances. The length and bearings of all straight lines, the radii, arcs, and central angles of all curves;
6. Lot Dimensions. The length of each lot line, together with bearings and other data necessary for the location of any lot line in the field;
7. Road Names. The location, width, centerline, and name or names or number of all streets within and adjoining the subdivision;
8. Easements. The location and width, shown with broken lines, and description of all easements. Easements may be described in the plat restrictions in lieu of being shown on the plat drawings;
9. Lot Numbers. Numbers assigned to all lots and blocks within the subdivision;
10. Adjacent Owners. Names of owners of land adjacent to the subdivision, and the names of any adjacent subdivisions;
11. Surrounding Area. All surrounding property shall be shown in dotted lines and letters with names of plats, roads, adjoining lots, canals, and etc., and if un-platted shall be so indicated;
12. Vicinity Maps. A vicinity map showing the boundary of the plat in relation to the surrounding area such as adjacent subdivisions, rivers, creeks, roads or highways, canals, etc. Minimum area shown would be the section or sections containing the platted area with a scale of approximately 4" = 1 mile;
13. Contours. Contour lines are not shown on a final plat as required on the preliminary plat;
14. Miscellaneous Items. North arrow, scale and legend of monuments to be shown on open area of sheets;
15. Grid Coordinates. A tie shall be made and shown on the plat if plat is within one mile of any such monument.
16. Well location. The drawings shall be marked with a "w" indicating location of the well and a broken line showing the one hundred foot radius around such.
17. Ditches. Location of existing ditches apparent or of record. (Ord. 2005-31, 2005)

16.20.050 Dedications, easements, alleys.

No plat shall be approved unless adequate provision is made in the subdivision for such drainage ways, roads, alleys, easements, and other general purposes as may be required to protect the public health, safety, and welfare.

1. Dedications - Shown on Plat. All dedications of land shall be clearly and precisely indicated on the face of the plat in the order listed in Sections 16.24.070 through 16.24.140.
2. Protective Improvements. Protective improvements and easements to maintain such improvements shall be dedicated. (Ord. 2005-31, 2005)

16.20.060 Receipt of final plat.

The director shall be satisfied:

1. That the final plat meets all standards established by state law and this title relating to final plats;
2. That the proposed final plat bears the certificates and statements of approval required by their title;
3. That a certificate of title report furnished by the subdivider confirms the title of the land in the proposed subdivision is vested in the name of the owners whose signatures appear on the plat's certificate;
4. That the facilities and improvements required to be provided by the subdivider have been completed, or, alternatively, that the subdivider will provide a bond in an amount and with sureties equal to the cost of improvements remaining to be completed securing to the county the construction and installation of the improvements within a fixed time set by the board, or, that the subdivider will provide evidence of financial stability and responsibility (financial statement) prepared by a certified public accountant together with a developer-buyer agreement placing responsibility for said improvements on the subdivider;
5. That protective covenants or other documents sufficiently inform the buyer as to proposed potable water supply, sewage disposal requirements, building requirements and irrigation water rights (if any part of the subdivision is within an irrigation district). (Ord. 2005-31, 2005)

16.20.070 Submission to board.

The director shall acknowledge receipt of a proposed final plat which meets the requirements of Section 16.20.060 and shall forward the original to the clerk of the board. (Ord. 2005-31, 2005)

16.20.080 Approval or disapproval.

1. The board, shall, at its next public meeting or any continued meeting, determine:
    1. Whether conditions imposed when the preliminary plat was approved have been met;
    2. Whether the bond, if there be one, by its essential terms assures completion of improvements;
    3. Whether the requirements of state law and this title have been satisfied by the subdivider.
2. The board shall thereupon approve or disapprove the proposed final plat. If the board approves the plat the clerk shall forward one copy thereof to the county public works director and one print to the county assessor, and shall transmit two polyester originals to the county auditor for filing and submit a minimum of one digital CAD file to the county community development services department. (Ord. 2005-31, 2005)

Top

Chapter 16.24
SURVEY DATA - DEDICATIONS

Sections

16.24.010 Survey data requirements.
16.24.020 Orientation of the subdivision.
16.24.030 Survey - Permanent control monuments establishment.
16.24.040 Survey - Permanent control monuments setting.
16.24.050 Lot corner marking.
16.24.060 Survey - Property contiguous to natural bodies of water.
16.24.070 Dedications required.
16.24.080 Property description.
16.24.090 Dedications - Required.
16.24.110 Private road dedication.
16.24.120 Sewage disposal, potable water supply, drainage improvements.
16.24.130 Dedications - Exemption, conveyance to corporation.
16.24.140 Corporate membership and responsibilities, conditions.
16.24.150 Certifications required.
16.24.160 Certificate from platter's land surveyor.
16.24.170 Certificate of county public works director.
16.24.180 Certificate of director.
16.24.200 Certificate from Kittitas County treasurer.
16.24.210 Certificate of county health officer.
16.24.215 Assessor's certificate.
16.24.220 Certificate of State Department of Transportation (if adjacent to state highway).
16.24.230 Certificate of city council (if adjacent to city).
16.24.240 Certificate of further restrictions.
16.24.250 Certificate of board of county commissioners.
16.24.260 Filing certificate for county recording.

16.24.010 Survey data requirements.

1. The survey of every proposed subdivision, and the preparation of preliminary and final plats thereof, shall be made by or under the supervision of a registered land surveyor who shall certify on the plat that it is a true and correct representation of the lands actually surveyed. All surveys shall conform to standard practices and principles for land surveying.
2. The surveyor shall furnish the county engineer with a full set of survey notes, which notes shall clearly show:
    1. The ties to each permanent monument;
    2. At least three durable, distinctive reference points or monuments;
    3. Sufficient data to determine readily the bearing and length of each line;
    4. The base meridian referred to. (Ord. 2005-31, 2005)

16.24.020 Orientation of the subdivision.

Primary survey control points shall be referenced to section corners and monuments. Corners of adjoining subdivisions or portions thereof shall be identified and ties shown. (Ord. 2005-31, 2005)

16.24.030 Survey - Permanent control monuments establishment.

1. Permanent control monuments shall be established at:
    1. All controlling corners on the boundaries of the subdivision;
    2. The intersections of centerlines of roads within the subdivision;
    3. The beginning and ends of curves on road centerlines;
    4. The beginning and ends of road centerlines.
2. Permanent control monuments may be placed on offset lines. The position and type of every permanent monument shall be noted on all plats of the subdivision. Permanent control monuments shall be set in two inch pipe, twenty-four inches long, filled with concrete or shall be constructed of an approved equivalent. (Ord. 2005-31, 2005)

16.24.040 Survey - Permanent control monuments setting.

Permanent control monuments within the roads shall be set after the roads are graded. In the event a final plat is approved before roads are graded, the surety deposited to secure grading shall be sufficient to pay the costs estimated by the county public works director of setting such monuments. (Ord. 2005-31, 2005)

16.24.050 Lot corner marking.

Every lot corner shall be marked by a three-fourths inch galvanized iron pipe or approved equivalent driven into the ground. (Ord. 2005-31, 2005)

16.24.060 Survey - Property contiguous to natural bodies of water.

1. If any land in a subdivision is contiguous to a natural body of water, a meander line shall be established along the shore at a safe distance back from the ordinary high-water mark. Property lying beyond the meander line shall be defined by distances along the side property lines extended from the meander line.
2. If the thread of a stream lies within a subdivision or forms the boundary of a subdivision, such thread shall be defined by bearings and distances as it exists at the time of the survey. (Ord. 2005-31, 2005)

16.24.070 Dedications required.

The dedication sheet shall contain a full legal description of land, notarized dedication of legal owners and interested parties of property, signed approvals and statements as required and all as described as follows in Sections 16.24.080 through 16.24.140. (Ord. 2005-31, 2005)

16.24.080 Property description.

1. The completed plat must show description of property platted which shall be the same as that recorded in previous transfer of said property, or that portion of said transfer

covered by the plat.

2. Should this description be cumbersome and not technically correct, a true and exact description shall be shown upon the plat together with original description. The corrected description shall read as follows: "The intent of above description is to embrace all the following described property": (Description). (Ord. 2005-31, 2005)

16.24.090 Dedications - Required.

1. There are five types of dedications and acknowledgments. The applicable dedication (below) must be followed verbatim. The following list distinguishes the individual dedications:
   1. Corporations platting proposed private roads;
   2. Corporations platting proposed public roads;
   3. Individuals platting proposed private roads;
   4. Individuals platting proposed public roads;
   5. Proposed private roads on private property; and
   6. Proposed public roads on private property.
2. Dedications for dedications (2),(4) and (6) above:
   (copy as follows)

   KNOW ALL MEN BY THESE PRESENTS that do hereby declare this plat and dedicate to the public forever all roads and ways hereon with the right to make all necessary slopes for cuts and fills, and the right to continue to drain said roads and ways over and across any lot or lots, where water might take a natural course, in the original reasonable grading of the roads and ways shown hereon. Following original reasonable grading of roads and ways hereon no drainage water on any lot or lots shall be diverted or blocked from their natural course so as to discharge upon any public road rights-of-way, or to hamper proper road drainage. Any enclosing of drainage waters in culverts or drains or rerouting thereof across any lot as may be undertaken by or for the owner of any lot, shall be done by and at the expense of such owner.

   (If a non-profit corporation is selected above add these paragraphs)
   The costs of construction, maintaining and snow removal of all roads, streets, and alleys within this plat and all access roads to this plat shall be the obligation of a nonprofit corporation composed of all the owners of the lots of the plat and of any additional plats that may be served by these roads, streets and alleys.

   In the event that the owners of any of the lots of this plat or any additional plats shall petition the County Commissioners to include the roads in the county road system, it is understood that the roads shall first be built up to minimum county standards by said non-profit corporation.

   IN WITNESS WHEREOF, We have hereunto set our hands and seal this day of , A.D., 20 .
   (Print name of Corporation)

   (Signature of President)
   President

   (Signature of Secretary)
   Secretary

   (Use this if individual owner(s))
   (Print signer's name under line)

   (As many of the following acknowledgments are to be used as required to acknowledge all signatures.)

   ACKNOWLEDGEMENT
   STATE OF WASHINGTON) SS
   COUNTY OF KITTITAS)
   THIS IS TO CERTIFY That on this day of A.D., 20, before me, the undersigned, a Notary Public, personally appeared to me known to the person(s) who executed the foregoing dedication and acknowledged to me that signed and sealed the same as free and voluntary act and deed for the uses and purposes therein mentioned.

   WITNESS My hand and official seal the day and year first written.
   Notary Public in and for the State of Wash., residing at

   (Alternate when plattor is a corporation)
   STATE OF WASHINGTON) SS
   COUNTY OF)
   On this day of A.D., 20, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared and , to me known to be the president and secretary, respective, of the Corporation, and acknowledged the said instrument to be the free and voluntary act and deed of said Corporation, for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute the said instrument and that the seal affixed is the corporate seal of said Corporation.

   WITNESS My hand and official seal the day and year first written.
   Notary Public in and for the State of Washington, residing at

   In addition to owners of platted property signing the dedication, all interested parties (mortgagee, easement grantee, etc.) shall sign and acknowledge before a notary public a dedication of all land shown on the plat to be dedicated for public uses and a waiver by them and their successors of all claims for damages against any governmental authority arising from the construction and maintenance of public facilities and public property within the subdivision.

   (copy as follows)
   DEDICATION:
   KNOW ALL MEN BY THESE PRESENTS That (name of person or persons or corporation having interests) the undersigned (mortgagee, easements grantee or others) of the herein described real "property", does hereby declare, subdivide and plat as herein described, and dedicate to the use of the public forever all roads, streets, avenues, alleys, places, easements or whatever public property shown thereon which shall be maintained by (county road system or private non-profit corporation) and do hereby waive all claims for damages whatsoever against any government agency arising from the construction and maintenance of public facilities and public property within the subdivision so platted.

   IN WITNESS WHEREOF, We have hereunto set our hands and seal this day of A.D., 20 .
   (Applicable signatures as hereinbefore described)
   ACKNOWLEDGEMENT: (copy as hereinbefore shown verbatim)

(Ord. 2005-31, 2005)

16.24.110 Private street dedication.
(copy as follows)

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, owner(s) in fee simple of the described real property, does hereby declare this plat and description and in lieu of dedication of roads hereby grants forever unto all owners of lots in this plat and all future plats in (name of plat) common ownership of all roads shown as private roads.

(If applicable add these paragraphs)
The costs of construction, maintenance and snow removal of all roads, streets, and alleys within this plat and all access roads to this plat shall be the obligation of a nonprofit corporation composed of all the owners of the lots of the plat and of any additional plats that may be served by these roads, streets and alleys.

In the event that the owners of any of the lots of this plat or any additional plats shall petition the County Commissioners to include the roads in the County Road System, it is understood that the roads shall first be built up to minimum county standards by said non-profit corporation.

WITNESS my (our) hand(s) and seal(s) this day of A.D., 20 .
(Applicable signatures as hereinbefore described)
ACKNOWLEDGEMENT: (copy as hereinbefore shown verbatim)

(Ord. 2005-31, 2005)

16.24.120 Sewage disposal, Potable water supply, Drainage improvements.
A statement regarding the contemplated sewage disposal, potable water supply, and drainage improvements for the proposed subdivision. Be aware that if more than 5,000 gallons per development is withdrawn, a water right must be obtained through the Department of Ecology. No discharges from drainage improvements to irrigation entity facilities can be authorized without a permit from the entity. (Ord. 2005-31, 2005)

16.24.130 Dedications - Exemption, conveyance to corporation.
If the board concludes that the public interest will be served thereby, the board may, in lieu of requiring the dedication of land in a subdivision for protective improvements, drainage ways, roads, alleys, recreational, community or other general purposes, allow the said land to be conveyed to a homeowner's association or similar non-profit corporation. (Ord. 2005-31, 2005)

16.24.140 Corporate membership and responsibilities, conditions.
A subdivider who wishes to make a conveyance as permitted by Section 16.24.130 , shall, at or prior to the time of filing a final plat for approval, supply the board with copies of the grantee organization's articles of incorporation and bylaws with evidence of the conveyance or a binding commitment to convey. The articles of incorporation shall be appurtenant to ownership to land in the subdivision; that the corporation is empowered to assess the said land for costs of construction and maintenance of the improvements and property owned by the corporation; and that such assessments shall be a lien upon the land. The board may impose such other conditions as it deems appropriate to assure that property and improvements owned by the corporation will be adequately constructed and maintained. (Ord. 2005-31, 2005)

16.24.150 Certifications required.
The certification in Sections 16.24.160 through 16.24.260 shall appear on the dedication sheet unless not applicable. (Ord. 2005-31, 2005)

16.24.160 Certificate from platter's land surveyor.
A certificate of the registered land surveyor who made, or under whose supervision was made, the survey of the subdivision in substantially the following language:

(copy as follows)

I hereby certify that the plat of is based on actual survey and subdivision of Section , Township Range W.M.; that the distances and courses and angles are shown thereon correctly; that the monuments have been set and lot and block corners staked on the ground.

Dated this day of , A.D., 20 .
(seal)
Licensed Land Surveyor

(Ord. 2005-31, 2005)

16.24.170 Certificate of county public works director.
No plat shall be approved by the board of county commissioners until the county public works director shall have affixed his or her signature thereto and forwarded same to the board of county commissioners with a letter stating that requirements will be met, or suitable deposit made or bond filed to cover estimated cost of work, prior to the issuance of the first building permit.

(copy as follows)
EXAMINED
AND APPROVED This day of , A.D., 20 .
(seal)
Kittitas County Engineer

(Ord. 2005-31, 2005)

16.24.180 Certificate of county planning director.
A statement of the director that the subdivision conforms to the comprehensive plan.

(copy as follows)
I hereby certify that the plat of has been examined by me and find that it conforms to the comprehensive plan of the Kittitas County Planning Commission.

Dated this day of , A.D., 20 .
Kittitas County Community Development Services Director

(Ord. 2005-31, 2005)

16.24.200 Certificate from Kittitas County treasurer.
Certified statement from the county treasurer showing taxes are paid for preceding year; also taxes for the year in which the plat is filed, the latter being in an amount equal to last year's taxes, plus twenty-five percent.

(copy as follows)
I hereby certify that the taxes and assessments are paid for the preceding years and are current as of the date of my signature below.

Dated this day of , A.D., 20 .
Kittitas County Treasurer

(Ord. 2005-31, 2005)

16.24.210 Certificate of county health officer.

A statement as to the suitability of soils for proposed on site sewage systems and public water supplies installed in the subdivision signed by the health officer.

(copy as follows)
Preliminary inspection indicated soil conditions may allow the use of on site sewage systems as a temporary means of sewage disposal for some but not necessarily all building sites within this short plat. Prospective purchasers are urged to make inquiries at the County Health Department about issuance of on site sewage disposal permits for lots. Well information consisting of a well log, satisfactory bacteriological test and a four hour draw down has been submitted and reviewed.

Dated this day of , A.D., 20 .
Kittitas County Health Officer

(Ord. 2005-31, 2005)

16.24.215 Assessor's certificate.
Certified statement from the county assessor that no conditions exist which would encumber or obstruct the proposed subdivision.

(copy as follows)
I hereby certify that the plat of has been examined by me and I find the property to be in an acceptable condition for platting.

Dated this day of , A.D., 20 .
Kittitas County Assessor

(Ord. 2005-31, 2005)

16.24.220 Certificate of State Department of Transportation (if adjacent to state highway).
In the event that the property described in such plat or any part thereof shall be adjacent to a state highway, the district administrator of the Department of Transportation shall approve such plat before the approval of the board of county commissioners. The following form of certificate shall be filled out on said plat and signed by the district administrator.

EXAMINED AND APPROVED This day of , A.D., 20 .
Washington State Department of Transportation
Administrator, District No. 5

(Ord. 2005-31, 2005)

16.24.230 Certificate of city council (if adjacent to city).
In the event that the property described in such plat, or any part thereof, shall be adjacent to the corporate limits of any city or town, the council of such city or town shall approve such plat before its approval by the board of county commissioners. The following form of certificate shall be filled out on said plat and signed by the mayor of such city or town.

EXAMINED AND APPROVED This day of , A.D., 20 , pursuant to Ordinance No. , of the (city/town) of , Washington, passed, 20 , and approved by the Mayor thereof , 20 .
COUNCIL OF city/town, Washington
By
Mayor

(Ord. 2005-31, 2005)

16.24.240 Certificate of further restrictions.
In the event that there are further restrictions or covenants which are to be made a part of the plat, the following certificate shall be filled out on said plat and signed by the platters and the county auditor.

(copy as follows)
KNOW ALL MEN BY THESE PRESENTS: That this plat of Kittitas County, Washington is subject to additional restrictions entitled, which are filed with the Kittitas County Auditor and which are hereby made a part of this plat. This is to certify that the above mentioned restrictions have been filed this day of , 20 , at minutes past o'clock M., in Volume of Deeds , Page , Records of Kittitas County, Washington.
Kittitas County Auditor

(Ord. 2005-31, 2005)

16.24.250 Certificate of board of county commissioners.
(copy as follows)

EXAMINED AND APPROVED This day of , A.D., 20 .

Board of County Commissioners
Kittitas County, Washington
By
Chairman
ATTEST:
Clerk of the Board

(Ord. 2005-31, 2005)

16.24.260 Filing certificate for county recording.
(copy as follows)

Filed for record at the request of the Kittitas County Board of Commissioners, this day of , A.D., 20 , at minutes past o'clock M., and recorded in Volume of Plats , on page , Records of Kittitas County, Washington.
Kittitas County Auditor
Receiving No.
By
Deputy County Auditor

NOTE: "Receiving No." to be shown in the upper right hand corner on each page of the plat (if more than one page). (Ord. 2005-31, 2005)

Top

Chapter 16.28
DEVELOPMENT OF ILLEGALLY DIVIDED LAND

Sections

16.28.010 Application approval.
16.28.020 Innocent purchaser for value.

16.28.010 Application approval.
No application for a building permit, septic tank permit or other development permit for any lot, tract or parcel of land divided in violation of state law or this title shall be granted without prior approval of the board. Such approval shall only be given following a public meeting at which the applicant shall demonstrate to the satisfaction of the board that:

1. The county sanitarian has certified that the proposed means of sewage disposal and water supply on and to the lot, tract, or parcel are adequate;
2. The county engineer has certified that the lot, tract or parcel is served with an adequately designed means of ingress and egress, and with adequate drainage facilities, none of which interfere with or impair existing or planned public highway and drainage facilities in the vicinity;
3. The planning commission has certified that the proposed development conforms to the comprehensive plan and all zoning regulations;
4. The proposed development will not adversely affect the safety, health or welfare of adjacent property owners, or interfere with their enjoyment of their property. (Ord. 2005-31, 2005)

16.28.020 Innocent purchaser for value.
An application for a building permit, on site sewage permit or other development permit for any lot, tract or parcel of land divided in violation of state law or this title shall not be granted without prior approval of the board, which approval shall only be given following a public meeting at which the applicant shall demonstrate to the satisfaction of the board that:

1. The applicant purchased the lot, tract, or parcel for value;
2. The applicant did not know, and could not have known by the exercise of care which a reasonable purchaser would have used in purchasing the land, that the lot, tract or parcel had been part of a larger lot, tract, or parcel divided in violation of state law or this title. (Ord. 2005-31, 2005)

Top

Chapter 16.32
SHORT PLAT REQUIREMENTS

Sections
16.32.010 Drawings - General information requirements.
16.32.020 Short plat design standards.
16.32.030 Required improvements, road standards and irrigation easements.
16.32.050 Short plat review.
16.32.070 Board review - Appeals.
16.32.080 Final approval - Filing.
16.32.090 Expiration.
16.32.100 Alterations.

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

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

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

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

1. Its conformance with all county subdivision, zoning, health and sanitation, roads and bridges, and fire and life safety regulations and with laws adopted by the state of Washington.
2. Its conformance to all standards and improvements required under this title.
3. Potential hazards created by flood potential, landslides, etc.
4. Provisions for all improvements and easements (roads, ditches, etc.) required by this title.
5. Access for all proposed lots or parcels by way of a dedicated road right-of-way or easement.
6. All other relevant facts which may determine whether the public interest will be served by approval of the proposed subdivision.
7. Lots or parcels created by the final platting of a subdivision or short subdivision may not be further divided within a five-year period without filing of a final plat; except as provided for in RCW 58.17.060
8. Its compliance with Kittitas County Code Chapter 13.35, Adequate Water Supply Determination. (Ord. 2014-005, 2014; Ord. 2011-013, 2011; Ord. 2005-31, 2005)

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

16.32.080 Final approval - Filing.

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

16.32.090 Expiration.
A final short plat meeting all requirements of this chapter shall be submitted and approved within the timeframe specified by RCW 58.17.140 . Failure to do so will result in the short

plat being expired and no longer valid. No further action is necessary regarding an application once the short plat has expired pursuant to this chapter. Any applicant who files a written request with the administrator within 30 days before the expiration date, showing that the applicant has attempted in good faith to submit the final short plat within the time period and that the associated fees are paid, shall be granted a one-year extension. Such an extension can be requested and granted five times. (Ord. 2010-014 , 2010)

16.32.100 Alterations.
Once a short plat has been recorded with the county auditor it can be altered in a manner not involving a re-subdivision into no more than four lots from the original short plat. When a proposed alteration or vacation involves a public dedication, the alteration or vacation shall he processed in accordance with RCW Chapter 58.17 . If the proposed alteration or vacation does not involve a public dedication, the short plat alteration shall be processed in accordance with the following provisions:

1. The short plat alteration shall be processed administratively. A new survey shall not he required except for new lines created by the amended short plat.
2. Revisions that result in any substantial changes shall be treated as a new application for purposes of vesting.
3. The short plat alteration shall show all of the land shown on the original short plat and shall bear the acknowledged signatures of all parties having ownership interest in the affected lots, tracts, parcels, sites or divisions within the original short plat as shown by a current title certificate.
4. The short plat alteration shall not increase the number of lots, tracts, parcels, sites or divisions into more than four from the original short plat for a period of five years from the date of recording of the original short plat, unless a final plat has been approved and filed for record pursuant to the regular plat provisions of this title.
5. Minor errors not involving a change in lines may be corrected by the surveyor upon approval of the administrator by recording an affidavit with the county auditor specifically referencing the short plat by number and the correction. (Ord. 2011-013 , 2011)

Top

Chapter 16.36
LARGE LOT SUBDIVISION

Sections
16.36.010 Large lot subdivision review.
16.36.015 Criteria for eligibility as a large lot subdivision.
16.36.040 Survey requirements.
16.36.050 Plat review and approval process.

16.36.010 Large lot subdivision review.
The Director shall be vested with the responsibility of processing Large Lot Subdivision applications. The director shall review and consider the proposed subdivision as follows:

1. All large lot subdivisions shall contain information set forth in Sections 16.12.010 through 16.12.030 except that the required scale may be negotiated. (Ord. 2005-31, 2005)

16.36.015 Criteria for eligibility as a large lot subdivision.
1. All large lot subdivisions shall conform to the county comprehensive plan and all zoning regulations in effect at the time the large lot subdivision is submitted.
2. Consistent with parcel creation by long and short subdivision provisions of this code, preliminary approval of large lot subdivisions shall mean that road and access requirements are identified and conformance with section 16.04 of this code has been met.
3. Proof that all lots or tracts created by large lot subdivision are approved for irrigation delivery by the appropriate irrigation entity or entities shall be provided.
4. Requirements for easements as set forth in Section 16.12.110 shall be met.
5. The appropriate dedication as provided for in 16.24.090 and 16.24.110, A dedication shall appear on the face of the large lot subdivision survey with the following statement:

   KNOWN ALL MEN BY THESE PRESENT: that the undersigned, owner(s) in fee simple of the described real property, does hereby grant forever unto all owners of lots in this survey and all future plats in this survey a common ownership interest in all private roads shown.
6. A note shall appear on the subdivision survey with the following statement:

   "NOTE: The lots in this survey are created through the large lot subdivision review process. As such there has been review for conformance with suitability for on-site sewage disposal and availability of potable water."
7. All large lot subdivisions shall contain information set forth in Sections 16.12.010 through 16.12.030.
8. All large lot subdivisions shall meet requirements of Kittitas County Code Chapter 13.35, Adequate Water Supply Determination. (Ord. 2014-005, 2014; Ord. 2005-31, 2005)

16.36.040 Survey requirements.
(Reserved). (Ord. 2005-31, 2005)

16.36.050 Plat review and approval process.
(Reserved). (Ord. 2005-31, 2005)

Top

Chapter 16.40
PENALTIES

Sections
16.40.010 Penalty a misdemeanor.

16.40.010 Penalty a misdemeanor.
Any person, firm, corporation, or association or any agent of any person, firm, corporation, or association who violates any provision of this title, shall be guilty of a gross misdemeanor and each sale, offer for sale, lease or transfer of each separate lot, tract, or parcel of land in violation of any provision of this act or any local regulation adopted pursuant thereto, shall be deemed a separate and distinct offense. (Ord. 2005-31, 2005)

Title 17 | ZONING*

Chapters
17.04 General Provisions and Enforcement
17.08 Definitions
17.11 Urban Growth Area
17.12 Zones Designated - Map
17.13 Transfer of Development Rights
17.14 Repealed
17.15 Allowed Uses
17.16 R - Residential Zone
17.18 R-2 - Residential Zone
17.19 R-3-Rural-3 Zone
17.20 Repealed

17.22 UR - Urban Residential Zone
17.24 HT-C - Historic Trailer Court Zone
17.28 A-3 - Agriculture-3 Zone
17.28A A-5 - Agricultural Zone
17.29 A-20 - Agricultural Zone
17.30 Rural Recreation Zone
17.30A R-5 - Rural-5 Zone
17.31 CA - Commercial Agriculture Zone
17.32 C-L - Limited Commercial Zone
17.36 PUD - Planned Unit Development Zone
17.37 Master Planned Resorts
17.38 Repealed
17.40 C-G - General Commercial Zone
17.44 C-H - Highway Commercial Zone
17.48 I-L - Light Industrial Zone
17.52 I-G - General Industrial Zone
17.56 F-R Forest and Range Zone
17.57 CF - Commercial Forest Zone
17.58 Airport Zone
17.59 Liberty Historic Zone
17.60A Conditional Uses
17.60B Permitted Administrative Uses
17.61 Utilities
17.61 A Wind Farm Resource Overlay Zone
17.61 B Small Wind Energy Systems
17.62 Public Facilities Permits
17.65 Repealed (Ord. 2005-35, 2005)
17.66 Electric Vehicle Infrastructure
17.72 Signs
17.74 Right to Farm for Protection of Agricultural Activities
17.80 Nonconforming Uses
17.84 Variances
17.92 Permits
17.96 Repealed
17.98 Amendments

* For a schedule of processing fees for current land use classification applications for farm and agricultural lands, open space lands, and timber lands, see Ch. 4.08 of this code.

Chapter 17.04
GENERAL PROVISIONS AND ENFORCEMENT*

Sections

17.04.010 Title.
17.04.020 Interpretation.
17.04.030 Repealed.
17.04.040 Administrative and enforcement officers.
17.04.050 Penalty for violation.
17.04.060 Repealed.

* Prior history: Ords. 71-5, 2.

17.04.010 Title.
The title of this document shall be "Kittitas County Zoning Code". (Ord. 83-Z-2 (part), 1983: Res. 83-10, 1983)

17.04.020 Interpretation.

In interpreting and applying the provisions of this title, the county shall be held to the minimum requirements for the promotion of public health, safety, morals and general welfare; therefore, when the title imposes a greater restriction upon the use of buildings or premises, or requires larger open spaces than are imposed or required by other laws, resolutions, rules or regulations, the provisions of this title shall control. (Ord. 2013-008, 2013; Ord. 2013-001, 2013; Ord. 2007-22, 2007; Ord. 96-19 (part), 1996; Ord. 83-Z-2 (part), 1983; Res. 83-10, 1983)

17.04.030 Repealed.
Appeal from planning commission decision. Repealed by Ord. 96-19. (Res. 83-10, 1983)

17.04.040 Administrative and enforcement officers.

1. It shall be the duty of the Community Development Services director or such other persons designated by the county commissioners to administer the provisions of this title. The prosecuting attorney may institute any necessary legal proceedings to enforce the provisions of this title.
2. The county sheriff and his authorized representatives shall have the authority to enforce the provisions of this title. (Ord. 2007-22, 2007; Ord. 88-2, 1988: Res. 83-10, 1983)

17.04.050 Penalty for violation.
Anyone violating or failing to comply with any of the provisions of this title shall, upon conviction thereof, be fined in a sum of not exceeding three hundred dollars or imprisonment in the county jail for a term not exceeding ninety days, or may be both so fined and imprisoned and each day that anyone shall continue to violate or fail to comply with any of the provisions of this title shall be considered a separate offense. (Res. 8310, 1983)

17.04.060 Repealed.

(Ord. 2013-001, 2013; Ord. 2007-22 2007)

Chapter 17.08
DEFINITIONS*

Sections

17.08.010 Generally.
17.08.020 Accessory building or accessory use.
17.08.022 Accessory dwelling unit.
17.08.023 Accessory living quarters.
17.08.030 Access road.
17.08.030A Administrative.
17.08.031 Adult Family Home.
17.08.032 Agriculture processing
17.08.033 Agriculture production
17.08.034 Agriculture sales
17.08.035 Agriculture Study Overlay Zone.
17.08.040 Airport.
17.08.050 Alteration.
17.08.060 Amendment.
17.08.063 Amenity funds.
17.08.067 Animal boarding.
17.08.070 Repealed.
17.08.100 Auto wrecking yard.
17.08.101 Battery charging station.
17.08.102 Battery electric vehicle (BEV).
17.08.103 Battery exchange station.
17.08.105 Bed and breakfast.
17.08.110 Board.
17.08.120 Repealed.
17.08.130 Building.
17.08.135 Building height.
17.08.140 Building line.
17.08.150 Repealed.
17.08.155 Campground.
17.08.156 Campsite.
17.08.157 Camping unit.
17.08.158 Charging levels.
17.08.160 Clinic.
17.08.161 Clubhouses, fraternities and lodges
17.08.162 Repealed.
17.08.163 Repealed.
17.08.165 Commercial activities associated with agriculture.
17.08.170 Commission.
17.08.171 Common area
17.08.180 Conditional uses.
17.08.183 Conservation easement.
17.08.187 Conservation or resource values.
17.08.188 County
17.08.190 County arterial road.
17.08.191 Critter pad.
17.08.195 Day care facilities.
17.08.197 Density(ies).
17.08.198 Repealed.
17.08.198A Develop
17.08.198B Development
17.08.199 Development right.
17.08.199A Director
17.08.200 Dwelling.
17.08.210 Dwelling, multiple-family.
17.08.211 Dwelling, single-family
17.08.220 Dwelling, two-family.
17.08.221 Electric scooters and motorcycles.
17.08.222 Electric vehicle.
17.08.223 Electric vehicle charging station.
17.08.223A Electric vehicle charging station - restricted.
17.08.223B Electric vehicle charging station - public.
17.08.224 Electric vehicle infrastructure.
17.08.224A Electric vehicle parking space.
17.08.225 Extremely hazardous waste.
17.08.230 Family.
17.08.240 Repealed.
17.08.250 Farm.
17.08.255 Farm labor shelter.
17.08.260 Feedlot.
17.08.261 Forestry
17.08.261A Forest product processing
17.08.261B Forest product sales
17.08.261C Freighting and trucking yard or terminal
17.08.262 Golf Course.
17.08.262A Grade
17.08.262B Grading
17.08.262C Grazing
17.08.263 Group care facility.
17.08.265 Group home.
17.08.266 Guest houses.
17.08.270 Guest ranch.
17.08.280 Hazardous waste.
17.08.281 Hazardous waste facility.

17.08.282 Hazardous waste storage.
17.08.283 Hazardous waste treatment.
17.08.290 Home occupation.
17.08.300 Hospital.
17.08.310 Hospital, animal or veterinary.
17.08.320 Repealed.
17.08.321 Infill.
17.08.324 Interlocal agreement.
17.08.327 Repealed.
17.08.329 Junk.
17.08.330 Junkyard.
17.08.340 Repealed.
17.08.360 Lot.
17.08.361 Lot, flag
17.08.370 Lot line, front.
17.08.380 Lot line, rear.
17.08.390 Lot line, side.
17.08.390A Lot, through
17.08.391 Manufactured home.
17.08.392 Manufacturing
17.08.392A Marijuana Processing
17.08.392B Marijuana Production
17.08.393 Medium-speed electric vehicle.
17.08.395 Retail sales, marijuana.
17.08.396 Repealed.
17.08.397 Mini warehouse.
17.08.397A Mining and Excavation
17.08.398 Mobile home.
17.08.399 Modular home.
17.08.400 Repealed.
17.08.408 Neighborhood electric vehicle.
17.08.410 Nonconforming use.
17.08.412 Non-electric vehicle.
17.08.420 Nursing home.
17.08.421 Office
17.08.424 Off-site hazardous waste facilities.
17.08.427 On-site hazardous waste facilities.
17.08.428 Open space
17.08.430 Outdoor advertising signs and billboards.
17.08.430A Overlay zone/district
17.08.430B Ownership
17.08.431 Park model trailer.
17.08.440 Parking space.
17.08.445 Parks and playgrounds.
17.08.450 Planned unit development.
17.08.455 Planning commission or commission.
17.08.455A Plug-In hybrid electric vehicle (PHEV).
17.08.456 Produce Stands.
17.08.457 Public facilities
17.08.460 Public office building.
17.08.461 Rapid charging station.
17.08.462 Receiving site.
17.08.463 Recreation, indoor.
17.08.464 Recreation, outdoor.
17.08.465 Recreational vehicle.
17.08.465A Recreational vehicle park.
17.08.466 Refuse disposal/recycling
17.08.467 Religious institutions
17.08.468 Resource based industry
17.08.469 Restaurant
17.08.469A Retail sales, marujuana
17.08.470 Rezone.
17.08.472 Rock Crushing
17.08.472 Services
17.08.480 School, public or private.
17.08.485 Shooting range.
17.08.487 Sending site.
17.08.490 Small-scale event facility.
17.08.500 Special care dwelling.
17.08.510 Structural alteration.
17.08.520 Structure.
17.08.530 Repealed.
17.08.535 Repealed.
17.08.540 Trailer park, trailer camp, trailer court and mobile home park.
17.08.541 Trails.
17.08.542 Transfer of development rights (TDR).
17.08.543 TDR certificate.
17.08.544 TDR certificate letter of intent.
17.08.545 TDR credit.
17.08.546 TDR program.
17.08.547 TDR sending site application.
17.08.550 Use.
17.08.560 Variance.

17.08.560A Vehicle/equipment service and repair
17.08.560B Watershed management facilities
17.08.561 Winery.
17.08.570 Yard.
17.08.580 Yard depth.
17.08.590 Yard, front.
17.08.600 Yard, rear.
17.08.610 Yard, side.
17.08.620 Yurt.

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

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

17.08.020 Accessory building or accessory use.
"Accessory building" or "accessory use" means a subordinate building or use which is incidental to that of the main building or use and located on the same tract or lot as the main building or use. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.08.022 Accessory dwelling unit.
"Accessory dwelling unit" means separate living quarters detached from the primary residence. (Ord. 2013-008, 2013; Ord. 2013-001, 2013; Ord. 2010-014 , 2010; Ord. O-2006-01, 2006)

17.08.023 Accessory living quarters.
"Accessory living quarters" means separate living quarters fully contained within a single structure that contains the primary dwelling. (Ord. 2013-008, 2013; Ord. 2013-001 , 2013; Ord. O-2006-01, 2006)

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

17.08.030 Administrative
"Administrative" means a discretionary action or permit decision made without a public hearing. (Ord. 2013-001, 2013;)

17.08.031 Adult family home.
"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 (1) but not more than six (6) adults who are not related by blood or marriage to the person or persons providing the services. (Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.08.032 Agriculture processing
"Agriculture processing" includes but is not limited to feed mills, canneries, preparation of agriculture product (produce washing, boxing, bulk packaging, baling, etc.), animal slaughter and meat preparation. (Ord. 2013-001, 2013;)

17.08.033 Agriculture production
"Agriculture production" means raising of crops, animals and other agricultural products. Definition excludes feedlots, which are defined separately. (Ord. 2014-005, 2014; Ord. 2013-001, 2013;)

17.08.034 Agriculture sales
"Agriculture sales" includes, but is not limited to, private or public sales (including auctions) of agricultural products such as fruit/produce, eggs, milk cheese, and livestock. (Ord. 2013-001, 2013;)

17.08.035 Agriculture Study Overlay Zone.
"Agriculture Study Overlay Zone" means properties containing prime farmland soils, as defined by United States Department of Agriculture Soil Conservation Service in Agriculture Handbook No. 210, and located in the former Thorp Urban Growth Node Boundaries and outside of LAMIRD boundaries. (Ord. 2013-001, 2013; Ord. 2009-25, 2009)

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

17.08.050 Alteration.
"Alteration" means a change in construction or a change of occupancy. Where the term alteration is applied to a change in construction, it is intended to apply to any change, addition or modification in construction. Where the term is used in connection with a change of occupancy, it is intended to apply to changes of occupancy from one (1) trade or use to another or from one (1) division of a trade or use to another. (Ord. 2013-001, 2013; Res. 83-10, 1983)

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

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

17.08.067 Animal boarding.
"Animal boarding" means a facility where animals are housed, fed, and cared for, excluding a veterinary clinic, for a period greater than twenty-four (24) hours for commercial purposes. Such uses shall include, but are not limited to, kennels, boarding stables and riding academies. (Ord. 2013-001, 2013; Ord. 2009-25, 2009; Ord. 2007-22, 2007)

17.08.070 Repealed.

(Ord. 2013-001, 2013; Res. 83-10, 1983)

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

17.08.101 Battery charging station.
"Battery charging station" means an electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles, which meet or exceed any standards, codes, and regulations set forth by chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540. (Ord. 2011-013, 2011; Res. 83-10, 1983)

17.08.102 Battery electric vehicle (BEV).
"Battery electric vehicle (BEV)" means any vehicle that operates exclusively on electrical energy from an off-board source that is stored in the vehicle's batteries, and produces zero tailpipe emissions or pollution when stationary or operating. (Ord. 2013-001, 2013; Ord. 2011-013, 2011; Res. 83-10, 1983)

17.08.103 battery exchange station.
"Battery exchange station" means a fully automated facility that will enable an electric vehicle with a swappable battery to enter a drive lane and exchange the depleted battery with a fully charged battery through a fully automated process, which meets or exceeds any standards, codes, and regulations set forth by chapter 19.27 RCW and consistent with rules adopted under RCW 19.27.540. (Ord. 2013-001, 2013; Ord. 2011-013, 2011; Res. 83-10, 1983)

17.08.105 Bed and breakfast.
"Bed and breakfast" means any establishment located in a structure designed for a single family residence that has more than two (2) rooms for rent on a daily basis and offers a meal as part of the cost of a room, regardless of whether the owner or operator of the establishment resides in any of the structures. Excludes rehabilitation centers, group homes, clinics, nursing homes, church camps, and other similar uses. (Ord. 2013-001, 2013; Ord. 93-21 (part), 1993)

17.08.110 Board.
"Board" means Kittitas County Board of County Commissioners. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.08.120 Repealed. (Ord. 2012-009, 2012; Res. 83-10, 1983)

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

17.08.135 Building height.
"Building height" means the vertical distance from grade plane to the average height of the highest roof surface. Grade plain is the reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than six (6) feet (1829 mm) from the building, between the building and a point six (6) feet (1829 mm) from the building. (Ord. 2013-001, 2013; Ord. 2010-014, 2010)

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

17.08.150 Repealed.
(Ord. 2013-001, 2013; Res. 83-10, 1983)

17.08.155 Campground.
"Campground" means any parcel or tract of land under the control of any person, organization, or governmental entity wherein two (2) or more recreational vehicle, recreational park trailer or other camping unit sites are offered for the use of the public or members of an organization. Typically the length of stay for a majority of the guests will range from one (1) to fourteen (14) days. The purpose of a campground use shall relate primarily to vacation, recreation and similar pursuits, and is not a place of permanent residence for the campers. A single-family residence may be allowed for the owner or caretaker. Very limited service commercial activities may be allowed which are intended for campers of the campground and must be approved as part of a conditional use permit. (Ord. 2013-012, 2013; Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.08.156 Camp site.
"Camp site" means a specific area within an RV park or campground that is set aside for use by a camping unit. (Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.08.157 Camping unit.
Camping unit means any portable structure, shelter or vehicle designed and intended for occupancy by persons engaged in RV activities or camping. The basic units are: recreational vehicle, tent, portable camping cabin, teepee, yurt or other portable shelter. (Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.08.158 Charging levels.
"Charging levels" means the standardized indicators of electrical force, or voltage, at which an electric vehicle's battery is recharged. The terms "1," "2," and "3" are the most common EV charging levels, and include the following specifications:

- Level 1 is considered slow charging.
- Level 2 is considered medium charging.
- Level 3 is considered fast or rapid charging. (Ord. 2013-001, 2013; Ord. 2011-013, 2011; Res. 83-10, 1983)

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

17.08.161 Clubhouses, fraternities and lodges.
"Clubhouses, fraternities and lodges" means associations of persons organized for social, education, literary or charitable purposes. This definition includes community meeting halls, clubhouses and lodges for philanthropic institutions, private clubs, fraternal or nonprofit organizations, and social service organizations. This definition excludes religious institutions. (Ord. 2013-001, 2013;)

17.08.162 Repealed.
(Ord. 2013-012, 2013; Ord. 2013-001, 2013;)

17.08.163 Repealed.
(Ord. 2013-012, 2013; Ord. 2013-001, 2013;)

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

17.08.170 Commission.
"Commission" means the Kittitas County Planning Commission. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.08.171 Common area
"Common area" means land commonly owned to include open space, landscaping or recreation facilities (e.g., typically owned by a homeowners' association or by the State through conservation easements). (Ord. 2013-001, 2013;)

17.08.180 Conditional uses.
For the definition of "Conditional uses" see "Use" (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.08.183 Conservation easement.
"Conservation easement" means a legal agreement between a landlord and a land trust or government agency that permanently limits uses of the land in order to protect its

nondevelopment values. It allows the landowner to continue to own and use the land, to sell it, or to pass it on to heirs. A conservation easement is placed on a sending site at the time development rights are sold from the property. The conservation easement typically prohibits any further development of the property but allows resource uses, such as farming and forestry, to continue. (Ord. 2009-25, 2009)

17.08.187 Conservation or resource values.
Conservation or resource values means the use and suitability of the land for farm, agricultural, or forest production and the perpetual retention of the land for such purpose. (Ord. 2013-001, 2013; Ord. 2009-25, 2009)

17.08.188 County
"County" means the County of Kittitas, Washington. (Ord. 2013-001, 2013;)

17.08.190 County arterial road.
"County arterial road" means any county road designated by resolution at any time as a county arterial road by the Board. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.08.191 Critter pad.
"Critter pad" means livestock flood sanctuary areas. (Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.08.195 Day care.
"Day care facilities" means any home used for the daily care and supervision of thirteen (13) or more individuals in any twenty-four (24) hour period or any number of individuals in a nonresidential structure. (Ord. 2013-001, 2013; Ord. 90-15 § 1, 1990)

17.08.197 Density(ies).
"Density(ies)" means a measurement of the number of dwelling units in relationship to a specified amount of land. As used in this Code, density is determined based on the gross parcel or lot area, which includes land that will be dedicated as right-of-way through the development process. It does not include land previously dedicated as right-of-way. Density is a measurement used generally for residential uses. (Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.08.198 Repealed.
(Ord. 2013-012, 2013; Ord. 2013-001, 2013; Ord. 2007-22, 2007; Ord. 98-22 (part), 1998)

17.08.198A Develop
"Develop" means to construct or alter a structure or to make a physical change to the land including excavations and fills. (Ord. 2013-001, 2013;)

17.08.198B Development
"Development" means all improvements on a site, including buildings, other structures, parking and loading areas, landscaping, paved or graveled areas, and areas devoted to exterior display or storage activities. Development includes improved open areas such as plazas and walkways, but does not include natural geologic forms or unimproved land. See also Exterior Improvements. (Ord. 2013-008, 2013; Ord. 2013-001, 2013;)

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

17.08.199A Director
"Director" means the director of Kittitas County Community Development Services department or designee. (Ord. 2013-001, 2013;)

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

17.08.210 Dwelling, multiple-family.
"Multiple family dwelling" means a dwelling designed or used for occupancy by more than two (2) families. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.08.211 Dwelling, single-family
"Single-family dwelling" means a dwelling designed or used for occupancy by one (1) family. (Ord. 2013-001, 2013;)

17.08.220 Dwelling, two-family.
"Two family dwelling" means a building designed exclusively for occupancy by two (2) families living independently of each other. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.08.221 Electric scooters and motorcycles.
"Electric scooters and motorcycles" means any two-(2)-wheel vehicle that operates exclusively on electrical energy from an off-board source that is stored in the vehicle's batteries and produces zero emissions or pollution when stationary or operating. (Ord. 2013-001, 2013; Ord. 2011-013, 2011; Res. 83-10, 1983)

17.08.222 Electric vehicle.
"Electric vehicle" means any vehicle that operates, either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on-board for motive purpose. "Electric vehicle" includes: (1) a battery electric vehicle; (2) a plug-in hybrid electric vehicle; (3) a neighborhood electric vehicle; and (4) a medium-speed electric vehicle. (Ord. 2011-013, 2011; Res. 83-10, 1983)

17.08.223 Electric vehicle charging station.
"Electric vehicle charging station" means a public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle. An electric vehicle charging station equipped with Level 1 or Level 2 charging equipment is permitted outright as an accessory use to any principal use. (Ord. 2011-013, 2011; Res. 83-10, 1983)

17.08.223A Electric vehicle charging station - restricted.
"Electric vehicle charging station - restricted" means an electric vehicle charging station that is (1) privately owned and restricted access (e.g., single-family home, executive parking, designated employee parking) or (2) publicly owned and restricted (e.g., fleet parking with no access to the general public). (Ord. 2011-013, 2011; Res. 83-10, 1983)

17.08.223B Electric vehicle charging station - public.
"Electric vehicle charging station - public" means an electric vehicle charging station that is (1) publicly owned and publicly available (e.g., Park & Ride parking, public library parking lot, on-street parking) or (2) privately owned and publicly available (e.g., shopping center parking, non-reserved parking in multi-family parking lots). (Ord. 2011-013, 2011; Res. 83-10, 1983)

17.08.224 Electric vehicle infrastructure.
"Electric vehicle infrastructure" means structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations, rapid charging stations, and battery exchange stations. (Ord. 2011-013, 2011; Res. 83-10, 1983)

17.08.224A Electric vehicle parking space.
"Electric vehicle parking space" means any marked parking space that identifies the use to be exclusively for the parking of an electric vehicle. (Ord. 2011-013, 2011; Res. 83-10, 1983)

17.08.225 Extremely hazardous waste.

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

17.08.230 Family.
"Family" means a number of related individuals or not more than five (5) unrelated individuals living together as a single housekeeping unit, and doing their cooking on the premises exclusively as one (1) household. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.08.240 Repealed.

(Ord. 2013-001, 2013; Res. 83-10, 1983)

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

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

17.08.260 Feedlot.
"Feedlot" means any area used for the continuous feeding of five hundred 500 or more head of cattle destined for slaughter, confined at a density of less than five hundred 500 square feet per head on a year round basis. This shall not be interpreted to include dairy operations with a Washington State Grade A license. (Ord. 2013-001, 2013; Ord. 91-4, 1991: Res. 83-10, 1983)

17.08.261 Forestry. "Forestry" means the management , growing and harvesting of forest products, including but not limited to fuel woods, cones, Christmas trees, salal, berries, ferns, greenery, mistletoe, herbs, and mushrooms in accordance with the Washington Forest Practices Act of 1974 as amended, and regulations adopted pursuant thereto. (Ord. 2013-001, 2013;)
Repealed by Ord. 2009-25. (Ord. 2009-25, 2009; Ord. 200113 (part), 2001)

17.08.261A Forest product processing.
"Forest product processing" means the harvesting and commercial production of forest products including but not limited to saw mills, chippers, log sorting and storage. (Ord. 2013-001, 2013;)

17.08.261B Forest product sales.
"Forest product sales" means wholesaling and retailing of vegetation from forest lands including but not limited to fuel woods, cones, Christmas trees, salal, berries, ferns, greenery, mistletoe, herbs, and mushrooms. (Ord. 2013-001, 2013;)

17.08.261C Freighting and trucking yard or terminal.
"Freighting and trucking yard or terminal" means an area in which trucks, tractor and/or trailer units, and semitrailers are parked for seventy two (72) hours or less, and dispatched. (Ord. 2013-001, 2013;)

17.08.262 Golf course.
"Golf course" means a recreational facility designed and developed for golf activities. May include as accessory uses a pro shop, snack bar (not including restaurants), and caddy shack/maintenance buildings. (Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.08.262A Grade.
"Grade" means the lowest point of elevation of the finished surface of the ground, paving, or sidewalk within the area between the building and the property line or, when the property line is more than five (5) feet from the building, between the building and a line five (5) feet from the building. (Ord. 2013-001, 2013;)

17.08.262B Grading
"Grading" means all cuts, fills, embankments, stockpile areas, and equipment maneuvering areas associated with development. (Ord. 2013-001, 2013;)

17.08.262C Grazing
"Grazing" means providing herbage for cattle, sheep, goats or horses, including the supplementary feeding of such animals, as a discrete activity not part of nor conducted in conjunction with any dairy, livestock feed yard, livestock sales yard, or commercial riding academy. (Ord. 2013-001, 2013;)

17.08.263 Group care facility.
"Group care facility" means living quarters for children or adults meeting applicable Federal and State standards that function as a single housekeeping unit and provide supporting services, including but not limited to counseling, rehabilitation, and medical supervision, not exceeding more than twenty (20) residents and staff. If staffed by nonresident staff, each twenty-four (24) staff hours per day equals one (1) full-time residing staff member for purposes of determining number of staff. (Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.08.265 Group home.
"Group home" means a home for at least seven (7) and not more than fifteen (15) persons, plus house parents, providing residential facilities in a homelike environment directed to allow a degree of community participation and human dignity not provided in an institutional atmosphere. (Ord. 2013-001, 2013; Ord. 87-9 § 1, 1987)

17.08.266 Guest house.
"Guest house means" an accessory building designed, constructed, and used for the purpose of providing temporary sleeping accommodations for guests, or for members of the same family as that occupying the main structure, and containing no kitchen facilities (Ord. 2013-001, 2013; Ord. 2007-22, 2007)

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

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

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

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

17.08.283 Hazardous waste treatment.

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

17.08.290 Home occupation.
"Home occupation" means any lawful profession, craft or service commonly carried on within a dwelling or accessory building provided such activity is secondary to the use of said dwelling for residential purposes, and provided that there is no outdoor display of merchandise. Home occupations include operations that provide care to twelve (12) or fewer individuals in any twenty-four (24) hour period within the caregiver's place of residence. This definition shall not be interpreted to include the sale of firewood, farm produce, or similar activities. (Ord. 2013-001, 2013; Res. 83-10, 1983)

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

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

17.08.320 Repealed.

(Ord. 2013-001, 2013; Res. 83-10, 1983)

17.08.321 Infill.
"Infill" means the development of new housing or other buildings on scattered vacant sites in a built-up area. (Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.08.324 Interlocal agreement.
"Interlocal agreement" means a legal contract between two (2) or more local jurisdictions (cities and counties) that specifies the condition under which TDR credits may be transferred (typically from an unincorporated county into an incorporated city). Interlocal agreements must be endorsed by the legislative bodies of both jurisdictions. (Ord. 2013-001, 2013; Ord. 2009-25, 2009)

17.08.327 Repealed.
A parcel of land which is physically separated from a main tract by a public road or ownership by utility, including irrigation entities. Identification of intervening ownership shall be processed consistent with Kittitas County Code 17.60B Administrative Uses. (Ord. 2013-001, 2013; Ord. 2009-25, 2009; Ord. 2007-22, 2007)

17.08.329 Junk.
"Junk" means of inoperable motor vehicles or equipment, vehicle or equipment parts, used lumber and building materials, pipe, appliances, demolition waste, or any used material. This shall not be interpreted to include the normal storage or accumulation of viable and/or operable agricultural equipment. (Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.08.330 Junkyard.
"Junkyard" means any lot, parcel, building, structure or portion thereof, used for the storage, collection, processing, purchase, sale, exchange, salvage or disposal of junk, including scrap materials, unlicensed or inoperable vehicles, vehicle parts, used appliances, machinery or parts thereof. This shall not be interpreted to include the normal storage or accumulation of viable and/or operable agricultural equipment. (Ord. 2013-001, 2013; Ord. 2007-22, 2007; Res. 83-10, 1983)

17.08.340 Repealed.

(Ord. 2013-001, 2013; Ord. 2007-22, 2007; Res. 83-10, 1983)

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

17.08.361 Lot, flag.
"Lot, flag" means a lot with two distinct parts:

- The flag, which is the only building site; and is located behind another lot; and
- The pole, which connects the flag to the street or road, provides the only street frontage for the lot, and is less than the minimum lot width for the zone in which it is located.

(Ord. 2013-001, 2013;)

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

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

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

17.08.390A Lot, through.
"Lot, through" means a lot that has frontage on two (2) easements (public or private) for access. (Ord. 2013-001, 2013;)

17.08.391 Manufactured home.
"Manufactured home" means a single-family residence constructed after June 15, 1976, and in accordance with the U.S. Department of Housing and Urban Development (HUD) requirements for manufactured housing and bearing the appropriate insignia indication for such compliance. The unit must be transportable in one (1) or more sections, which in the traveling mode, is eight (8) body feet or more in width or forty (40) body width in length, or when erected on site exceeds four hundred (400) square feet and which is built on a permanent chassis. A manufactured home shall be affixed to a foundation system in accordance with Chapter 296-150M WAC as administered by the Washington State Department of Labor and Industries. The manufacturer's requirements shall be followed for placement and if there are no manufacturer instructions, the Kittitas County department of building and fire safety requirements shall be imposed. A manufactured home has a red insignia from the Department of Labor and Industries. (Ord. 2013-001, 2013; Ord. 9822 (part), 1998)

17.08.392 Manufacturing
"Manufacturing" includes, but is not limited to, assembly, storage, packaging or treatment of products and merchandise such as drugs, food, beverages , cosmetics and toiletries, and products made from materials such as textiles, metals, paper, plastics, stone, wood, and paint. (Ord. 2013-001, 2013;)

17.08.392A Marijuana processing
"Marijuana processing" means the preparation of marijuana products including, but not limited to, boxing, bulk packaging, portioning, labeling, or the creation of marijuana derivative and edible products. (Ord. 2014-004, 2014;)

17.08.392B Marijuana production

"Marijuana production" means any operation to raise or produce marijuana. (Ord. 2014-004, 2014;)

17.08.393 Medium-speed electric vehicle.
"Medium-speed electric vehicle" means a self-propelled, electrically powered four-(4)-wheeled motor vehicle, equipped with a roll cage or crush-proof body design, whose speed attainable in one (1) mile is more than twenty-five (25) miles per hour but not more than thirty-five (35) miles per hour and otherwise meets or exceeds the Federal regulations set forth in 49 C.F.R. Sec. 571.500. (Ord. 2013-001, 2013; Ord. 2011-013, 2011; Res. 83-10, 1983)

17.08.395 Retail sales, marijuana.
"Retail sales, marijuana" means any operation or business selling, distributing, or dispensing usable marijuana or marijuana-infused products which have been prepared, processed, or packaged for end user consumption.

(Ord. 2014-004, 2014; Ord. 2013-001, 2013; Res. 83-10, 1983)

17.08.396 Repealed.

(Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.08.397 Mini warehouse.
"Mini warehouse" means a building or group of buildings containing individual compartmentalized access stalls or lockers for the dead storage of customers' goods or wares. (Ord. 2013-001, 2013; Ord. 83-Z-2 (part), 1983)

17.08.397A Mining and Excavation.
"Mining and excavation" means extraction of earth materials including but not limited to clay, coal, gravel, minerals, metallic substances, peat, sand, stone, topsoil, and any other similar solid material or substance to be excavated from natural deposits on or in the earth for commercial, industrial, or construction use. (Ord. 2013-001, 2013;)

17.08.398 Mobile home.
"Mobile home" means a structure transportable in one (1) or more sections that are eight (8) feet or more in width and thirty-two (32) feet or more in length, built on a permanent chassis, designed to be used as a permanent dwelling and constructed before June 15, 1976. Beginning September 1, 1998, mobile homes will no longer be allowed to be transported and placed within Kittitas County. Those units presently located in Kittitas County that are to be relocated within Kittitas County must have a fire/life inspection approved by the Washington State Department of Labor and Industries. (Ord. 2013-001, 2013; Ord. 98-22 (part), 1998: Res. 83-10, 1983)

17.08.399 Modular home.
"Modular home" means a manufactured structure originally designed for initial movement without benefit of an undercarriage frame or its own wheels to a site of permanent placement on a full perimeter foundation, used for residential purposes, and exceeds eight hundred sixty-four (846) square feet of enclosed living area. A modular home shall be considered a "dwelling" or "single-family residence". A "modular home" constructed to International Building Code standards and bearing the gold insignia from the Washington State Department of Labor and Industries shall be considered to be a single-family residence. (Ord. 2013-001, 2013; Ord. 2007-22, 2007; Ord. 98-22 (part), 1998: Ord. 93-21 (part), 1993)

17.08.400 Repealed.

(Ord. 2013-001, 2013; Res. 83-10, 1983)

17.08.408 Neighborhood electric vehicle.
"Neighborhood electric vehicle" means a self-propelled, electrically powered four-(4)-wheeled motor vehicle whose speed attainable in one (1) mile is more than twenty (20) miles per hour and not more than twenty-five (25) miles per hour and conforms to federal regulations under Title 49 C.F.R. Part 571.500. (Ord. 2013-001, 2013; Ord. 2011-013, 2011; Res. 83-10, 1983)

17.08.410 Nonconforming use.
For more information on "nonconforming use" see "Use". (Ord. 2013-001, 2013; Ord. 2007-22, 2007; Res. 83-10, 1983)

17.08.412 Non-electric vehicle.
"Non-electric vehicle" means any motor vehicle that does not meet the definition of "electric vehicle." (Ord. 2013-001, 2013; Ord. 2011-013, 2011; Res. 83-10, 1983)

17.08.420 Nursing home.
"Nursing home" means a home, place or institution which operates or maintains facilities providing convalescence or chronic care or both for a period in excess of twenty-four (24) consecutive hours for three (3) or more patients not related by blood or marriage to the operator, who by reason of illness or infirmity are unable properly to care for themselves, and is licensed by the State Department of Health as a nursing home. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.08.421 Office
"Office" means a place at which the affairs of a business, profession, service, or industry are conducted and generally fu rnished with desks, tables, files and communication equipment. (Ord. 2013-001, 2013;)

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

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

17.08.428 Open space
"Open space" means land within a development that has been dedicated in common to the ownership within the development or to the public specifically for the purpose of providing places for recreation, conservation or other open space uses. May include public or private lands. (Ord. 2013-001, 2013;)

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

17.08.430A Overlay Zone/district
"Overlay zone/district" means overlay zones that impose and/or relax requirements of an underlying land use district, or base zone, where characteristics of the land or neighborhood, or the types of development planned for an area, require special regulations. (Ord. 2013-001, 2013;)

17.08.430B Ownership

"Ownership" means an ownership is one (1) or more contiguous lots that are owned by the same person, partnership, association, or corporation. Ownership also includes lots that are in common ownership but are separated by a right-of-way. (Ord. 2013-001, 2013;)

17.08.431 Park model trailer.
"Park model trailer" means a trailer designed to provide seasonal or temporary living quarters which may be used with temporary connections to utilities necessary for operation of installed fixtures and appliances. It has a gross trailer area not exceeding four hundred (400) square feet. (Ord. 2013-001, 2013; Ord. 2007-22, 2007)

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

17.08.445 Parks and playgrounds.
"Parks and playgrounds" means sites designed or developed for recreational use including, but not limited to playfields, picnic facilities, outdoor activity areas, trails, play structures, and facilities for on-site maintenance. (Ord. 2013-012, 2013; Ord. 2013-001, 2013; Ord. 2005-35, 2005)

17.08.450 Planned unit development.
"Planned unit development" means a development that departs from strict compliance with the zoning and subdivision standards in order to accomplish objectives that serve the public welfare pursuant to standards in KCC Chapter 17.36. (Ord. 2013-001, 2013; Ord. 2005-35, 2005, Ord. 90-6 (part), 1990: Ord. 83-Z-2 (part), 1983)

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

17.08.455A Plug-in hybrid electric vehicle (PHEV).
"Plug-in hybrid electric vehicle (PHEV)" means an electric vehicle that (1) contains an internal combustion engine and also allows power to be delivered to drive wheels by an electric motor; (2) charges its battery primarily by connecting to the grid or other off-board electrical source; (3) may additionally be able to sustain battery charge using an on-board internal-combustion-driven generator; and (4) has the ability to travel powered by electricity. (Ord. 2011-013, 2011; Res. 83-10, 1983)

17.08.456 Produce Stands.
"Produce stands" means a temporary use which is primarily engaged in the sale of fresh agricultural products, grown on- or off-site, but may include incidental to fresh produce sale, the sale of limited prepackaged food products and nonfood items. This use is to be seasonal in duration, open for the duration of the local harvest season. (Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.08.457 Public facilities.
"Public facilities" means capital improvements and systems to support transportation, law enforcement, fire protection, and recreation. Facilities include but are not limited to fire stations, police stations, and bus stops. (Ord. 2013-001, 2013;)

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

17.08.461 Rapid charging station.
"Rapid charging station" means an industrial grade electrical outlet that allows for faster recharging of electric vehicle batteries through higher power levels and that meets or exceeds any standards, codes, and regulations set forth by chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540 (Ord. 2011-013, 2011; Res. 83-10, 1983)

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

17.08.463 Recreation, indoor.
"Recreation, indoor" means a place designed and equipped for the conduct of sports and leisure-time activities within an enclosed space. Examples include gymnasium, bowling alley, dance hall, billiard hall, theaters, indoor tennis and racquetball courts, and indoor swimming pools. This definition excludes stadiums. Indoor recreation uses for the private use of the landowner are permitted outright. (Ord. 2013-012, 2013;)

17.08.464 Recreation, outdoor
"Recreation, outdoor" means a place designed and equipped for the conduct of sports and leisure-time activities with little or no enclosed space. Examples include: outdoor theaters, tennis courts, swimming pools, batting cages, amusement parks, miniature golf courses, boat launches and driving ranges. This definition excludes golf courses and stadiums. Outdoor recreation uses for the private use of the landowner are permitted outright. (Ord. 2013-012, 2013;)

17.08.465 Recreational vehicle.
"Recreational vehicle" means a vehicular type unit designated as temporary living quarters for recreation camping, travel or seasonal use which has its own power or is mounted on or towed by another vehicle. The vehicle has a gross floor area of not more than three hundred twenty (32) square feet. This definition includes vehicles such as travel trailers, camping trailers, truck campers and motor homes. A recreational vehicle is not considered a mobile or manufactured home and is not constructed to the International Building Code standards. A recreational vehicle has a green and silver insignia from the Department of Labor and Industries. (Ord. 2013-001, 2013; Ord. 2007-22, 2007; Ord. 98-22 (part), 1998)

17.08.465A Recreational vehicle park.
"Recreational vehicle park" means land designed to accommodate predominantly recreational vehicles (RVs) used as temporary living quarters for recreation or vacation purposes with sewage facilities approved by the County Health Department and a maximum allowable stay of one hundred eighty (180) days in a calendar year. (Ord. 2013-012, 2013;)

17.08.466 Refuse disposal/recycling.
"Refuse collection/recycling" means a facility for the collection of solid waste or recyclables for sorting, compaction, composting, processing (including changing the form of materials) or transfer to a landfill. This definition excludes concrete recycling. (Ord. 2013-001, 2013;)

17.08.467 Religious institutions.
"Religious institutions" means churches, synagogues, temples and other places where gathering for worship is the principle purpose of the use. (Ord. 2013-001, 2013;)

17.08.468 Resource based industry.
"Resource based industry" means an industry based on natural resources including but not limited to recreation-related tourism, agriculture, fisheries, forestry and mining. (Ord. 2013-001, 2013;)

17.08.469 Restaurant.
"Restaurant" means a retail establishment selling food and/or drink for consumption on the premises or for take-out, including accessory on-site food preparation, This definition excludes taverns. (Ord. 2013-001, 2013;)

17.08.469A Retail sales, marijuana.*
(Ord. 2014-004, 2014; Ord. 2013-001, 2013;)

* Publisher's Note: § 17.08.469A was erroneously included. This section should refer to 17.08.395.

17.08.470 Rezone.

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

17.08.471 Rock Crushing.
"Rock crushing" means an activity which reduces the size and weight of rock material into useable building or landscaping material. (Ord. 2013-001, 2013;)

17.08.472 Services.
"Services" means establishments primarily engaged in providing individual or professional services within the place of business, such as beauty and barber shops, retail laundry and dry-cleaning including coin-operated, garment alterations and repair, photo studios, shoe repair, pet grooming, photography and photo reproduction, real estate offices, personal accountants, entertainment media rental or other indoor rental services, and repair of personal or household items. (Ord. 2013-001, 2013;)

17.08.480 School, public or private.
"Public or private school" means an institution which offers instruction and study required to be taught in the public schools of the state of Washington. Trade schools are specifically excluded from this definition. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.08.485 Shooting range.
"Shooting range" means an area or facility designated or operated for archery (including crossbows), and/or the discharging and operation of lawfully possessed, lawful firearms, as defined in RCW Chapter 9.41; with the exception of:

1. Any law enforcement or military shooting range; or
2. Incidental target practice areas on private property.

(Ord. 2013-001, 2013; Ord. 2009-25, 2009)

17.08.487 Sending site.
"Sending site" means designated lot or lots from where landowners may sell their development rights in exchange for placing a conservation easement on the property. (Ord. 2009-25, 2009)

17.08.490 Small-scale event facility.
"Small-scale event facility" means a facility that is open to the public for events, seminars, wedding or other social gatherings. May include eating and food preparation facilities provided meals are only served to guests attending events.

(Ord. 2013-012, 2013; Ord. 2013-001, 2013; Ord. 98-22 (part), 1998)

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

17.08.510 Structural alteration.
"Structural alteration" means any change or repair which would tend to prolong the life of the supporting members of a building or of structures, such as bearing walls, columns, beams or girders. (Res. 83-10, 1983)

17.08.520 Structure.
"Structure" means that which is built or constructed, an edifice or building of any kind, or any place of work artificially built up or composed of parts joined together in some definite manner. (Res. 83-10, 1983)

17.08.530 Repealed.

(Ord. 2013-001, 2013; Res. 83-10, 1983)

17.08.535 Repealed.

(Ord. 2013-001, 2013; Res. 83-10, 1983)

17.08.540 Repealed.

(Ord. 2013-001, 2013; Res. 83-10, 1983)

17.08.541 Trails.
"Trails" means man-made pathways designed and intended for use by pedestrians, bicyclists, equestrians, snowmobiles and other recreational users together with associated parking and trailhead facilities. (Ord. 2013-012, 2013;)

17.08.542 Transfer of development rights (TDR).
"Transfer of development rights (TDR)" means the transfer of the right to develop or build from sending sites to receiving sites. (Ord. 2013-001, 2013; Ord. 2009-25, 2009)

17.08.543 TDR certificate.
"TDR certificate" means a form of currency that displays how many TDR credits are available for sale and use. (Ord. 2009-25, 2009)

17.08.544 TDR certificate letter of intent.
"TDR certificate letter of intent" means a document issued to a landowner upon an approved TDR sending site application. The letter contains a determination of the number of development rights calculated for the sending site and an agreement by the County to issue a corresponding number of TDR certificates in conversion for a conservation easement. The sending site owner may use the TDR certificate letter of intent to market development rights to potential purchasers, but the document has no value itself and cannot be transferred or used to obtain increased development rights within receiving areas. (Ord. 2009-25, 2009)

17.08.545 TDR credit.
"TDR credit" means for the TDR commodity used in receiving sites. TDR credits reflect the number of units a seller has a right to build or sell on a sending site based on zoning. TDR credits may also reflect the number of TDR certificates required for a given development project. (Ord. 2013-001, 2013; Ord. 2009-25, 2009)

17.08.546 TDR program.
"TDR program" means a market-based program that provides a public benefit by permanently conserving rural resource lands by establishing a means to transfer development rights from eligible sending sites to eligible receiving sites through a voluntary process that fairly compensates landowners while providing a public benefit for communities. (Ord. 2009-25, 2009)

17.08.547 TDR sending site application.
"TDR sending site application" means an application that a sending site landowner must file in order to be eligible for consideration for designation as a TDR sending site. (Ord. 2009-25, 2009)

17.08.550 Use.
"Use" means the purpose for which land or building is arranged, designed or intended.

1. "Permitted use" means a use allowed outright within a zone classification.
2. "Permitted Administrative use" means a use which may be permitted within a zone classification following review under the provisions of KCC Chapter 17.60B.
3. "Administrative Conditional use" means a use which may be permitted in a zone classification following review under the provisions of KCC Chapter 17.60A.
4. "Conditional use" means a use which may be permitted in a zone classification following review and hearing under the provisions of KCC Chapter 17.60A.
5. "Nonconforming use" means a use to which a structure, building or land was lawfully put at the time this resolution became effective but which is not a permitted use in the area in which it is located.
6. "Prohibited use" means those uses not specifically enumerated as allowed uses under the provisions of KCC Chapter 17.15. (Ord. 2013-012, 2013; Ord. 2013-001, 2013; Res. 83-10, 1983)

17.08.560 Variance.
"Variance" means a waiver of the strict interpretation of the requirements. It is a special dispensation given to the petitioner to disregard certain stipulations in the zoning code in order to develop his property. (Res. 83-10, 1983)

17.08.560A Vehicle/equipment service and repair.
"Vehicle/equipment service and repair" means maintenance of motorized vehicles and equipment including exchange of parts, installation of lubricants, tires, batteries, and similar vehicle accessories, minor customizing and detail operations, and body shops. This definition includes gas and service stations. (Ord. 2013-001, 2013;)

17.08.560B Watershed management facilities.
"Watershed management facilities" include, but are not limited to, diversion devices, impoundments, dams for water storage, flood control, fire control, and stock watering. (Ord. 2013-001, 2013;)

17.08.561 Winery.
"Winery" means a facility where fruit or other products are processed (i.e., crushed, fermented, decanted, stored, bottled and shipped) into wine. This may include the sale of wine and limited ancillary items, tourist facilities, or tasting rooms. (Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.08.570 Yard.
"Yard" means an open space, other than a court or a lot, unoccupied and unobstructed from the ground upward, except as otherwise provided in this title. (Res. 83-10, 1983)

17.08.580 Yard depth.
"Yard depth" means the minimum perpendicular distance between any point on a lot line and the nearest part of any structure or building. (Res. 83-10, 1983)

17.08.590 Yard, front.
"Front yard" means any yard abutting a public or private street. (Res. 83-10, 1983)

17.08.600 Yard, rear.
"Rear yard" means an open unoccupied space on the same lot with a building between the rear line of the building (exclusive of steps, porches and accessory building) and the rear line of the lot.

For triangular lots the rear yard shall be the area of the lot lying within a circle having a radius equal to the depth of the required rear yard and its center at a point therein defined as the rear property line for such lots. (Res. 83-10, 1983)

17.08.610 Yard, side.
"Side yard" means an open unoccupied space on the same lot with a building, between the side wall line of the building and the side line of the same lot. (Res. 83-10, 1983)

17.08.620 Yurt.
"Yurt" means a circular, domed, portable tent for temporary use. (Ord. 2013-001, 2013; Ord. 2007-22, 2007)

Chapter 17.11
URBAN GROWTH AREAS

Sections
17.11.010 Purpose and Intent.
17.11.020 Intergovernmental Review.
17.11.030 Interlocal Agreements (reserved).
17.11.040 Infrastructure.
17.11.050 Minimum Density.

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 Interlocal Agreements. (reserved)
(Ord. 2007-22, 2007)

17.11.040 Infrastructure.
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. 2007-22, 2007)

17.11.050 Minimum Density.
The minimum density of developments located in urban growth areas shall be 4 units per acre. 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. (Ord. 2007-22, 2007)

Chapter 17.12
ZONES DESIGNATED - MAP

Sections
17.12.010 Zones classified.
17.12.020 Official county map.
17.12.030 Boundary determination.

17.12.010 Zones classified.*

1. The unincorporated territory of Kittitas County is divided into the following land use zone classifications:

R	Residential
R-2	Residential 2
UR	Urban Residential
A-3	Agriculture 3
A-5	Agriculture 5
A-20	Agriculture 20
RR	Rural Recreation
R-3	Rural 3
R-5	Rural 5
CA	Commercial Agriculture
CF	Commercial Forest
C-L	Limited Commercial
C-G	General Commercial
C-H	Highway Commercial
PUD	Planned Unit Development
I-L	Light Industry
I-G	General Industry
F-R	Forest and Range
HT-C	Historic Trailer Court
A	Airport
MPR	Master Planned Resort

2. The unincorporated territory of Kittitas County includes the following overlay zones and areas:
   Agricultural Study Overlay Zone
   Agricultural Production District
   Airport Overlay Zoning District
   Bowers Field Overlay Zone
   Liberty Historic Overlay Zone
   Wind Farm Resource Overlay Zone
   Wind Farm Resource Overlay Zone - Pre-identified Areas for Siting
   Wind Farm Resource Overlay Zone - Swauk Ranch (Ord. 2013-008, 2013; Ord. 2013-001, 2013; Ord. 2011-013 , 2011; Ord. 2007-22, 2007; Ord. 2000-13, 2000; Ord. 88-4 § 1, 1988; Ord. 83-Z-2 (part), 1983: Res. 83-10, 1983)

* This section has been amended to reflect the provisions of Ords. Z-77-2, 80-Z-2, 89-10, and 90-6.

17.12.020 Official County Map.

1. Digital Map. The above zones or area classifications and the boundaries of such are established as shown on the Kittitas County Geographic Information System (GIS) Spatial Data Base Engine (SDE) as a dataset designated as "Zoning". The GIS zoning dataset shall be the County's "Official Zoning Map;" it shall be maintained and edited under the conditions set forth in KCC Title 15B, KCC Chapter 17.36 and KCC Chapter 17.98 as necessary by qualified personnel within the Community Development Services Department. Delineations and alterations shall be recorded in a manner as to preserve the details of their size, configuration, adoption ordinance, adoption date, and any other information deemed necessary by the Director within the dataset's attribute data for the purpose of maintaining the public record. Standard operating procedures shall be developed and monitored to assure that delineations and alterations are recorded properly, and that all appropriate county agencies and departments are notified, and given appropriate supplemental details and information. The zoning dataset shall be integrated into Kittitas County's web based mapping system for viewing by the general public and be made available either digitally or physically by staff at the Community Development Services Department for those without computer/internet access.
2. Physical Map. As part of the annual Comprehensive Plan Amendment process, or at any time deemed desirable or beneficial by the Board, a physical map or set of maps, shall be produced by Community Development Services reflecting the information contained within the zoning dataset, as well as notations, references, and detailed information regarding changes since the previous map(s); a signature block shall be provided for verification and approval by the Board.
3. Map Designations. The zones or areas hereby established and shown on said dataset and maps, and boundaries thereof, are hereby designated. Said dataset and maps and all notations, references and other information shown thereon shall be as much a part of this title as if the matters and information set forth by said maps were all fully described herein. (Ord. 2013-001, 2013; Ord. 2010-014 , 2010; Ord. 2007-22, 2007; Res. 83-10, 1983)

17.12.030 Boundary Determination.
Where uncertainty exists as to any of the zone boundaries as shown on the zoning map, the following rules apply:

1. Where such boundaries are indicated as approximately following the centerline of roads, highways, power lines, railroads, rivers or canals, the centerline shall be construed to be such boundaries.
2. Where such boundaries are indicated as approximately following lot lines, the lot lines shall be construed to be such boundaries.
3. In un-subdivided land and where a zone boundary divides an ownership, the location of the boundary, unless it is indicated by dimensions shown on the map, shall be determined by scale measurement.
4. (Deleted by Ord. 83-Z-2)
5. Boundary lines along navigable rivers shall be pierhead or outer harbor lines. Where such pierhead or outer harbor lines are not established, then the zone boundary lines shall extend five hundred (500) feet from the natural shoreline. (Ord. 2013-001, 2013; Ord. 2007-22, 2007; Ord. 83-Z-2 (part), 1983; Res. 83-10, 1983)

Chapter 17.13
TRANSFER OF DEVELOPMENT RIGHTS

Sections
17.13.010 Purpose.
17.13.020 TDR Sending Sites.
17.13.030 TDR Receiving Sites.
17.13.040 Calculations of Available Development Rights on Sending Sites.
17.13.050 Sending Site Development Limitations.
17.13.060 TDR Documentation of Restrictions.
17.13.070 TDR Sending Site Certification and TDR Committee Review Process.
17.13.080 TDR Transfer Process.

17.13.090 TDR Amenity Funding for Cities.
17.13.100 Condemned Lands.

17.13.010 Purpose.

The purpose of the transfer of development rights (TDR) is to provide public benefits by permanently conserving rural farm and forest land through acquisition and extinguishment of the development rights on those lands designated as "sending sites." All other rights of ownership, including the right to continue operation of such businesses as farming, timber harvesting, sports and recreation, and other uses permitted within the zone remain with the owner of the underlying fee. Transfer through conversion of the acquired development rights to density credits redeemable on eligible sites, designated as "receiving sites" per KCC 17.13.030(1), shall be accomplished as set out herein. (Ord. 2010-006, 2010 ; Ord. 2009-25, 2009)

17.13.020 TDR Sending Sites.

Sending sites must contain a public benefit such that the preservation of that benefit by transferring residential development rights, in the form of density credits, to another site is in the public interest. A sending site will be presumed to contain a public benefit if it meets either criteria 1, 2, 3 or 4, as stated below:

1. Farm and Agricultural Land (must satisfy criteria 1.a. thru 1.e.)
   a. Is land in the Commercial Agriculture, Ag-20, Ag-5, A-3, Forest & Range, or R-5 zoning;
   b. Is a minimum of twenty (20) acres in size;
   c. Is located within the boundary of the Agricultural Production District area shown on the Kittitas County zoning map;
   d. Includes proof of commercial agricultural income as required for Current Use Agricultural taxation under RCW 84.34; and
   e. Has value above that associated with resource value ("higher and better use").
2. Forest Land (must satisfy criteria 2.a. thru 2.e.)
   a. Is land in Commercial Forest, Forest & Range, or R-5 zoning;
   b. Is a minimum of twenty (20) acres in size;
   c. Is not publicly owned;
   d. Has a Timber Management Plan that is in compliance with Washington State Department of Revenue's guidelines dated June 2010 or as thereafter amended; and
   e. Has value above that associated with resource value ("higher and better use").
3. Frequently Flooded Area as defined in KCC 17A.02.140.
4. Lands designated as eligible sending sites in a TDR agreement with a city.
5. Lands must be located within Kittitas County.
6. If a sending site consists of more than one lot, the lots must be contiguous. For purposes of this chapter, lots divided by a street are considered contiguous if the lots would share a common lot line if the street was removed.
7. Development rights acquired from eligible sending sites may be converted to density credits which may be transferred to eligible receiving sites through the TDR transfer process. After completion of the conveyance of a sending site's development rights, the property shall be maintained in a condition that is consistent with the criteria in this chapter under which the sending site was qualified by means of a TDR conservation easement.
8. Publicly owned property shall not be eligible to become a sending site. (Ord. 2013-001, 2013; Ord. 2011-013, 2011; Ord. 2011-005, 2011 ; Ord. 2010-006, 2010 ; Ord. 2009-25, 2009)

17.13.030 TDR Receiving Sites.

1. Eligible receiving sites shall be those sites as listed below and shall be located within Kittitas County. For eligible receiving sites, the transfer and exchange of TDR density credits shall occur consistent with KCC 17.13.080:
   a. Cities where new growth is or will be encouraged under the Growth Management Act and Countywide Planning Policies.
   b. All city receiving sites shall be designated pursuant to an agreement with the County.
   c. Sites within Urban Growth Areas, with a density greater than six (6) dwelling units (du) per acre, where new growth is or will be encouraged under the Growth Management Act and Countywide Planning Policies.
   d. Unincorporated sites outside of Urban Growth Areas for which an amendment to the official zoning map or rezone to a zoning classification allowing greater than one (1) dwelling unit (du) per twenty (20) acres.
   e. Unincorporated sites outside of Urban Growth Areas for which an associated map amendment to the Comprehensive Plan has been requested pursuant to Kittitas County Code in conjunction with a rezone under (1)(4) of this section.
   f. Unincorporated sites for which a Cluster Plat has been requested pursuant to KCC Chapter 16.09 and KCC Chapter 17.30
   g. LAMIRDs.
   h. Unincorporated sites for which a Planned Unit Development (PUD) designation amendment to the zoning map has been requested pursuant to Kittitas County Code, when such amendment results in an increase in density.
2. The provisions of this chapter shall only apply to receiving site development proposals that vest after the effective date of this chapter. For purposes of vesting and this chapter, site development proposals include both legislative and quasi-judicial land use decisions associated with the eligible receiving sites outlined in KCC 17.13.030.1.
3. The provisions of this chapter shall not apply to land divisions completed in accordance with the County "one-time split" provision pursuant to KCC 17.29.040. (Ord. 2013-001, 2013; Ord. 2011-005, 2011 ; Ord. 2010-006, 2010 ; Ord. 2009-25, 2009)

17.13.040 Calculations of Available Development Rights on Sending Sites.

1. The number of residential development rights that an unincorporated sending site is eligible to sell under this program shall be determined by applying the sending site base density dictated by the underlying zoning as established in Title 17, Zoning, to the area of the sending site, provided that the number of development rights shall not exceed one (1) per twenty (20) acres. Any portion of the sending site used for residential development or reserved for future residential development in the TDR conservation easement shall be subtracted from the calculation at base density.
2. Any fractions of development rights that result from the calculations in KCC 17.13.040 1. shall not be included in the final determination of total development rights available for sale.
3. For purposes of calculating the number of development rights a sending site may sell, the area of a sending site shall be determined as follows:
   a. If the sending site is an entire lot, the acreage shall be determined by:
      i. Kittitas County Assessor records; or
      ii. A survey funded by the applicant that has been prepared and stamped by a surveyor licensed in the State of Washington.
   b. If the sending site consists of multiple lots, the acreage in sum shall be determined through the means outlined in KCC 17.13.040 3.a.i.
4. Development rights from one sending site may be converted and transferred to more than one (1) receiving site and one receiving site may accept density credits from more than one (1) sending site.
5. The determination of the number of residential development rights a sending site has available shall be valid for transfer purposes only, shall be documented in a TDR certificate, and shall be considered a final determination, not to be revised due to changes to the sending site's zoning.
6. No density credits may be allowed from land already encumbered by a conservation easement, unless such land was encumbered by a TDR demonstration project.
7. The development right determinations and applications in 1. through 6. above extend only to the TDR program and do not change the sending site parcel's existing zone designation. (Ord. 2013-001, 2013; Ord. 2011-013, 2011; Ord. 2010-006, 2010 ; Ord. 2009-25, 2009)

17.13.050 Sending Site Development Limitations.

1. When only a portion of a site's development rights have been conveyed and extinguished, a sending site may subsequently accommodate remaining residential dwelling units, if any, on the remaining buildable portion of the parcel(s) or be subdivided consistent with the base density provisions for the applicable zone pursuant to Kittitas County Code and other Kittitas County development regulations.
2. Only those nonresidential uses directly related to the conservation values of the property and supportive of the criteria under which the sending site qualified are allowed on a sending site.
3. The TDR conservation easement by its terms may reserve dwelling units that may be developed in the future consistent with the easement. All development rights not explicitly

reserved in the TDR conservation easement shall be extinguished through the TDR conservation easement. (Ord. 2009-25, 2009)

17.13.060 TDR Documentation of Restrictions.

1. Upon issuance of TDR certificates, deed restrictions documenting the development rights conveyance shall be recorded by the County and notice placed on the title of the sending parcel. The County shall establish and maintain an internal tracking system that identifies all certified transfers.
2. Upon issuance of TDR certificates, a TDR conservation easement granted by an appropriate land management nonprofit or quasi-governmental organization such as the Conservation District, shall be required for the sending site.
3. A TDR conservation easement permanently encumbers a sending site, excepting extraordinary circumstances and a determination of public benefit. The associated process for opting out of a TDR conservation easement for those qualifying shall include a finding by the Board of the following:
   a. Demonstration of a hardship beyond the land owner's control; and
   b. Purchase equivalent transfers of development rights; and
   c. Adoption of a resolution by the Board finding that there is an equivalent or better public benefit to exchange the previously held easement for the easement described above in KCC 17.13.060(3)(b).
   d. At the discretion of the Board, Kittitas County may elect to secure an appropriate land management nonprofit or quasi-governmental organization to receive, manage, and steward TDR conservation easements. (Ord. 2013-001, 2013; Ord. 2010-006, 2010; Ord. 2010-02, 2010; Ord. 2009-25, 2009)

17.13.070 TDR Sending Site Certification.

1. The Director shall be responsible for determining whether properties are eligible to be considered a sending site. The Director shall base his/her decision on the materials provided by the landowner in a TDR sending site application and a satisfaction of the sending site requirements outlined in KCC 17.13.020.
2. Responsibility for preparing a completed sending site application rests exclusively with the applicant. The fees for such application shall be as established annually by the Board under separate action. Fees shall be payable to Kittitas County Community Development Services and shall not be returnable in any case.
3. Following the Director's review and approval of a properly filed sending site application, the County shall issue a TDR certificate in conversion for the proposed sending site TDR conservation easement.
4. Sending site landowners may obtain TDR certificates which can be transferred pursuant to KCC 17.13.080 and used by receiving area landowners. The process for obtaining the TDR certificates is as follows:
   a. Following an application for TDR certificates by the sending site owner, the County shall issue a TDR certificate letter of intent. The certificate letter of intent shall contain a determination of the number of development rights calculated for the sending site pursuant to KCC 17.13.040 and an agreement by the County to issue a corresponding number of TDR certificates in conversion for a sending site conservation easement granted to Kittitas County or an appropriate land management nonprofit or quasi-governmental organization by the sending site owner pursuant to KCC 17.13.060. The sending site owner may use the TDR certificate letter of intent to market sending site development rights to potential purchasers, but the certificate letter of intent shall have no value and cannot be transferred or used to obtain increased development rights within receiving areas.
   b. A TDR certificate letter of intent shall be valid for a period of five (5) years from the date of issuance. If a TDR certificate letter of intent has not been converted to a serially numbered TDR certificate within a period of five (5) years from the date of issuance, then the landowner must reapply to CDS to determine whether the property is eligible to be considered a sending site.
   c. As provided by the TDR certificate letter of intent, the County shall issue serially numbered TDR certificates to the sending site owner upon acceptance of a TDR conservation easement; provided, however, that the County shall have twenty-eight (28) days from the date of the conservation easement is offered by the sending site owner in which to conduct, at its discretion, a review of the sending site permit file and/or a site inspection.
   d. A TDR conservation easement will not encumber a sending site until such time as a TDR certificate or certificates have been issued. (Ord. 2013-001, 2013; Ord. 2010-006, 2010 ; Ord. 2009-25, 2009)

17.13.080 TDR Transfer Process.

1. TDR transaction transferring density credits from within unincorporated Kittitas County to within an incorporated city shall be reviewed and transferred using the city's development application review process. The transfer shall be subject to a TDR agreement between Kittitas County and the city. The County and any city located within the County may also establish by agreement general procedures for facilitating and completing TDR transactions transferring density credits from unincorporated Kittitas County to any such city.
2. Density credits shall be required for approved amendments to the Comprehensive Plan associated with receiving sites detailed in KCC 17.13.030 1.a thru 1.h. Applications may be submitted without the purchase of density credits, but no final plat approval or other permits, if no land division is involved, for development associated with a TDR requirement shall be issued until the density credit requirement is satisfied.
   a. The tender of density credits is not a precondition for any amendment to the Comprehensive Plan, Zoning Map or proposed development to be approved. The density credits are required before the County issues final plat approval or permits, if no land division is involved, for any development of the additional units in the Comprehensive Plan amendment. The developer must submit the density credits when applying for the permit.
   b. The ordinance granting each Comprehensive Plan Amendment shall condition the approval upon the applicant's compliance with the requirement of development credits.
3. The required density credits may be acquired by:
   a. Purchasing density credits from certified sending sites;
   b. Transferring density credits from certified sending sites owned by a receiving site owner; or
   c. Purchasing previously purchased, unexecuted TDR credits from another buyer.
4. All development using density credits must be in accordance with all other applicable laws and regulations.
5. The County may waive or modify the density credit requirements if it is determined by the Prosecuting Attorney that strict application of the requirement in a specific situation would result in an unconstitutional taking of property or a violation of the property owner's right to substantive due process. Modifications made under this provision shall be no greater than necessary to avoid the taking or substantive due process violation. The County shall provide written documentation supporting each application of the provision.
6. For receiving sites listed in KCC 17.13.030, the exchange rate shall be as follows:

Receiving Sites	Exchange Rate
Urban Growth Areas	1 TDR Credit = 2 Additional Units
Planned Unit Developments	1 TDR Credit Per 20 Acres of Receiving Site Area
Rural Rezones	1 TDR Credit Per 20 Acres of Receiving Site Area

Example: Owner A wishes to rezone 80 acres of land currently zoned Forest and Range to Rural - 5 (receiving site). Owner B owns 640 acres of land zoned Commercial Forest (sending site). Owner B's property is eligible for up to eight TDR credits (640 ac. / 80 ac. = 8 or the total sending site acreage divided by the base density of underlying zoning). Owner A would be required to obtain four TDR credits from Owner B (4 x 20 ac. = 80 ac. or 1 TDR credit per 20 ac. of receiving site area). Owner B could then choose to retain the remaining four TDR credits or sell them to additional receiving sites. (Ord. 2011-005, 2011 ; Ord. 2010-006, 2010 ; Ord. 2009-25, 2009)

17.13.090 TDR Amenity Funding for Cities.

1. TDR amenity funding may be authorized from Kittitas County to cities as an incentive to enter into and utilize the TDR program.
2. TDR amenity funding shall be described in the TDR agreement between the County and the city. Amenity funding may differ between cities based upon the unique needs of the County and city. (Ord. 2009-25, 2009)

17.13.100 Condemned Lands.

All condemnation actions on sending sites encumbered by a TDR conservation easement in favor of Kittitas County or its assigns shall be mitigated. Mitigation value shall equal the value of the development rights at the time the property was encumbered with a TDR conservation easement, plus eight percent annual interest, irrespective of whether the development rights purchased on the property have been extinguished, banked or sold to a private party. (Ord. 2009-25, 2009)

Chapter 17.14
PERFORMANCE BASED CLUSTER PLAT USES

Repealed by Ord. 2013-001, 2013.

Chapter 17.15
ALLOWED USES

Sections

17.15.010 Categories of uses established.
17.15.020 Establishment of zoning use tables.
17.15.030 Interpretation of tables.
17.15.040 Zoning use tables.
17.15.050 Allowed uses in resource lands.
17.15.060 Allowed uses in rural non-LAMIRD lands.
17.15.070 Allowed uses in rural LAMIRD lands.
17.15.080 Allowed uses in urban lands.

17.15.010 Categories of uses established

This chapter establishes permitted, permitted administrative, administrative conditional use and conditional uses, by zone, for all properties within Kittitas County. All uses in a given zone are one (1) of three (3) types:

1. Permitted Use. Land uses allowed outright within a zone classification and subject to provisions within the Kittitas County Code.
2. Permitted Administrative Use. Land uses which may be permitted within a zone classification following review under the provisions of KCC Chapter 17.60B.
3. Administrative Conditional Use. Land uses which may be permitted within a zone classification following review under the provisions of KCC Chapter 17.60A.
4. Conditional Use. Land uses which may be permitted within a zone classification following review and hearing under the provisions of KCC Chapter 17.60A.

(Ord. 2013-012, 2013; Ord. 2013-001, 2013;)

17.15.020 Establishment of zoning use tables

The allowed use tables in this chapter establish allowed uses in the various zoning classifications and whether the use is allowed as "Permitted," "Permitted Administrative," "Administrative Conditional" or "Conditional." The zone classification is located at the top of the table and the specific use is located on the far-left of the vertical column of these tables. (Ord. 2013-012, 2013; Ord. 2013-001, 2013;)

17.15.030 Interpretation of tables.

1. Legend. The following letters have the following meanings when they appear in the box at the intersection of the column and the row:
   - P Permitted Use
   - PA Permitted Administrative Use
   - AC Administrative Conditional Use
   - CU Conditional Use
2. Definitions. Uses defined in KCC Chapter 17.08 are indicated with an asterisk (*).
3. Additional Use-Related Conditions. The small numbers (superscript) in a cell indicate additional requirements or detailed information for uses in specific zones. Those additional requirements can be found in the footnotes that follow each allowed use table. All applicable Federal, State and local requirements shall govern a use whether specifically identified in this chapter or not.
4. The Director has the authority to allow uses that are substantially similar to an allowed use listed on the table subject to the same review procedures as the substantially similar use. In such cases, all adjacent property owners shall be given official notification for an opportunity to appeal such decisions within ten working days pursuant to Title 15A of this code, Project permit application process, except in the case of PUDs located inside the UGA where determination of substantially similar uses shall be made by the planning commission during review of the development plan required under KCC 17.36.030.
5. Accessory uses. The administrative official has the authority to permit uses that are customarily incidental to an allowed use listed on the table.

(Ord. 2013-012, 2013; Ord. 2013-001, 2013;)

17.15.040

There are four (4) separate tables addressing the following general land use designations (Resource Lands, Rural Non-LAMIRD Lands, Rural LAMIRD Lands, Urban Lands) and zone classifications:

1. Resource Lands
   a. Commercial Agriculture
   b. Commercial Forest
2. Rural Non-LAMIRD Lands
   a. Rural Residential
      i. Agriculture 5
      ii. Rural 5
      iii. Planned Unit Development
   b. Rural Working
      i. Agriculture 20
      ii. Forest and Range
   c. Rural Recreation
      i. Master Planned Resort
      ii. General Commercial
      iii. Rural Recreation
      iv. Planned Unit Development
3. Rural LAMIRD Lands
   a. Residential
   b. Residential 2
   c. Agriculture 3
   d. Agriculture 20
   e. Rural 3
   f. Rural 5
   g. Limited Commercial
   h. General Commercial
   i. Highway Commercial
   j. Light Industrial

k. General Industrial
l. Forest Range
m. Planned Unit Development

4. Urban Lands
a. Residential
b. Urban Residential
c. Agriculture 3
d. Rural 3
e. Rural 5
f. Limited Commercial
g. General Commercial
h. Highway Commercial
i. Light Industrial
j. General Industrial
k. Forest Range
l. Planned Unit Development

(Ord. 2013-001, 2013;)

17.15.050 Allowed Uses in Resource Lands.

17.15.050.1 Resource Use Table

P Permitted PA Permitted Administrative CU Conditional Use **See KCC Chapter 17.08 Definitions*	Resource	
	Commercial Agriculture	Commercial Forest
A. Agriculture		
Animal boarding*	CU	
Agriculture processing*	CU [17]	
Agriculture production*	P	P
Agriculture sales*, Produce stand	P [16] / AC	
Agriculture sales*, Other	CU	
Dairy	CU	CU
Feedlot*	CU	CU
Grazing*	P	P
Marijuana Processing*	P[28]/ACU[29]	
Marijuana Production*	P[28]/ACU[29]	
Nurseries	P	
Riding academies	CU	
Small-scale event facility*	AC [25] / CU	
	Commercial Agriculture	Commercial Forest
B. Civic Cultural Uses		
Cemetery	P [13]	
Clubhouses, fraternities and lodges*	AC [24]	
Cultural and educational facilities		
Libraries		
Meeting facilities		
Museums and galleries		
Religious institutions*	CU	
School, public or private*	CU [12]	
	Commercial Agriculture	Commercial Forest
C. Commercial		
Auction sales of non-agriculture products		
Bank		
Bed and breakfast*	AC	
Clinic*		
Day care facilities*		
Funeral home/mortuary		
Hospital*		
Hospital, animal or veterinary*		
Hotel/motel		
Office*		
Restaurant		
Retail sales,* general		
Retail sales,* lumber and building materials		
Retail sales, marijuana*		
Retail sales,* vehicles and equipment		
Services		
Shooting range*	CU [23]	CU [23]
Taverns		
Temporary sales office		
Vehicle/equipment service and repair*	P [22]	
	Commercial Agriculture	Commercial Forest
D. Industrial		
Airport*	P [20]	P [21]
Asphalt/concrete plants		
Forest product processing* (portable)		P
Forest product processing* (permanent)		CU

Freighting and trucking yard or terminal*		
Hazardous waste storage*		
Hazardous waste treatment*		
Junkyard*		
Manufacturing*		
Mini-warehouse		
Refuse disposal/recycle*	CU	CU
Research laboratories		
Wastewater treatment		
Warehousing and distribution	PA [27] /CU [26]	
Wholesale business		
	Commercial Agriculture	Commercial Forest
E. Recreation		
Campground*		P [18]
Golf course*		
Guest Ranch*	CU	
Parks and playgrounds*		P [15]
Recreation, indoor*		
Recreation, outdoor*		P [18]
Recreational vehicle storage		
Stadium		
Trails	PA	PA
	Commercial Agriculture	Commercial Forest
F. Residential		
Accessory dwelling unit*	P [4]	
Accessory living quarters*	P [5]	
Adult family home*	P [10]	P [10]
Boarding house		
Convalescent home		
Dwelling, single-family*	P	P
Dwelling, two-family*	P	
Dwelling, multiple-family*		
Farm labor shelter*	CU [2]	
Group home*		
Home occupation*	P [8]	P [8]
Manufactured home*	P	P
Mobile home	P [6]	P [6]
Special care dwelling*	P [7]	P [7]
Temporary trailers	P [11]	P [11]
	Commercial Agriculture	Commercial Forest
G. Resource		
Forestry*	P	P
Forest product sales*		P
Mining and excavation*	CU [14]	P
Rock crushing*		P
	Commercial Agriculture	Commercial Forest
H. Utilities and Public Facilities		
Electric vehicle infrastructure*	P [3]	P [3]
Public facilities*	PA [19]	PA [19]
Utilities	P [1]	P [1]
Watershed management activities*	PA	PA

17.15.050.2 Footnotes Associated with Resource Use Table.

1. Pursuant to KCC Chapter 17.61, Utilities.
2. Provided:
   a. The shelters are used to house farm laborers on a temporary or seasonal basis only, regardless of change of ownership, if it remains in farm labor-needed status;
   b. The shelters must conform with all applicable building and health regulations;
   c. The number of shelters shall not exceed four (4) per twenty (20) contiguous acres of land area;
   d. The shelters are owned and maintained by the owner or operator of an agricultural operation which clearly demonstrates the need for farm laborers;
   e. Should the parent agricultural operation cease or convert to non-agriculture use, then the farm labor shelters shall conform with all applicable buildings and health regulations.
3. Pursuant to KCC Chapter 17.66, Electric Vehicle Infrastructure.
4. Subject to the following requirements:
   a. ADUs shall be allowed as a permitted use within designated UGAs;
   b. ADUs shall be subject to obtaining an Administrative Use permit in areas outside UGAs;
   c. Only one ADU shall be allowed per lot;
   d. Owner of the property must reside in either the primary residence or the ADU;
   e. The ADU shall not exceed the square footage of the habitable area of the primary residence;
   f. All setback requirements for the zone in which the ADU is located shall apply;
   g. The ADU shall meet the applicable health department standards for potable water and sewage disposal;
   h. No mobile homes or recreational vehicles shall be allowed as an ADU;
   i. The ADU shall provide additional off-street parking;
   j. An ADU is not permitted on the same lot where a special care dwelling or an Accessory Living Quarters exists.
   k. An ADU must have adequate acreage to meet maximum density within the zone classification.
5. Subject to the following requirements:
   a. Accessory Living Quarters shall be located within an owner occupied primary residence;
   b. Accessory Living Quarters are limited in size to no greater than fifty percent (50%) of the habitable area of the primary residence;
   c. The Accessory Living Quarters are subject to applicable health district standards for water and sewage disposal;

d. Only one (1) Accessory Living Quarters shall be allowed per lot;
e. Accessory Living Quarters are to provide additional off-street parking;
f. Accessory Living Quarters are not allowed where an Accessory Dwelling Unit or Special Care Dwelling exists.

6. As of September 1, 1998, mobile homes are no longer allowed to be transported and placed within Kittitas County. Those units presently located in Kittitas County that are to be relocated within Kittitas County must have a fire/life inspection approved by the Washington State Department of Labor and Industries.
7. Subject to the following requirements:
   The Special Care Dwelling must meet all setback requirements for the zone in which it is located;
   a. The Special Care Dwelling must meet all applicable health department requirements for potable water and sewage disposal;
   b. Placement is subject to obtaining a building permit for the manufactured home;
   c. Owner must record a notice to title prior to the issuance of building permit which indicates the restrictions and removal requirements;
   d. The Special Care Dwelling unit cannot be used as a rental unit;
   e. The Special Care Dwelling unit must be removed when the need for care ceases;
   f. A Special Care Dwelling is not permitted on the same lot where an Accessory Dwelling Unit or Accessory Living Quarter exists.
8. No sign advertising a home occupation shall exceed sixteen (16) square feet in size. Home occupations with no outdoor activities or noise are permitted; home occupations with outdoor activities or noise are a conditional use. In-home daycares shall be limited to no more than six (6) individuals receiving care in a twenty-four (24) hour period.
9. Maximum of four (4) boarders and two (2) bedrooms dedicated to the use.
10. Pursuant to RCW70.128.140.
11. When used for temporary occupancy for a period not-to-exceed one (1) year related to permanent home construction or seasonal/temporary employment.
12. Existing schools are permitted; new schools require a conditional use permit.
13. No new cemeteries. Existing cemeteries may expand or enlarge in compliance with applicable standards and regulations.
14. Noncommercial sand and gravel excavation is permitted for on-site use without a conditional use permit.
15. Washington State Natural Area Preserves and Natural Resource Conservation Areas are permitted outright.
16. When located not less than forty-five (45) feet from the centerline of the public street or highway and selling goods produced on site.
17. Hay processing and small-scale processing of agricultural products produced on the premises are permitted outright.
18. Limited to dispersed recreation and recreational facilities such as primitive campsites.
19. Pursuant to KCC Chapter 17.62, Public Facilities Permits.
20. When used primarily in conjunction with agricultural activities.
21. For emergency and forest related management uses and practices only.
22. Limited to farm implement repair and maintenance.
23. Structures and facilities associated with the operation of shooting ranges are permitted and subject to all associated Kittitas County building codes and regulations. Shooting ranges may be operated in conjunction with other permitted or conditional uses for the specified zone. Shooting ranges are subject to periodic inspection and certification as deemed necessary by the Kittitas County Sheriff's Department. In considering proposals for the location of shooting ranges a detailed site plan shall be required; the Hearings Examiner's review of said site plan and the proposal as a whole shall include, but not be limited, to the following criteria:
    a. The general health, safety, and welfare of surrounding property owners, their livestock, their agricultural products, and their property.
    b. Adherence to the practices and recommendations of the "NRA Range Sourcebook."
    c. Adherence to the practices and recommendations of the "EPA Best Management Practices for Lead at Outdoor Shooting Ranges."
    d. Proposed shooting ranges in areas designated as agricultural land of long-term commercial significance shall comply with RCW 36.70A.177(3) as currently existing or hereafter amended, and shall be limited to lands with poor soils or those unsuitable for agriculture.
24. Limited to facilities that serve traditional rural or resource activities (such as granges).
25. Use shall not exceed 10,000 square feet and no more than eight (8) events shall occur within a calendar year.
26. Existing facilities are permitted; new facilities require a conditional use permit. Limited to agricultural products. Excludes controlled atmosphere and cold storage warehouses.
27. Limited to seasonal, non-structural hay storage.
28. Marijuana production or processing on conforming legal lots of record are permitted outright and must:
    a. Meet all criteria and regulations found in WAC 314.55 and RCW 69.50.
    b. Meet all International Fire Code and International Building Code requirements.
    c. Agree to an annual fire protection inspection.
    d. Provide 125% bonding or assignment of funds for insuring completion of fence plan and survival of any landscaping necessary to visually screen required fences. Bond will be held for five (5) years to insure the survival of any visual screening vegetation.
    e. All buildings or planting operations requiring security by law must be setback at least 60 feet from any property boundary.
    f. Security lighting shall be downward, directed away from adjoining property, and shall be installed with motion sensors.
    g. Obtain water from a water budget neutral source and prove such by providing 1) a letter from a purveyor stating that the purveyor has adequate water rights and will provide the necessary water for the applicant's project; 2) an adequate water right for the proposed project; or 3) a certificate of water budget neutrality from the Department of Ecology or other adequate interest in water rights from a water bank.*
29. Marijuana production or processing on non-conforming legal lots of record must be at least 10 (ten) acres in size, are processed as an Administrative Conditional Use, and must:
    a. Meet all criteria and regulations found in WAC 314.55 and RCW 69.50.
    b. Meet all International Fire Code and International Building Code requirements.
    c. Agree to an annual fire protection inspection.
    d. Provide 125% bonding or assignment of funds for insuring completion of fence plan and survival of any landscaping necessary to visually screen required fences. Bond will be held for five (5) years to insure the survival of any visual screening vegetation.
    e. All buildings or planting operations requiring security by law must be setback at least 60 feet from any property boundary.
    f. Security lighting shall be downward, directed away from adjoining property, and shall be installed with motion sensors.
    g. Obtain water from a water budget neutral source and prove such by providing 1) a letter from a purveyor stating that the purveyor has adequate water rights and will provide the necessary water for the applicant's project; 2) an adequate water right for the proposed project; or 3) a certificate of water budget neutrality from the Department of Ecology or other adequate interest in water rights from a water bank.*

*Publisher's Note: Exhibit B-1 in Ord. 2014-005 erroneously referenced footnotes 28 and 29 in 17.15.060.2.

(Ord. 2014-005, 2014; Ord. 2014-004, 2014; Ord. 2013-012, 2013; Ord. 2013-008, 2013; Ord. 2013-001, 2013;)

17.15.060

17.15.060.1 Allowed Uses in Rural Non-LAMIRD Lands

P Permitted PA Permitted Administrative CU Conditional Use ** See KCC Chapter 17.08 Definitions*	Rural Non-LAMIRD							
	Rural Residential		Rural Working		Rural Recreation			Rural Residential & Rural Recreation
	Agriculture 5[51]	Rural 5[51]	Agriculture 20[51]	Forest & Range	Master Planned	General Commercial	Rural Recreation	PUD
A. Agriculture								

Animal boarding*	CU		CU	CU [37]		CU	CU	
Agriculture processing*	CU [23]		CU [23]	CU [37]		P		
Agriculture production*	P [24]	P	P	P [24]	P [24]	P [24]	P [24]	P [24]
Agriculture sales,* Produce stand	P [22] /AC		P [22] /AC			P		
Agriculture Sales,* Other	CU		CU					
Dairy	CU	CU	CU	CU	CU	CU	CU	CU
Feedlot*			CU	CU [37]				
Grazing*	P	P	P	P	P	P	P	P
Marijuana processing*			P[48]/ACU[49]	P[48]/ACU[49]				
Marijuana production*			P[48]/ACU[49]	P[48]/ACU[49]				
Nurseries	P		P	CU [37]		P		
Riding academies	CU		CU	CU	CU		CU	
Small-scale event facility*	AC [45] /CU	AC [45] /CU	AC [45] /CU	AC [45] /CU				
	Agriculture 5[51]	Rural 5[51]	Agriculture 20[51]	Forest & Range	Master Planned	General Commercial	Rural Recreation	PUD
B. Civic Uses/Community Services								
Cemetery	P [21]	P [21]	P [21]	CU [37]				
Clubhouses, fraternities and lodges*	AC [44]	AC [44]	AC [3]	AC [35]	AC		AC	
Cultural and education facilities					P		P	
Libraries			CU [3]			CU		
Meeting facilities					P			
Museums and galleries						CU		
Religious institutions	CU		CU	CU	CU	CU	CU	
Schools, public or private*	P [25]		P [25]	CU			CU	
	Agriculture 5[51]	Rural 5[51]	Agriculture 20[51]	Forest & Range	Master Planned	General Commercial	Rural Recreation	PUD
C. Commercial								
Auction sales of non-agriculture products						CU		
Bank						CU		
Bed and breakfast*	AC	AC	AC	AC [37]			AC	
Clinic*								
Day care facilities*								
Funeral home/mortuary								
Hospital*								
Hospital, animal or veterinary*			CU			CU		
Hotel/motel					CU [6]			
Office*						P [17]		
Restaurant				CU [36]	P	CU	CU	
Retail sales,* general				CU [36]	P	CU [18]	CU [18]	
Retail sales,* lumber and building materials								
Retail Sales, marijuana*								
Retail sales,* vehicles								
Services					P [20]	CU[50]		
Shooting range*			CU [31]	CU [37, 31]			CU [31]	
Tavern				CU [36]	P	CU		
Temporary sales office					P			
Vehicle/equipment service and repair*	P [16]		P [16]	CU [36]	P [42]	P [42]		
	Agriculture 5[51]	Rural 5[51]	Agriculture 20[51]	Forest & Range[51]	Master Planned	General Commercial	Rural Recreation	PUD
D. Industrial								

Airport*	CU		CU	CU	CU	CU	CU	
Asphalt/Concrete plants				CU [37]				
Forest product processing* (portable)	P	P	CU	CU [35]				
Forest product processing* (permanent)			CU	CU [37]				
Freighting and trucking yard or terminal*								
Hazardous waste storage*								
Hazardous waste treatment*								
Junkyard*								
Manufacturing*								
Mini-Warehouse						CU [14]		
Refuse disposal/recycle*			CU [19]					
Research laboratories								
Wastewater treatment								
Warehousing and distribution	PA [47]	PA [47]	PA [47] /CU [46]	PA [47]				
Wholesale business								
	Agriculture 5[51]	Rural 5[51]	Agriculture 20[51]	Forest & Range[51]	Master Planned	General Commercial	Rural Recreation	PUD
E. Recreation								
Campground*	CU [12]	CU [12]	CU [12]	CU [12, 37]	CU [13]	CU [12]	CU [12]	
Golf course*	CU	CU	CU	CU [37]	CU		CU	
Guest ranch*	CU	CU	CU	CU [37]			CU	
Parks and playgrounds*	P	P	P [3]	P	P	P	P	P
Recreation, indoor*					P	CU	CU	P [26]
Recreation , outdoor*	AC	AC	CU	CU	AC	AC	AC	P [26]
Recreational vehicle park*	CU	CU			CU		CU	
Recreational vehicle storage							CU	P [26]
Stadiums								
Trails	PA	PA	PA	PA	PA	PA	PA	PA
	Agriculture 5[51]	Rural 5[51]	Agriculture 20[51]	Forest & Range[51]	Master Planned	General Commercial	Rural Recreation	PUD
F. Residential								
Accessory dwelling unit*	PA [27]	PA [27]	PA [27]	PA [27, 37]			PA [27]	PA [27]
Accessory living quarters*	P [28]	P [28]	P [28]	P [28, 37]	P [28]		P [28]	P [28]
Adult family home*	P [41]	P [41]	P [41]	P [41]	P [41]	P [41]	P [41]	P [41]
Boarding house			CU [29]	CU [29, 37]				
Convalescent home			CU	CU [37]				
Dwelling, single-family*	P [33]	P [40]	P	P [34]	P [1]	PA [2]	P	P
Dwelling, two-family*	P		P [3]	P [34]	P [1]		CU	P
Dwelling, multiple-family*					P [1]			P
Farm labor shelter*	CU [4]		CU [4]	CU [4, 37]				
Group home*	CU	CU					CU	
Home occupation*	P/CU [5]	P/CU [5]	P/CU [5]	P/CU [5, 37]	P/CU [5]		P/CU [5]	P/CU [5]
Manufactured home*	P	P	P	P [37]	P	PA[2]	P	P
Mobile home	P [38]	P [38]		P [34]				
Special care dwelling*	P [30]	P [30]	P [30]				CU [30]	P [30]
Temporary trailer	P [7]	P [7]	P [7]	P [7, 37]	P [7]	P [7]	P [7]	P [7]
	Agriculture 5[51]	Rural 5[51]	Agriculture 20[51]	Forest & Range[51]	Master Planned	General Commercial	Rural Recreation	PUD
G. Resource								
Forestry*	P	P	P	P [34]				

Forest product sales*				P				
Mining and excavation*	CU	CU [39]	CU	P [34]				
Rock crushing*		CU [39]		P [34]				
	Agriculture 5[51]	Rural 5[51]	Agriculture 20[51]	Forest & Range[51]	Master Planned	General Commercial	Rural Recreation	PUD
H. Utilities and Public Facilities								
Electric vehicle infrastructure*	P [32]	P [32]	P [32]	P [32]	P [32]	P [32]	P [32]	P [26]
Public facilities*	CU	CU	CU	CU [37]		CU		
Utilities	P [9]	P [9]	P [10]	P [9]	P [11]	P [9]	P [9]	P [9]
Watershed management activities*	PA	PA	PA	PA	PA	PA	PA	

17.15.060.2 Footnotes Associated with Rural Non-LAMIRD Use Table.

1. Provided use is integrated into and supports the on-site recreational nature of the master planned resort and short-term visitor accommodation units constitute greater than fifty percent (50%) of the total resort accommodation units.
2. No new residence shall be permitted except that related to the business or enterprises allowed in this zone such as janitor or night watchman. Any such residence shall meet the requirements of the residential zone.
3. Not permitted in the Agriculture Study Overlay Zone. Clubhouses, fraternities and lodges limited to facilities that serve traditional rural or resource activities (such as granges).
4. Provided:
   a. The shelters are used to house farm laborers on a temporary or seasonal basis only, regardless of change of ownership, if it remains in farm labor-needed status;
   b. The shelters must conform with all applicable building and health regulations;
   c. The number of shelters shall not exceed four (4) per twenty (20) contiguous acres of land area;
   d. The shelters are owned and maintained by the owner or operator of an agricultural operation which clearly demonstrates the need for farm laborers;
   e. Should the parent agricultural operation cease or convert to non-agriculture use, then the farm labor shelters shall conform with all applicable buildings and health regulations.
5. No sign advertising a home occupation shall exceed sixteen (16) square feet in size. Home occupations with no outdoor activities or noise are permitted; home occupations with outdoor activities or noise are a conditional use. In-home daycares with six (6) or fewer individuals receiving care in a twenty-four (24) hour period are permitted; in-home daycares with seven to twelve (7-12) individuals receiving care in a twenty-four (24) hour period require a Conditional Use Permit.
6. Provided short-term visitor accommodation units constitute greater than fifty percent (50%) of the total resort accommodation units.
7. When used for temporary occupancy for a period not-to-exceed one (1) year related to permanent home construction or seasonal/temporary employment.
8. Public transportation deadhead stations permitted; passenger terminals are a Conditional Use.
9. Utilities are defined and regulated by KCC Chapter 17.61, Utilities.
10. Utilities are defined and regulated by KCC Chapter 17.61, Utilities. Not permitted in the Agriculture Study Overlay Zone.
11. Utilities are defined and regulated by KCC Chapter 17.61, Utilities. Limited to the capital facilities, utilities, and services necessary to maintain and operate the master planned resort.
12. In considering proposals for location of campgrounds, the Board shall consider at a minimum the following criteria:
    a. Campgrounds should be located at sufficient distance from existing rural residential/residential development so as to avoid possible conflicts and disturbances;
    b. Traffic volumes generated by such a development should not create a nuisance or impose on the privacy of nearby residences or interfere with normal traffic flow;
    c. Landscaping or appropriate screening should be required and maintained where necessary for buffering;
    d. Adequate and convenient vehicular access, circulation and parking should be provided;
    e. Public health and safety of campers and those reasonably impacted by the campground (i.e. health, water, sanitation).
13. Campgrounds and Recreational vehicle sites with power and water are permitted; campgrounds and recreational vehicle sites without power and water require a conditional use permit.
14. The following standards shall apply to the approval and construction of mini-warehouses:
    a. A mini-warehouse proposal (application) must include plans for aesthetic improvements and/or sight screening;
    b. All buildings with storage units facing property boundaries shall have a minimum setback of thirty-five (35) feet;
    c. No commercial or manufacturing activities will be permitted within any building or storage unit;
    d. Lease documents shall spell out all conditions and restrictions of the use;
    e. Signs, other than on-site direction aids, shall number not more than two (2) and shall not exceed forty (40) square feet each in area.
15. Permitted when conducted wholly within an enclosed building (excluding off-street parking and loading areas).
16. Limited to farm implement repair and maintenance.
17. Limited to offices directly related to tourism and recreation.
18. Retail sales are limited to groceries and sales directly related to tourism and recreation. Structural footprint containing all of these activities may not exceed 4,000 square feet.
19. Limited to composting facilities.
20. Limited to those services typically found on other destination resort properties and designed to serve the convenience needs of the users and employees of the master planned resort. Shall be designed to discourage use from non-resort users by locating such services well within the site rather than on its perimeter.
21. No new cemeteries. Existing cemeteries may expand or enlarge in compliance with applicable standards and regulations.
22. When located not less than forty-five (45) feet from the centerline of the public street or highway and selling goods produced on site.
23. Hay processing and small-scale processing of agricultural products produced on the premises are permitted without a conditional use permits.
24. Excluding swine and mink, provided a minimum of one (1) acre is available. When located in the Liberty Historic Overlay Zone, this use is subject to the provisions of KCC Chapter 17.59.
25. Existing schools are permitted; new schools require a conditional use permit. Not permitted in the Agriculture Study Overlay Zone.
26. Where the use is only serving a residential PUD and where all applicable standards are met. Electric Vehicle Infrastructure subject to provisions of KCC Chapter 17.66.
27. Subject to the following requirements:
    a. ADUs shall be allowed as a permitted use within designated UGAs;
    b. ADUs shall be subject to obtaining an Administrative Use permit in areas outside UGAs;
    c. Only one ADU shall be allowed per lot;
    d. Owner of the property must reside in either the primary residence or the ADU;
    e. The ADU shall not exceed the square footage of the habitable area of the primary residence;
    f. All setback requirements for the zone in which the ADU is located shall apply;
    g. The ADU shall meet the applicable health department standards for potable water and sewage disposal;
    h. No mobile homes or recreational vehicles shall be allowed as an ADU;
    i. The ADU shall provide additional off-street parking;
    j. An ADU is not permitted on the same lot where a special care dwelling or an Accessory Living Quarters exists.
    k. An ADU must have adequate acreage to meet maximum density within the zone classification.
28. Subject to the following requirements:
    a. Accessory Living Quarters shall be located within an owner-occupied primary residence;.
    b. Accessory Living Quarters are limited in size to no greater than fifty percent (50%) of the habitable area of the primary residence;

c. The Accessory Living Quarters are subject to applicable health district standards for water and sewage disposal;
d. Only one (1) Accessory Living Quarters shall be allowed per lot;
e. Accessory Living Quarters are to provide additional off-street parking;
f. Accessory Living Quarters are not allowed where an Accessory Dwelling Unit or Special Care Dwelling exists.

29. Maximum of four (4) boarders and two (2) bedrooms dedicated to the use.
30. Subject to the following requirements:
    a. The Special Care Dwelling must meet all setback requirements for the zone in which it is located;
    b. The Special Care Dwelling must meet all applicable health department requirements for potable water and sewage disposal;
    c. Placement is subject to obtaining a building permit for the manufactured home;
    d. Owner must record a notice to title prior to the issuance of building permit which indicates the restrictions and removal requirements;
    e. The Special Care Dwelling unit cannot be used as a rental unit;
    f. The Special Care Dwelling unit must be removed when the need for care ceases;
    g. A Special Care Dwelling is not permitted on the same lot where an Accessory Dwelling Unit or Accessory Living Quarter exists.
31. Structures and facilities associated with the operation of shooting ranges are permitted and subject to all associated Kittitas County building codes and regulations. Shooting Ranges may be operated in conjunction with other permitted or conditional uses for the specified zone. Shooting Ranges are subject to periodic inspection and certification as deemed necessary by the Kittitas County Sheriff's Department. In considering proposals for the location of Shooting Ranges a detailed site plan shall be required; the Board's review of said site plan and the proposal as a whole shall include, but not be limited, to the following criteria:
    a. The general health, safety, and welfare of surrounding property owners, their livestock, their agricultural products, and their property.
    b. Adherence to the practices and recommendations of the "NRA Range Sourcebook."
    c. Adherence to the practices and recommendations of the "EPA Best Management Practices for Lead at Outdoor Shooting Ranges."
    d. Proposed shooting ranges in areas designated as agricultural land of long-term commercial significance shall comply with RCW 36.70A.177(3) as currently existing or hereafter amended, and shall be limited to lands with poor soils or those unsuitable for agriculture.
32. Subject to the provisions of KCC Chapter 17.66, Electric Vehicle Infrastructure.
33. Single family homes located in Twin Pines Trailer Park, Central Mobile Home Park, or Swiftwater shall be subject to the provisions of KCC Chapter 17.24, Historic Trailer Court Zone.
34. When located in the Liberty Historic Overlay Zone, this use is subject to the provisions of KCC Chapter 17.59.
35. Limited to facilities that serve traditional rural or resource activities (such as granges). Allowed as a permitted use in the Liberty Historic Overlay Zone, subject to the provisions of KCC Chapter 17.59.
36. Allowed only as a conditional use in the Liberty Historic Overlay Zone, subject to the provisions of KCC Chapter 17.59.
37. Prohibited in the Liberty Historic Overlay Zone. Temporary asphalt plants only.
38. As of September 1, 1998, mobile homes are no longer allowed to be transported and placed within Kittitas County. Those units presently located in Kittitas County that are to be relocated within Kittitas County must have a fire/life inspection approved by the Washington State Department of Labor and Industries. Mobile homes located in Twin Pines Trailer Park, Central Mobile Home Park, or Swiftwater shall be subject to the provisions of KCC Chapter 17.24, Historic Trailer Court Zone.
39. Permitted when located within an established mining district; conditional use permit required when located outside established mining district.
40. Single family homes located in Twin Pines Trailer Park, Central Mobile Home Park, or Swiftwater shall be subject to the provisions of KCC Chapter 17.24, Historic Trailer Court Zone.
41. Pursuant to RCW 70.128.140.
42. Permitted when conducted wholly within an enclosed building (excluding off-street parking and loading areas).
43. Includes truck stop operations. Minor repair work permitted.
44. Limited to facilities that serve traditional rural or resource activities (such as granges).
45. Use shall not exceed 10,000 square feet and no more than eight (8) events shall occur within a calendar year.
46. Existing facilities are permitted; new facilities require a conditional use permit. Limited to agricultural products. Excludes controlled atmosphere and cold storage warehouses.
47. Limited to seasonal, non-structural hay storage.
48. Marijuana production or processing on conforming legal lots of record are permitted outright and must:
    a. Meet all criteria and regulations found in WAC 314.55 and RCW 69.50.
    b. Meet all International Fire Code and International Building Code requirements.
    c. Agree to an annual fire protection inspection.
    d. Provide 125% bonding or assignment of funds for insuring completion of fence plan and survival of any landscaping necessary to visually screen required fences. Bond will be held for five (5) years to insure the survival of any visual screening vegetation.
    e. All buildings or planting operations requiring security by law must be setback at least 60 feet from any property boundary.
    f. Security lighting shall be downward, directed away from adjoining property, and shall be installed with motion sensors.
    g. Obtain water from a water budget neutral source and prove such by providing 1) a letter from a purveyor stating that the purveyor has adequate water rights and will provide the necessary water for the applicant's project; 2) an adequate water right for the proposed project; or 3) a certificate of water budget neutrality from the Department of Ecology or other adequate interest in water rights from a water bank.*
49. Marijuana production or processing on non-conforming legal lots of record must be at least 10 (ten) acres in size, are processed as an Administrative Conditional Use, and must:
    a. Meet all criteria and regulations found in WAC 314.55 and RCW 69.50.
    b. Meet all International Fire Code and International Building Code requirements.
    c. Agree to an annual fire protection inspection.
    d. Provide 125% bonding or assignment of funds for insuring completion of fence plan and survival of any landscaping necessary to visually screen required fences. Bond will be held for five (5) years to insure the survival of any visual screening vegetation.
    e. All buildings or planting operations requiring security by law must be setback at least 60 feet from any property boundary.
    f. Security lighting shall be downward, directed away from adjoining property, and shall be installed with motion sensors.
    g. Obtain water from a water budget neutral source and prove such by providing 1) a letter from a purveyor stating that the purveyor has adequate water rights and will provide the necessary water for the applicant's project; 2) an adequate water right for the proposed project; or 3) a certificate of water budget neutrality from the Department of Ecology or other adequate interest in water rights from a water bank.*
50. Services limited to resource based industries**
51. All lots greater than one-half (1/2) acre will not have more than fifty percent (50%) of the lot covered by impervious surface.**

*Publisher's Note: Exhibit B-1 in Ord. 2014-005 erroneously referenced footnotes 48 and 49 in 17.15.070.2.
**Publisher's Note: Exhibit B in Ord. 2014-005 erroneously added footnotes 48 and 49, which were already added in Ord. 2014-004. The footnotes were increaesd to 50 and 51 respectively.

(Ord. 2014-005, 2014; Ord. 2014-004, 2014; Ord. 2013-012, 2013; Ord. 2013-008, 2013; Ord. 2013-001, 2013;)

17.15.070 Allowed Uses in Rural LAMIRD Lands

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

17.15.070.1 Rural LAMIRD Use Table

P Permitted PA Permitted	Rural LAMIRD[49] (Type 1 LAMIRDs)	Rural Employment Centers[50],[52] (Type 3 LAMIRDs)

Administrative CU Conditional Use **See KCC Chapter 17.08 Definitions*	Residential	Residential 2	Rural 5	Agriculture 3	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD	Limited Commercial	General Commercial	Highway Commercial	Light Industrial
A. Agriculture														
Animal boarding*	CU [1]			CU	CU				CU			CU		
Agriculture processing*				P [2]	P/CU [4]		P/CU [4]	P/CU [4]	CU		P/CU [4]	P/CU [4]	P/CU [4]	P/CU [4]
Agriculture production*	CU [1]		P	P [5]			P [4]	P [4]	P [5]					P [4]
Agriculture sales,* Produce stand				P [7] /AC	P	P					P	P	P	
Agriculture sales,* Other				CU										
Feedlot*														
Grazing*			P	P	P	P	P	P	P		P	P	P	P
Marijuana Processing*														
Marijuana Production*														
Nurseries	CU			P					CU		CU	CU	CU	CU
Riding academies				CU					CU					
Small-scale event facility*														
	Residential	Residential 2	Rural 5	Agriculture 3	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD	Limited Commercial	General Commercial	Highway Commercial	Light Industrial
B. Civil and Cultural														
Cemetery			P [9]	P [9]					CU					
Clubhouses, and lodges*	CU		P	P [10]					CU					
Cultural and education facilities	CU													
Libraries	CU			CU	CU									
Meeting facilities														
Museums and galleries	CU			CU	CU	CU			CU			CU	CU	
Religious institutions*	CU	CU		CU					CU					
Schools, public and private*	CU	CU	CU	CU	CU				CU					
	Residential	Residential 2	Rural 5	Agriculture 3	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD	Limited Commercial	General Commercial	Highway Commercial	Light Industrial
C. Commercial														
Auction sales of non-agriculture products											P	P		
Bank					PA	PA								
Bed and breakfast*	CU	CU	CU	CU	CU	CU			CU	CU	CU[51]	CU[51]	CU[51]	
Clinic*	CU [12]			CU	CU									
Day care facilities*				CU	CU							CU		
Funeral home/mortuary					CU									
Hospital*														

Hospital, animal or Veterinary*					CU						CU	CU		
Hotel/motel					CU	CU						CU[53]	CU[53]	
Office*					PA	PA [13]						PA	PA [13]	
Restaurant					PA	PA					P	P	P	
Retail sales,* general					P [48]	P [14]					P [48]	P [48]	P [14]	
Retail sales,* lumber and building materials					P [15]							P [15]		
Retail sales, marijuana*														
Retail sales,* vehicles												PA		
Services					P [45]	P					P [45]	P [45]		
Shooting range*					CU [40]							CU [40]		
Tavern					P	P				P		P	P	
Temporary sales office														
Vehicle/equipment service and repair*					P [11]	P [19]					P [18]	P [11]	P [19]	
	Residential	Residential 2	Rural 5	Agriculture 3	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD	Limited Commercial	General Commercial	Highway Commercial	Light Industrial
D. Industrial														
Airport*				CU										CU[46]
Asphalt/Concrete plants									CU[47]					
Forest product processing* (portable)			P	P					CU			CU		CU
Forest product processing* (permanent)				CU					CU			CU		CU
Freighting and trucking yard or terminal*														
Hazardous waste storage*														CU
Hazardous waste treatment*														
Junkyard*														
Manufacturing*												P		P
Mini-warehouse					CU [22]		P		CU [22]		P [22]	P [22]		P
Refuse disposal/recycle*														
Research laboratories											CU			P
Wastewater treatment														
Warehousing and distribution														
Wholesale business											CU[54]	P[54]		P[54]
	Residential	Residential 2	Rural 5	Agriculture 3	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD	Limited Commercial	General Commercial	Highway Commercial	Light Industrial
E. Recreation														

Campgrounds			CU [21]	CU [21]	CU [21]	CU [21]			CU [21]				CU [21]	
Golf courses			CU	CU					CU					
Guest Ranch			CU	CU					CU					
Parks and playgrounds*	P	P	P	P	P	P			P	P	P	P	P	
Recreation, indoor*					P	P				P [35]		P	P	
Recreation, outdoor*					CU	CU				P [35]		CU	CU	
Recreational vehicle park*										P [35]				
Recreational vehicle storage*										P [35]				
Stadiums														
Trails	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA
	Residential	Residential 2	Rural 5	Agriculture 3	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD	Limited Commercial	General Commercial	Highway Commercial	Light Industrial
F. Residential														
Accessory dwelling unit	P [24]	P [24]	P [24]	P [24]	P [25]					P [24]				
Accessory living quarter	P [36]	P [36]	P [36]	P [36]	P [25]					P [36]	P [36]	P [36]		
Adult family home	P [42]	P [42]	P [42]	P [42]	P [42]	P [42]			P [42]	P [42]	P [42]	P [42]	P [42]	
Boarding house	CU [37]			CU [37]					CU [37]					
Convalescent home				CU					CU					
Dwelling, single-family	P	P	P	P	P				P	P	P [25]	P [25]		
Dwelling, two-family	P	P		P	P [25]				P	P				
Dwelling, multiple-family	CU									P				
Farm Labor Shelter				CU [26]					CU [26]					
Group Home			CU											
Home occupation	P/CU [27]	P/CU [28]	P/CU 28	P/CU [28]	P/CU [28]	P/CU [28]	P/CU 28	P/CU [28]	P/CU 28	P/CU 28	P/CU [28]	P/CU [28]	P/CU [28]	P/CU 28
Manufactured home	P	P	P	P	P				P	P	P[25]	P[25]		
Mobile homes		P [38]	P [6]						P					
Special care dwelling	P [39]	P [39]	P [39]	P [39]	P [39]					P	P [39]	P [39]		
Temporary trailers	P [29]	P [29]	P [29]	P [29]	P [29]		P [29]	P [29]	P [29]	P [29]	P [29]	P [29]		P [29]
	Residential	Residential 2	Rural 5	Agriculture 3	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD	Limited Commercial	General Commercial	Highway Commercial	Light Industrial
G. Resource														
Forestry*			P	P					P					
Forest product sales*									P					
Mining and excavation*												CU		CU
Rock crushing*												CU		CU
	Residential	Residential 2	Rural 5	Agriculture 3	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD	Limited Commercial	General Commercial	Highway Commercial	Light Industrial
H. Utilities and Public Facilities														
Electric vehicle infrastructure	P [23]	P [23]	P [23]	P [23]	P [23]	P [23]	P [23]	P [23]	P [23]	P [35]	P [23]	P [23]	P [23]	P [23]
Public facilities			CU	CU	CU		P [32]		CU			CU		P [32]

Utilities	P [33]	P [33]	P [33]	P [33]	P [33]	P [33]	P [33]	P [33]	P [33]	P [33]	P [33]	P [33]	P [33]	P [33]
Watershed management activities	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA

17.15.070.2 Footnotes Associated with Rural LAMIRD Use Table.

1. Limited to the keeping of horses or cattle for personal enjoyment of the owner or occupant of the lot, provided that the lot contains one (1) acre or more.
2. Limited to products produced on the premises.
3. Hay processing and small-scale processing of agricultural products produced on the premises are permitted outright.
4. Slaughterhouses require a conditional use permit.
5. Provided the lot contains one (1) acre or more. Agriculture production on smaller lots requires a conditional use permit. Raising of swine and mink prohibited.
6. As of September 1, 1998, mobile homes are no longer allowed to be transported and placed within Kittitas County. Those units presently located in Kittitas County that are to be relocated within Kittitas County must have a fire/life inspection approved by the Washington State Department of Labor and Industries. Single family and mobile homes located in Twin Pines Trailer Park, Central Mobile Home Park or Swiftwater shall be subject to the provisions of KCC Chapter 17.24, Historic Trailer Court Zone.
7. When located not less than forty-five (45) feet from the centerline of the public street or highway and selling goods produced on site.
8. Feedlots existing at the time of adoption of the ordinance codified herein may expand or be enlarged only in compliance with standards and regulations contained herein, and such operations shall comply with all state and/or county health regulations.
9. No new cemeteries. Existing cemeteries may expand or enlarge in compliance with applicable standards and regulations.
10. Not permitted in the Agriculture Study Overlay Zone.
11. Permitted when conducted wholly within an enclosed building (excluding off-street parking and loading areas).
12. Provided the minimum lot size shall be fifteen thousand (15,000) square feet.
13. When the office activities are directly related to tourism and recreation.
14. Retail sales limited to groceries and sales of souvenirs, gifts, novelties, curios and handicraft products. Grocery stores may not exceed four thousand (4,000) square feet.
15. Any open storage shall be enclosed by a sight-obscuring fence not less than six (6) feet and not more than seven (7) feet high.
16. Not to exceed two (2) years.
17. Limited to farm implement repair and maintenance, but not to include automobiles, trucks or bikes
18. Limited to service stations, provided there shall be no repairing, repainting, reconstruction or sale of motor vehicles from the premises.
19. Includes truck stop operations. Minor repair work permitted.
20. Because of considerations of odor, dust, smoke, noise, fumes, vibration or hazard, the following uses shall not be permitted in the industrial zone unless a conditional use permit authorizing such use has been granted by the Board:
    a. All chemical manufacture, storage and/or packaging;
    b. Asphalt manufacture, mixing, or refining;
    c. Automobile dismantling, wrecking or junk yards;
    d. Blast furnaces or coke ovens;
    e. Cement, lime, gypsum or plaster of Paris manufacture;
    f. Drop forge industries;
    g. Explosives, storage or manufacture;
    h. Reduction or disposal of garbage, offal or similar refuse;
    i. Oil refining; alternative energy refinery (i.e. biofuels, ethanol)
    j. Rubber reclaiming;
    k. Feed yards, livestock sales yards or slaughterhouses;
    l. Smelting, reduction or refining of metallic ores;
    m. Tanneries;
    n. Wineries;
    o. Manufacturing of industrial or household adhesives, glues, cements, or component parts thereof, from vegetable, animal or synthetic plastic materials;
    p. Waste (refuse) recycling and processing;
    q. On-site and off-site hazardous waste storage and/or treatment. Off-site materials shall be accepted only from Kittitas County source sites.

    In considering the issuance of conditional use permits for the foregoing listed uses, the Board shall:
    a. Assure that the degree of compatibility enunciated as the purpose of this title shall be maintained with respect to the particular use on the particular site and in consideration of other existing and potential uses within the general area in which such use is proposed to be located;
    b. Recognize and compensate for variations and degree of technological processes and equipment as related to the factors of noise, smoke, fumes, vibration, odors, and hazards. Unless substantial proof is offered showing that such process and/or equipment has reduced the above factors so as to be negligible, use is located not less than one thousand (1,000) feet from any church, school, park, playground or occupied dwelling on the same lot or parcel as such use.
21. In considering proposals for location of campgrounds, the Board shall consider at a minimum the following criteria:
    a. Campgrounds should be located at sufficient distance from existing rural residential/residential development so as to avoid possible conflicts and disturbances;
    b. Traffic volumes generated by such a development should not create a nuisance or impose on the privacy of nearby residences or interfere with normal traffic flow;
    c. Landscaping or appropriate screening should be required and maintained where necessary for buffering;
    d. Adequate and convenient vehicular access, circulation and parking should be provided;
    e. Public health and safety of campers and those reasonably impacted by the campground (i.e. health, water, sanitation).
22. The following standards shall apply to the approval and construction of mini-warehouses:
    a. A mini-warehouse proposal (application) must include plans for aesthetic improvements and/or sight screening;
    b. All buildings with storage units facing property boundaries shall have a minimum setback of thirty-five (35) feet;
    c. No commercial or manufacturing activities will be permitted within any building or storage unit;
    d. Lease documents shall spell out all conditions and restrictions of the use;
    e. Signs, other than on-site direction aids, shall number not more than two (2) and shall not exceed forty (40) square feet each in area; and
    f. In Type 3 LAMIRDS, the use shall be conducted wholly within an enclosed building.
23. Subject to provisions of KCC Chapter 17.66, Electric Vehicle Infrastructure.
24. Subject to the following requirements:
    a. ADUs shall be allowed as a permitted use within designated UGAs;
    b. ADU's shall be subject to obtaining an Administrative Use permit in areas outside of UGAs;
    c. Only one (1) ADU shall be allowed per lot;
    d. Owner of the property must reside in either the primary residence or the ADU;
    e. The ADU shall not exceed the square footage of the habitable area of primary residence;
    f. The ADU shall be designed to maintain the appearance of the primary residence;
    g. All setback requirements for the zone in which the ADU is located shall apply;
    h. The ADU shall meet the applicable health department standards for potable water and sewage disposal;
    i. No mobile homes or recreational vehicles shall be allowed as an ADU;
    j. The ADU shall provide additional off-street parking;
    k. An ADU is not permitted on the same lot where a special care dwelling or an Accessory Living Quarters exists.
    l. An ADU must have adequate acreage to meet maximum density within the zone classification.
25. No new residence shall be permitted except that related to the business or enterprises allowed in this zone such as janitor or night watchman. Any such residence shall meet

the requirements of the residential zone.

26. Provided that:
    a. The shelters are used to house farm laborers on a temporary or seasonal basis only, regardless of change of ownership, if it remains in farm labor-needed status;
    b. The shelters must conform with all applicable building and health regulations;
    c. The number of shelters shall not exceed four (4) per twenty (20) contiguous acres of land area;
    d. The shelters are owned and maintained by the owner or operator of an agricultural operation which clearly demonstrates the need for farm laborers;
    e. Should the parent agriculture operation cease or convert to non-agriculture use, then the farm labor shelters shall conform with all applicable building, zoning, and platting requirements or be removed
27. Home occupations with no outdoor activities or noise are permitted; home occupations with outdoor activities or noise are a conditional use. Offices of a physician, dentist or other professional person when located in his or her dwelling as well as home occupations engaged in by individuals within their dwellings are allowed provided that no window display is made or any sign shown other than one (1) not exceeding two (2) square feet in area and bearing only the name and occupation of the occupant.
28. Home occupations with no outdoor activities or noise are permitted; home occupations with outdoor activities or noise are a conditional use. In Type 3 LAMIRDs, home occupations are allowed only in existing residences.
29. When used for temporary occupancy for a period not-to-exceed one (1) year related to permanent home construction or seasonal/temporary employment.
30. Noncommercial sand and gravel excavation is permitted for on-site use without a conditional use permit.
31. Permitted when located within an established mining district; requires conditional use permit outside an established mining district.
32. Public transportation deadhead stations permitted; passenger terminals are a Conditional Use.
33. Utilities are defined and regulated by KCC Chapter 17.61, Utilities.
34. Utilities are defined and regulated by KCC Chapter 17.61, Utilities. Not permitted in the Agriculture Study Overlay Zone.
35. Where the use is only serving a residential PUD and where all applicable standards are met. Electric Vehicle Infrastructure subject to KCC Chapter 17.66.
36. Subject to the following requirements:
    a. Accessory Living Quarters shall be located within an owner occupied primary residence;
    b. Accessory Living Quarters are limited in size to no greater than fifty percent (50%) of the habitable area of the primary residence;
    c. The Accessory Living Quarters are subject to applicable health district standards for water and sewage disposal;
    d. Only one (1) Accessory Living Quarters shall be allowed per lot;
    e. Accessory Living Quarters are to provide additional off-street parking;
    f. Accessory Living Quarters are not allowed where an Accessory Dwelling Unit or Special Care Dwelling exists; and
    g. In Type 3 LAMIRDS, Accessory Living Quarters may only be allowed in an existing residence.
37. Maximum of four (4) boarders and two (2) bedrooms dedicated to the use.
38. As of September 1, 1998, mobile homes are no longer allowed to be transported and placed within Kittitas County. Those units presently located in Kittitas County that are to be relocated within Kittitas County must have a fire/life inspection approved by the Washington State Department of Labor and Industries.
39. Subject to the following requirements:
    a. The Special Care Dwelling must meet all setback requirements for the zone in which it is located;
    b. The Special Care Dwelling must meet all applicable health department requirements for potable water and sewage disposal;
    c. Placement is subject to obtaining a building permit for the manufactured home;
    d. Owner must record a notice to title prior to the issuance of building permit which indicates the restrictions and removal requirements;
    e. The Special Care Dwelling unit cannot be used as a rental unit;
    f. The Special Care Dwelling unit must be removed when the need for care ceases;
    g. A Special Care Dwelling is not permitted on the same lot where an Accessory Dwelling Unit or Accessory Living Quarter exists.
40. Structures and facilities associated with the operation of shooting ranges are permitted and subject to all associated Kittitas County building codes and regulations. Shooting ranges may be operated in conjunction with other permitted or conditional uses for the specified zone. Shooting Ranges are subject to periodic inspection and certification as deemed necessary by the Kittitas County Sheriff's Department. Shooting ranges in Type 1 LAMIRDS must be indoors. In considering proposals for the location of shooting ranges a detailed site plan shall be required; the Hearings Examiner's review of said site plan and the proposal as a whole shall include, but not be limited, to the following criteria:
    a. The general health, safety, and welfare of surrounding property owners, their livestock, their agricultural products, and their property.
    b. Adherence to the practices and recommendations of the "NRA Range Sourcebook."
    c. Adherence to the practices and recommendations of the "EPA Best Management Practices for Lead at Outdoor Shooting Ranges."
    d. Proposed shooting ranges in areas designated as agricultural land of long-term commercial significance shall comply with RCW 36.70A.177 (3) as currently existing or hereafter amended, and shall be limited to lands with poor soils or those unsuitable for agriculture.
41. Outdoor recreation activities that cause noise require a conditional use permit.
42. Subject to provisions of RCW 70.128.140.
43. Use shall not exceed 10,000 square feet and no more than eight (8) events shall occur within a calendar year.
44. Existing facilities are permitted; new facilities require a conditional use permit. Limited to agricultural products. Excludes controlled atmosphere and cold storage warehouses.
45. Services limited to resource based industries, barbershops, beauty parlors, dry cleaning and laundry branch offices, self-service laundry and cleaning, shoe repair shops and physical culture and health services.*
46. No new airports. Existing airports may expand or enlarge in compliance with applicable standards and regulations.*
47. No new airports. Existing airports may expand or enlarge in compliance with applicable standards and regulations.*
48. Permitted when conducted wholly within an enclosed building (excluding off-street parking and loading areas), provided the use does not exceed four thousand (4,000) square feet.*
49. All allowed uses identified on this use table are subject to compliance with WAC 365-196-425.6.c.i. RCW 36.07A.070(5)(d)(i).*
50. All allowed uses identified on this use table are subject to compliance with WAC 365-196-425.6.c.iii RCW 36.70A.070(5)(d)(iii).*
51. Allowed only in existing residences.*
52. Any new Type 3 LAMIRD is required to be at least one-half mile from another Type 3 LAMIRD, and will permit only one business and/or businesses associated with the primary business in the new LAMIRD Type 3. Type 3 LAMIRDs existing as of 2014 are not limited to one business.*
53. Permitted only within existing Type 3 LAMIRDs.*
54. Wholesale activity will not exceed 4000 square feet in space.*

*Publisher's Note: Exhibit C in Ord. 2014-005 added footnotes 43 through 52, which conflicted with footnotes 43 and 44 added in Ord. 2014-004. Footnotes 43 through 52 in Exhibit C of Ord. 2014-005 have been increased by 2, to 45 through 54.

(Ord. 2014-005, 2014; Ord. 2014-004, 2014; Ord. 2013-012, 2013; Ord. 2013-008, 2013; Ord. 2013-001, 2013;)

17.15.080 Allowed Uses in Urban Lands

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

A. Agriculture													
Animal boarding*	CU [1]			CU				CU				CU	
Agriculture processing*				P [2]				P		P [4]	P [4]	CU	
Agriculture production*	CU [1]	CU [5]		P [5]	P	P				P [4]	P [4]	P [5]	
Agriculture sales,* Produce stand				P [7] /AC					P			P [7] /AC	
Agriculture sales,* Other		CU		CU				CU				CU	
Dairy													
Feedlot*				CU [8]								CU [8]	
Grazing*		P		P	P	P	P	P	P	P	P	P	
Marijuana Processing*										P[44,45]			
Marijuana Production*										P[44,45]			
Nurseries	CU	CU		P								CU	
Riding Academies		CU		CU		CU						CU	
Small-scale event facility*				AC[42]/CU	AC[42]/CU	AC[42]/CU						AC[42]/CU	
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD
B. Civic and Cultural													
Cemetery				P [9]		P [9]						CU	
Clubhouses, fraternities and lodges*	AC	AC		P	P	P						AC	
Cultural and educational facilities	CU												
Libraries				CU			P	P					
Meeting facilities													
Museums and galleries	CU	CU		CU				P [11]	P			CU	
Religious institutions*	CU	CU		CU								CU	
Schools, public or private*		CU		CU			P	P				CU	
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD
C. Commercial													
Auction sales of non-agriculture products				CU				P				CU	
Bank								P	P				
Bed and breakfast*				AC		AC						AC	
Clinic*	CU [12]												
Day care facilities*				CU			CU	CU	CU			CU	
Funeral home/mortuary								CU					
Hospital*	CU			CU				P				CU	

Hospital, animal or veterinary*								CU					
Hotel/motel								P	P				P
Office*								P	P [13]				
Restaurant							P	P	P				P
Retail sales,* general							P [11]	P [11]	P [14]				P
Retail sales,* lumber and building materials								P [15]					P
Retail sales, marijuana*													
Retail sales,* vehicles								P					P
Services							P [11]	P [11]	P [11]				
Shooting range*								CU [6]				CU [6]	
Tavern								P	P				P
Temporary sales office													
Vehicle/ equipment service and repair*							P [18]	P [11]	P [19]				
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD
D. Industrial													
Airport*				CU				CU				CU	
Asphalt/Concrete plants												CU	
Forest product processing* (portable)				P	P	P						P	
Forest product processing* (permanent)				CU								CU	
Freighting and trucking yard or terminal*								CU		P	P	CU	
Hazardous waste storage*								CU		CU	CU [20]		
Hazardous waste treatment*								CU		CU	CU [20]		
Junkyard*								CU			CU [20]		
Manufacturing*								P		P	P [20]		
Mini-Warehouse					CU [22]	CU [22]	P [11]	P [11]		P		CU [22]	
Refuse disposal/recycle*										CU	CU [20]	CU	
Research laboratories										P	P		
Wastewater treatment													
Warehousing and distribution	PA[43]	PA[43]	PA[43]	PA[43]	PA[43]	PA[43]	PA[43]	PA[43]	PA[43]	P	P	PA[43]	
Wholesale business								P		P	P		
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD
E. Recreation													

Campground*				CU [21]	CU [21]	CU [21]		CU [21]	CU [21]			CU [21]	
Golf course*				CU	CU	CU						CU	
Guest ranch*				AC	AC	AC						AC	
Parks and playgrounds*	P			P		P	P	P				P	P
Recreation, indoor*				CU	CU	CU		P	P			CU	P [35]
Recreation, outdoor*				AC	AC	AC		P [39]	P [39]			AC	P [35]
Recreational vehicle park*													
Recreational vehicle storage													P
Stadiums								CU					
Trails	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD
F. Residential													
Accessory dwelling unit*	P [24]	P [24]		P [24]	P [24]	P [24]		P [25]					P [24]
Accessory living quarters*	P [36]	P [36]		P [36]	P [36]	P [36]		P [25]					P [36]
Adult family home*	P [41]	P [41]	P [41]	P [41]	P [41]	P [41]	P [41]	P [41]	P [41]			P [41]	P [41]
Boarding house	CU [37]			CU [37]								CU [37]	
Convalescent home												CU	
Dwelling, single-family*	P	P	P [40]	P	P	P	P	P [25]				P	P
Dwelling, two-family*	P	P		P			P	P [25]				P	P
Dwelling, multiple-family*	AC												P
Farm labor shelter*				CU [26]								CU [26]	
Group home*					CU	CU						CU	
Home occupation*	P/CU [27]	P/CU [28]		P/CU [28]	P/CU [28]	P/CU [28]						P/CU [28]	P/CU [28]
Manufactured home*	P	P	P	P	P	P	P	P				P	P
Mobile home		P [38]	P [40]		P [38]							P [38]	P [38]
Special care dwelling*	P [17]	P [17]		P [17]	P [17]	P [17]	P [17]						P [17]
Temporary trailer	P [29]	P [29]	P [29]	P [29]	P [29]	P [29]	P [29]	P [29]	P [29]	P [29]	P [29]		CU [29]
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD
G. Resource													
Forestry*				P	P	P						P	
Forest product sales*												P	
Mining and excavation*				CU [30]	CU [31]	CU [31]						P	
Rock crushing"					CU [31]	CU [31]						P	
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD

H. Utilities and Public Facilities													
Electric vehicle infrastructure*	P [10]	P [10]	P [10]	P [10]	P [10]	P [10]	P [10]	P [10]	P [10]	P [10]	P [10]	P [10]	P [10]
Public facilities*		CU		CU	CU			CU	P [32]			CU	
Utilities	P [33]	P [33]		P [33]	P [33]	P [33]	P [33]	P [33]	P [33]	P [33]	P [33]	P [33]	P [33]
Watershed management activities*	PA	PA		PA	PA	PA	PA	PA	PA	PA	PA	PA	PA

17.15.080.2 Footnotes Associated with Urban Use Table.

1. Limited to the keeping of horses or cattle for personal enjoyment of the owner or occupant of the lot, provided that the lot contains one (1) acre or more.
2. Limited to products produced on the premises.
3. Hay processing and small-scale processing of agricultural products produced on the premises are permitted outright.
4. Feed yards, livestock sales yards, and slaughterhouses require a conditional use permit.
5. Provided the lot contains one (1) acre or more. Agriculture production on smaller lots requires a conditional use permit. Raising of swine and mink prohibited.
6. Structures and facilities associated with the operation of shooting ranges are permitted and subject to all associated Kittitas County building codes and regulations. Shooting Ranges may be operated in conjunction with other permitted or conditional uses for the specified zone. Shooting Ranges are subject to periodic inspection and certification as deemed necessary by the Kittitas County Sheriff's Department. In considering proposals for the location of Shooting Ranges a detailed site plan shall be required; the Board review of said site plan and the proposal as a whole shall include, but not be limited to the following criteria:
   a. The general health, safety, and welfare of surrounding property owners, their livestock, their agricultural products, and their property.
   b. Adherence to the practices and recommendations of the "NRA Range Sourcebook."
   c. Adherence to the practices and recommendations of the "EPA Best Management Practices for Lead at Outdoor Shooting Ranges."
   d. Proposed shooting ranges in areas designated as agricultural land of long term commercial significance shall comply with RCW 36.70A.177(3) as currently existing or hereafter amended, and shall be limited to lands with poor soils or those unsuitable for agriculture.
7. When located not less than forty-five (45) feet from the centerline of the public street or highway and selling goods produced on site.
8. Feedlots existing at the time of adoption of the ordinance codified herein may expand or be enlarged only in compliance with standards and regulations contained herein, and such operations shall comply with all state and/or county health regulations.
9. No new cemeteries. Existing cemeteries may expand or enlarge in compliance with applicable standards and regulations.
10. Subject to provisions of KCC Chapter 17.66, Electric Vehicle Infrastructure.
11. Permitted when conducted wholly within an enclosed building (excluding off-street parking and loading areas).
12. Provided the minimum lot size shall be fifteen thousand (15,000) square feet.
13. When the office activities are directly related to tourism and recreation.
14. Retail sales limited to groceries and sales of souvenirs, gifts, novelties, curios and handicraft products. Grocery stores may not exceed four thousand (4,000) square feet.
15. Any open storage shall be enclosed by a sight-obscuring fence not less than six (6) feet and not more than seven (7) feet high.
16. Not to exceed two (2) years.
17. Subject to the following requirements:
   a. The Special Care Dwelling must meet all setback requirements for the zone in which it is located.
   b. The Special Care Dwelling must meet all applicable health department requirements for potable water and sewage disposal.
   c. Placement is subject to obtaining a building permit for the manufactured home.
   d. Owner must record a notice to title prior to the issuance of building permit which indicates the restrictions and removal requirements.
   e. The Special Care Dwelling unit cannot be used as a rental unit.
   f. The Special Care Dwelling unit must be removed when the need for care ceases.
   g. A Special Care Dwelling is not permitted on the same lot where an Accessory Dwelling Unit or Accessory Living Quarter exists.
18. Limited to service stations, provided there shall be no repairing, repainting, reconstruction or sale of motor vehicles from the premises.
19. Includes truck stop operations. Minor repair work permitted.
20. Because of considerations of odor, dust, smoke, noise, fumes, vibration or hazard, the following uses shall not be permitted in the industrial zone unless a conditional use permit authorizing such use has been granted by the Board:
   a. All chemical manufacture, storage and/or packaging;
   b. Asphalt manufacture, mixing, or refining;
   c. Automobile dismantling, wrecking or junk yards;
   d. Blast furnaces or coke ovens;
   e. Cement, lime, gypsum or plaster of Paris manufacture;
   f. Drop forge industries;
   g. Explosives, storage or manufacture;
   h. Reduction or disposal of garbage, offal or similar refuse;
   i. Oil refining; alternative energy refinery (i.e. biofuels, ethanol)
   j. Rubber reclaiming;
   k. Feed yards, livestock sales yards or slaughterhouses;
   l. Smelting, reduction or refining of metallic ores;
   m. Tanneries;
   n. Wineries;
   o. Manufacturing of industrial or household adhesives, glues, cements, or component parts thereof, from vegetable, animal or synthetic plastic materials;
   p. Waste (refuse) recycling and processing;
   q. On-site and off-site hazardous waste storage and/or treatment. Off-site materials shall be accepted only from Kittitas County source sites.

   In considering the issuance of conditional use permits for the foregoing listed uses, the Board shall:
   a. Assure that the degree of compatibility enunciated as the purpose of this title shall be maintained with respect to the particular use on the particular site and in consideration of other existing and potential uses within the general area in which such use is proposed to be located;
   b. Recognize and compensate for variations and degree of technological processes and equipment as related to the factors of noise, smoke, fumes, vibration, odors and hazards. Unless substantial proof is offered showing that such process and/or equipment has reduced the above factors so as to be negligible, use is located not less than one thousand (1,000) feet from any church, school, park, playground or occupied dwelling on the same lot or parcel as such use.
21. In considering proposals for location of such campgrounds, the Board shall consider at a minimum the following criteria:
   a. Campgrounds should be located at sufficient distance from existing rural residential/residential development so as to avoid possible conflicts and disturbances.
   b. Traffic volumes generated by such a development should not create a nuisance or impose on the privacy of nearby residences or interfere with normal traffic flow.
   c. Landscaping or appropriate screening should be required and maintained where necessary for buffering.
   d. Adequate and convenient vehicular access, circulation and parking should be provided.
   e. Public health and safety of campers and those reasonably impacted by the campground (i.e. heath, water, sanitation)
22. The following standards shall apply to the approval and construction of mini-warehouses:
   a. A mini-warehouse proposal (application) must include plans for aesthetic improvements and/or sight screening;

b. All buildings with storage units facing property boundaries shall have a minimum setback of thirty-five (35) feet;
c. No commercial or manufacturing activities will be permitted within any building or storage unit;
d. Lease documents shall spell out all conditions and restrictions of the use;
e. Signs, other than on-site direction aids, shall number not more than two (2) and shall not exceed forty (40) square feet each in area;

23. Subject to all state and/or county health regulations and to regulations in this title, provided a minimum of one (1) acre is available. Excluding swine and mink.
24. Accessory Dwelling Unit (ADU) subject to the following requirements:
    a. ADUs shall be allowed as a permitted use within designated UGAs.
    b. ADUs shall be subject to obtaining an Administrative Use permit in areas outside of UGAs.
    c. Only one (1) ADU shall be allowed per lot.
    d. Owner of the property must reside in either the primary residence or the ADU.
    e. The ADU shall not exceed the square footage of the habitable area of primary residence.
    f. The ADU shall be designed to maintain the appearance of the primary residence.
    g. All setback requirements for the zone in which the ADU is located shall apply.
    h. The ADU shall meet the applicable health department standards for potable water and sewage disposal.
    i. No mobile homes or recreational vehicles shall be allowed as an ADU.
    j. The ADU shall provide additional off-street parking.
    k. An ADU is not permitted on the same lot where a special care dwelling or an Accessory Living Quarters exists.
    l. An ADU must have adequate acreage to meet maximum density within the zone classification.
25. No new residence shall be permitted except that related to the business or enterprises allowed in this zone such as janitor or night watchman. Any such residence shall meet the requirements of the residential zone.
26. Provided that:
    a. The shelters are used to house farm laborers on a temporary or seasonal basis only, regardless of change of ownership, if it remains in farm labor-needed status;
    b. The shelters must conform with all applicable building and health regulations;
    c. The number of shelters shall not exceed four (4) per twenty (20) contiguous acres of land area;
    d. The shelters are owned and maintained by the owner or operator of an agricultural operation which clearly demonstrates the need for farm laborers;
    e. Should the parent agriculture operation cease or convert to non-agriculture use, then the farm labor shelters shall conform with all applicable building, zoning, and platting requirements or be removed
27. Home occupations with no outdoor activities or noise are permitted; home occupations with outdoor activities or noise are a conditional use. Offices of a physician, dentist or other professional person when located in his or her dwelling as well as home occupations engaged in by individuals within their dwellings are allowed provided that no window display is made or any sign shown other than one (1) not exceeding two (2) square feet in area and bearing only the name and occupation of the occupant.
28. Home occupations with no outdoor activities or noise are permitted; home occupations with outdoor activities or noise are a conditional use. No sign advertising a home occupation shall exceed sixteen (16) square feet in size.
29. When used for temporary occupancy for a period not to exceed one (1) year related to permanent home construction or seasonal/temporary employment.
30. Noncommercial sand and gravel excavation is permitted for on-site use without a conditional use permit.
31. Permitted when located within an established mining district; requires conditional use permit outside an established mining district.
32. Public transportation deadhead stations permitted; passenger terminals are a Conditional Use.
33. Utilities are defined and regulated by KCC Chapter 17.61, Utilities.
34. Utilities are defined and regulated by KCC Chapter 17.61, Utilities. Not permitted in the Agriculture Study Overlay Zone.
35. Where the use is only serving a residential PUD and where all applicable standards are met.
36. Subject to the following requirements:
    a. Accessory Living Quarters shall be located within an owner occupied primary residence.
    b. Accessory Living Quarters are limited in size to no greater than fifty percent (50%) of the habitable area of the primary residence.
    c. The Accessory Living Quarters are subject to applicable health district standards for water and sewage disposal.
    d. Only one (1) Accessory Living Quarters shall be allowed per lot.
    e. Accessory Living Quarters are to provide additional off-street parking.
    f. Accessory Living Quarters are not allowed where an Accessory Dwelling Unit or Special Care Dwelling exists.
37. Maximum of four (4) boarders and two (2) bedrooms dedicated to the use.
38. As of September 1, 1998, mobile homes are no longer allowed to be transported and placed within Kittitas County. Those units presently located in Kittitas County that are to be relocated within Kittitas County must have a fire/life inspection approved by the Washington State Department of Labor and Industries.
39. Outdoor recreation activities that cause noise require a conditional use permit.
40. Pursuant to KCC Chapter 17.24, Historic Trailer Court Zones.
41. Pursuant to RCW 70.128.140.
42. Use shall not exceed 10,000 square feet and no more than eight (8) events shall occur within a calendar year.
43. Limited to seasonal, non-structural hay storage.
44. Activities requiring security must:
    a. Meet all criteria and regulations found in WAC 314.55 and RCW 69.50.
    b. Meet all International Fire Code and International Building Code requirements.
    c. Agree to an annual fire protection inspection.
    d. All production must take place within a fully enclosed secure indoor facility.
45. Allowed marijuana production and processing must be operated within an entirely enclosed structure.

(Ord. 2014-005, 2014; Ord. 2014-004, 2014; Ord. 2013-012, 2013; Ord. 2013-008, 2013; Ord. 2013-001, 2013;)

Chapter 17.16
R - RESIDENTIAL ZONE*

Sections

17.16.010 Purpose and intent.
17.16.020 Allowed uses.
17.16.030 Minimum lot requirements.
17.16.040 Maximum lot coverage.
17.16.050 Maximum structure height.
17.16.060 Yard requirements - Front.
17.16.070 Yard requirements - Side.
17.16.080 Yard requirements - Rear.
17.16.085 Yard requirements - Zones Adjacent to Commercial Forest Zone.
17.16.090 Half streets.
17.16.100 Sale or conveyance of lot portion.
17.16.110 Off-street parking.
17.16.120 Repealed.
17.16.121 Repealed.

* Prior history: Ords. 76-3, 69-7, 2.

17.16.010 Purpose and intent.
The purpose and intent of the Residential zone is to provide for and protect areas for homesite development designed to meet contemporary building and living standards where public water and sewer systems are provided. (Ord. 2013-001, 2013; Ord. 83Z-2 (part), 1983)

17.16.020 Allowed uses.
Uses allowed in the 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; Ord. 83-Z-2 (part), 1983: Res. 83-10, 1983)

17.16.030 Minimum lot requirements.
1. Minimum lot sizes in the R 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.
2. The minimum lot depth shall be one hundred (100) feet.
3. The minimum average lot width shall be sixty-five (65) feet.
4. In no case shall there be more than one (1) main dwelling and its accessory buildings constructed on one (1) lot unless such lot is greater than twice the minimum required for a single-family dwelling.
5. No main dwelling shall be built or moved on to a lot not abutting a public street, with the exception of special cases where the county may approve other suitable access. (Ord. 2013-001, 2013; Ord. 83-Z-2 (part), 1983; Res. 83-10, 1983)

17.16.040 Maximum lot coverage.
The ground area covered by all buildings, including accessory buildings, shall not exceed thirty percent (30%) of the lot area. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.16.050 Maximum structure height.
No structure shall exceed two and one-half (2 ½) stories, or thirty-five (35) feet, whichever is less in height. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.16.060 Yard requirements - Front.
There shall be a front yard having a minimum depth of fifteen (15) feet, unless a previous building line less than this has been established, in which case the minimum front yard for interior lots shall be the average of the setbacks of the main structures on the abutting lots on either side if both lots are occupied. If one (1) lot is occupied and the other vacant, the setback shall be the setback of the occupied lot plus one-half (½) the remaining distance to the required fifteen (15) foot setback. If neither of the abutting side lots or tracts are occupied by a structure, the setback shall be fifteen (15) feet. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.16.070 Yard requirements - Side.
There shall be a side yard of not less than five (5) feet in width on each side of a building. (Side of building means outer face, any part of building nearest to the side line, not including roof eaves.) On corner lots the side yard shall be a minimum of fifteen (15) feet on the side abutting the street. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.16.080 Yard requirements - Rear.
There shall be a rear yard with a minimum depth of twenty-five (25) feet to the main building. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.16.085 Yard requirements - 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. 2007-22, 2007)

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

17.16.100 Sale or conveyance of lot portion.
No sale or conveyance of any portion of a lot, for other than a public purpose, shall leave a structure or the remainder of a lot with less than the minimum lot, yard or setback requirement of this zone. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.16.110 Off-street parking.
One automobile parking space shall be provided for each dwelling unit and shall be located to the rear of the building setback line. (Res. 83-10, 1983)

17.16.120 Repealed.

(Ord. 2013-001, 2013; Ord. 2007-22, 2007; Ord. O-2006-01, 2006; Res. 8310, 1983)

17.16.121 Repealed.

(Ord. 2013-001, 2013; Ord. 2007-22, 2007)

Chapter 17.18
R-2 - RESIDENTIAL

Sections
17.18.010 Purpose and intent.
17.18.020 Allowed uses.
17.18.025 Repealed.
17.18.030 Minimum lot requirements.
17.18.040 Maximum lot coverage.
17.18.050 Maximum structure height.
17.18.060 Yard requirements - Front.
17.18.070 Yard requirements - Side.
17.18.080 Yard requirements - Rear.
17.18.085 Yard requirements- Zones Adjacent to Commercial Forest Zones.
17.18.090 Repealed.

17.18.010 Purpose and intent.
The purpose and intent of the Residential 2 one is to provide for and protect areas for homesite development designed to meet contemporary building and living standards where public water and sewer systems are provided. (Ord. 2013-001, 2013; Ord. 8910 (part), 1989)

17.18.020 Allowed uses.
Uses allowed in the Residential 2 zone include those uses pursuant to KCC Chapter 17.15. (Ord. 2011-013, 2011; Ord. 2007-22, 2007; Ord. O-2006-01, 2006; Ord. 96-19 (part), 1996; Ord. 89-10 (part), 1989)

17.18.025 Repealed.

(Ord. 2013-001, 2013; Ord. 2007-22, 2007; Ord. O-2006-01, 2006; Ord. 95-8, 1995)

17.18.030 Minimum lot requirements.

1. Minimum lot sizes in the R-2 zone are as follows:
   a. Single-family dwelling, seven thousand two hundred square feet for any lots created after the date of the ordinance codified in this chapter; 5,000 square feet for all existing platted lots.
   b. Two-family dwelling, ten thousand square feet.
2. The minimum lot depth shall be one hundred feet.
3. The minimum average lot width shall be sixty-five feet.
4. In no case shall there be more than one main dwelling and its accessory buildings constructed on one lot unless such lot is twice the minimum required for a single-family dwelling.
5. No main dwelling shall be built or moved on to a lot not abutting a public street, with the exception of special cases where the county may approve other suitable access. (Ord. 2013-001, 2013; Ord. 89-10 (part), 1989)

17.18.040 Maximum lot coverage.

The ground area covered by all buildings including accessory buildings shall not exceed thirty percent (30%) for lots six thousand five hundred (6,500) square feet or more in area (created after the date of the ordinance codified in this chapter) and forty percent (40%) for lots less than six thousand five hundred (6,500) feet in area. (Ord. 2013-001, 2013; Ord. 89-10 (part), 1989)

17.18.050 Maximum structure height.

Maximum structure height. No structure shall exceed two and one-half (2½) stories, or thirty-five feet (35), whichever is less in height. (Ord. 2013-001, 2013; Ord. 89-10 (part), 1989)

17.18.060 Yard requirements - Front.

There shall be a front yard having a minimum depth of fifteen feet (15), unless a previous building line less than this has been established, in which case the minimum front yard for interior lots shall be the average of the setbacks of the main structures on the abutting lots on either side if both lots are occupied. If one (1) lot is occupied and the other vacant, the setback shall be the setback of the occupied lot plus one-half (½) the remaining distance to the required fifteen (15) foot setback. If neither of the abutting side lots or tracts are occupied by a structure, the setback shall be fifteen (15) feet. (Ord. 2013-001, 2013; Ord. 89-10 (part), 1989)

17.18.070 Yard requirements - Side.

There shall be a side yard of not less than ten (10) feet on one side, and five (5) feet on the opposite side of a building. (Side of building means outer face, any part of building nearest to the side line, not including roof eaves.) On corner lots the side yard shall be a minimum of fifteen (15) feet on the side abutting the street. (Ord. 2013-001, 2013; Ord. 89-10 (part), 1989)

17.18.080 Yard requirements - Rear.

There shall be a rear yard with a minimum depth of twenty-five (25) feet to the main building. However one accessory structure may be constructed within five (5) feet of the rear lot line. (Ord. 2013-001, 2013; Ord. 8910 (part), 1989)

17.18.085 Yard requirements - 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. 2007-22, 2007)

17.18.090 Repealed.

(Ord. 2013-001, 2013; Ord. 2007-22, 2007)

Chapter 17.19
R-3 - RURAL-3 ZONE*

Sections

17.19.010 Purpose and intent.
17.19.020 Allowed uses.
17.19.030 Repealed.
17.19.040 Lot size required.
17.19.045 Development Standards.
17.19.050 Yard requirements.
17.19.055 Yard requirements- Zones Adjacent to Commercial Forest Zone.
17.19.060 Sale or conveyance of lot portion.
17.19.070 Repealed.
17.19.080 Shoreline setbacks.
17.19.090 Repealed.

* Chapter 17.19 R-3 - Rural-3 Zone was renumbered from 17.30 (Ord. 2013-001, 2013;)

17.19.010 Purpose and intent.

The purpose and intent of the Rural-3 zone is to provide areas where residential development may occur on a low density basis. A primary goal and intent in siting R-3 zones will be to minimize adverse effects on adjacent natural resource lands. (Ord. 92-4 (part), 1992)

17.19.020 Uses permitted.

Uses allowed in the Rural-3 zone include those uses pursuant to KCC Chapter 17.15. (Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2011-013, 2011; Ord. O-2006-01, 2006; Ord. 96-19 (part), 1996; Ord. 92-4 (part), 1992)

17.19.030 Repealed.

(Ord. 2013-001, 2013; Ord. 2007-22, 2007; Ord. O-2006-01, 2006; Ord. 92-4 (part), 1992)

17.19.040 Lot size required.

The minimum residential lot size shall be three acres in the Rural-3 zone, unless within a cluster plat as provided for in KCC Chapter 16.09, Cluster Platting and Conservation Platting. Lots within a cluster plat shall be a minimum of one-half (½) acre. The overall density of any residential development shall not exceed one (1) dwelling for each three (3) acres. (Ord. 2013-001, 2013; Ord. 2007-22, 2007; Ord. 92-4 (part), 1992)

17.19.050 Yard requirements.

There shall be a minimum front yard setback of twenty-five (25) feet. Side and rear yard setbacks shall be fifteen (15) feet. (Ord. 2013-001, 2013; Ord. 92-4 (part), 1992)

17.19.055 Yard requirements - 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. 2007-22, 2007)

17.19.060 Sale or conveyance of lot portion.
No sale or conveyance of any portion of a lot, for other than a public purpose, shall leave a structure on the remainder of the lot with less than the minimum lot, yard or setback requirements of this zone. (Ord. 2013-001, 2013; Ord. 92-4 (part), 1992)

17.19.070 Repealed.
(Ord. 2013-001, 2013; Ord. 92-4 (part), 1992)

17.19.080 Shoreline setbacks.
The following setbacks shall be enforced for residences, accessory buildings, and on-site septic systems constructed or placed on shorelines or floodplains;

1. One hundred feet (100) (measured horizontally) from the ordinary high water mark or line of vegetation for lots abutting the shorelines or floodplains under the jurisdiction of the Washington State Shoreline Management Act;
2. One hundred feet (100) (measured horizontally) from the ordinary high water mark or line of vegetation for lots fronting on reservoirs including Keechelus, Cle Elum, Kachess, and Easton Lakes and Wanapum reservoir;
3. One hundred feet (100) (measured horizontally) from the ordinary high water mark or line of vegetation for all such structures constructed or placed on other streams, including intermittent streams, which are not regulated under the Shoreline Management Act. (Ord. 2013-001, 2013; Ord. 92-4 (part), 1992)

17.19.090 Repealed.
(Ord. 2013-001, 2013; Ord. 2007-22, 2007)

Chapter 17.20
RR - RURAL RESIDENTIAL ZONE*

Repealed by Ord. 2013-001, 2013

Chapter 17.22
UR - URBAN RESIDENTIAL ZONE*

Sections
17.22.010 Purpose and intent.
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)

17.22.020 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. 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.
2. All lots of record at the time of passage of the ordinance codified in this chapter shall be considered as conforming to lot size requirements. (Ord. 2013-001, 2013; Ord. 2007-22, 2007; Res. 83-10, 1983)

17.22.040 Maximum lot coverage.
The ground area covered by all buildings, including accessory buildings, shall not exceed thirty percent (30%) of the lot area. (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. (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)

Chapter 17.24
H-T-C - HISTORIC TRAILER COURT ZONES*

Sections

17.24.010 Purpose and intent.
17.24.020A Existing Uses.
17.24.020B Repealed.
17.24.030 Minimum requirements.
17.24.040 Yard requirements.
17.24.045 Yard requirements- Zones Adjacent to Commercial Forest Zone.
17.24.050 Design standards.
17.24.060 Plot plan required.**
17.24.070 Off-street parking.

* Prior history: Ords. 68-18, 2.
** Publisher's note: Ordinance 2007-22 removed 17.24.060.

17.24.010 Purpose and intent.
The purpose and intent of the trailer court zone is to recognize established mobile home developments located in Kittitas County. No further expansion of these developments is allowed. (Ord. 2007-22, 2007; Ord. 83-Z-2 (part), 1983)

17.24.020A Existing Uses.
The following trailer court zone developments exist in Kittitas County: Millpond Manor. (Ord. 2013-001, 2013; Ord. 2007-22, 2007; Res. 83-10, 1983)

17.24.020B Repealed.
(Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.24.030 Minimum requirements.
The minimum lot area and yard requirements in a HTC zone are as follows:

1. Mobile Homes. The minimum area for a historic trailer (mobile home) court site shall be three thousand five hundred (3,500) square feet times the number of individual trailer sites to be provided. Densities must have the approval of the county health office.
2. Single Family Home. The requirements are the same as the requirements of the Rural-5 zone.
3. Electric Vehicle Infrastructure. See KCC Chapter 17.66 (Ord. 2013-001, 2013; Ord. 2011-013, 2011; Ord. 2007-22, 2007; Res. 83-10, 1983)

17.24.040 Yard requirements.
No individual mobile home or single family dwelling shall be closer than thirty-five (35) feet to any lot or street right-of-way or closer than fifteen (15) feet from any other mobile home. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.24.045 Yard requirements - 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. 2007-22, 2007)

17.24.050 Design standards.
1. All access roadways, parking areas and service drives shall be bituminous surfaced or better.
2. No occupied mobile home shall remain in a mobile home park unless a mobile home space is available.
3. All streets and alleys within the mobile home subdivision should be excavated or filled within 0.3 (plus or minus) of a foot of the grade established by the county engineer. (Res. 83-10, 1983)

17.24.060 Repealed.
Repealed by Ordinance 2007-22, 2007.

17.24.070 Off-street parking.
1. For each mobile home lot there shall be provided and maintained at least one (1) parking space. Each such parking space shall contain a minimum area of one hundred eighty (180) square feet (of dimensions nine (9) feet by twenty (20) feet, or ten (10) feet by nineteen (19) feet) and shall be hard surfaced. If central parking lots are provided, they shall be hard surfaced and each space separated by striping or other adequate means and identified to the official lot number of the occupant and reserved for his sole use.
2. Parallel parking may be permitted in driveways at the approval of the planning commission providing the improved driveway width is increased to a minimum of thirty-six (36) feet.
3. Where lots exist on only one (1) side of the driveway, parallel parking may be permitted on one (1) side at the approval of the Commission providing the driveway width is increased to a minimum of twenty-eight (28) feet. (Ord. 2013-001, 2013; Res. 83-10, 1983)

Chapter 17.28
A-3 - AGRICULTURAL 3 ZONE*

Sections

17.28.010 Purpose and intent.
17.28.020 Allowed uses.
17.28.030 Lot size required.
17.28.040 Yard requirements - Front.
17.28.050 Yard requirements - Side.
17.28.060 Yard requirements - Rear.
17.28.065 Yard requirements- Zones Adjacent to Commercial Forest Zone.
17.28.080 Sale or conveyance of lot portion.
17.28.090 Off-street parking.
17.28.100 Access requirement.
17.28.110 Setback lines.
17.28.120 Prohibited uses. (Deleted by Ord. 87-11)
17.28.130 Conditional uses.
17.28.140 Administrative uses.

* Prior history: Ords. 82-Z-l, 79-Z-3, 79-Z-2,76-2, 75-12, 75-9, 75-5, 73-7, 73-5, 73-3, 72-8, 71-5, 71-1, 709, 70-8, 69-7, 69-1, 68-17, 2.

17.28.010 Purpose and intent.
The purpose and intent of the agricultural (A-3) zone is to provide for an area where various agricultural activities and low density residential developments co-exist compatibly. A-3 zones are predominately agricultural-oriented lands and it is not the intent of this section to impose further restrictions on continued agricultural activities therein. (Ord. 83-Z-2 (part), 1983)

17.28.020 Uses permitted.
Uses allowed in the agricultural (A-3) zone include those uses pursuant to KCC Chapter 17.15.

(Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2011-013, 2011; Ord. 2007-22, 2007; Ord. O-2006-01, 2006; Ord. 96-19 (part), 1996; Ord. 88-4 § 3, 1988; Ord. 83-Z-2 (part), 1983: Res. 83-10, 1983)

17.28.030 Lot size required.
1. The minimum residential lot size shall be three (3) acres in the Agricultural-3 zone, unless within a cluster plat as provided for in KCC Chapter 16.09, Cluster Platting and Conservation Platting. Lots within a clust e r plat shall be a minimum of one-half (½) acre. The overall density of any residential development shall not exceed one dwelling for each three acres.
2. The minimum average lot width shall be two hundred fifty (250) feet. (Ord. 2013-001, 2013; Ord, 2007-22, 2007; Res. 83-10, 1983)

17.28.040 Yard requirements - Front.
There shall be a minimum front yard of twenty-five (25) feet. (Ord. 2013-001, 2013; Ord. 96-19 (part), 1996; Res. 83-10, 1983)

17.28.050 Yard requirements - Side.
Side yard shall be a minimum of five (5) feet. On corner lots the side yard shall be a minimum of fifteen (15) feet on the side abutting the street. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.28.060 Yard requirements - Rear.
There shall be a rear yard with a minimum depth of twenty-five (25) feet to the main building. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.28.065 Yard requirements - 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. 2007-22, 2007)

17.28.080 Sale or conveyance of lot portion.
No sale or conveyance of any portion of a lot, for other than a public purpose, shall leave a structure or the remainder of the lot with less than the minimum lot, yard or setback requirements of this zone. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.28.090 Off-street parking.
One automobile parking space shall be provided for each dwelling unit and shall be located to the rear of the building setback line. (Res. 83-10, 1983)

17.28.100 Access requirement.
No dwelling shall be constructed or located on a lot or parcel which is not served by a legal sixty-(60)-foot right-of-way or existing county road. (Ord. 2013-001, 2013; Res. 8310, 1983)

17.28.110 Setback lines.
None of the following uses shall be located within the distances indicated of any public street or road, any school or public park, or any dwelling (except such dwelling as may exist upon the same property with the restricted use):

1. Within one and one-half (1½) miles:
   a. (Repealed by Ord. 88-5)
   b. Farms or establishments for feeding of garbage or other refuse to hogs or other animals:
      i. Provision is made that all such operations of subsections 1 and 2 shall be conducted in compliance with all state and county health regulations, and
      ii. Complete protection from any potential detrimental effects such use might have on surrounding properties and/or use zones will be provided;
2. (Deleted by Ord. 87-11)
3. Within one hundred (100) feet: barns, shelters or other buildings or structures for keeping or feeding of any livestock, poultry, or other animals or birds whether wild or domestic;
4. Feedlots containing fifty (50) to one hundred (100) head at a density of less than five hundred (500) square feet per head for a period of six (6) months or more shall be located no closer than three hundred (300) feet to any existing home, school or park. (Ord. 2013-001, 2013; Ord. 88-5 (part), 1988; Ord. 87-11 (part), 1987; Res. 83-10, 1983)

17.28.120 Prohibited uses.
(Deleted by Ord. 87-11). (Res. 83-10, 1983)

17.28.130 Repealed.
(Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2009-25, 2009; Ord. 2007-22, 2007; Ord. O-2006-01, 2006; Ord. 93-6 (part), 1993; Ord. 9015 §§ 2, 3, 1990; Ord. 90-10 (part), 1990; Ord. 88-4 § 4, 1988; Ord. 87-9 § 3, 1987; Ord. 83-Z6, 1983; Ord. 83-Z-2 (part), 1983; Res. 83-10, 1983)

17.28.140 Repealed. (Ord. 2013-001, 2013; Ord. 2007-22, 2007)

Chapter 17.28A
A-5 - AGRICULTURE ZONE

Sections
17.28A.010 Purpose and intent.
17.28A.020 Allowed uses.
17.28A.030 Lot size required.
17.28A.040 Yard requirements - Front.
17.28A.050 Yard requirements - Side.
17.28A.060 Yard requirements - Rear.
17.28A.065 Yard requirements- Zones Adjacent to Commercial Forest Zone.
17.28A.080 Sale or conveyance of lot portion.
17.28A.090 Off-street parking.
17.28A.100 Access requirement.
17.28A.110 Setback lines.
17.28A.130 Conditional uses.
17.28A.140 Administrative uses.

17.28A.010 Purpose and intent.

The purpose and intent of the agriculture (A-5) zone is to provide for an area where various agricultural activities and low density residential developments co-exist compatibly. A-5 zones are predominately agricultural-oriented lands and it is not the intent of this section to impose further restrictions on continued agricultural activities therein. (Ord. 2013-008, 2013; Ord. 2005-05, 2005)

17.28A.020 Allowed uses.
Allowed uses in the agriculture (A-5) zone include those uses pursuant to KCC Chapter 17.15. (Ord. 2013-008, 2013; Ord. 2013-001, 2013; Ord. 2011-013, 2011; Ord. 2007-22, 2007; Ord. O-2006-01, 2006; Ord. 2005-05, 2005)

17.28A.030 Lot size required.
1. The minimum residential lot size shall be five (5) acres in the agriculture zone, unless within a cluster plat as provided for in KCC Chapter 16.09, Cluster Platting and Conservation Platting. Lots within a cluster plat shall be a minimum of one-half (½) acre. The overall density of any residential development shall not exceed one (1) dwelling for each five (5) acres.
2. The minimum average lot width shall be two hundred fifty (250) feet. (Ord. 2013-008, 2013; Ord. 2013-001, 2013; Ord. 2007-22, 2007; Ord. 2005-05, 2005)

17.28A.040 Yard requirements - Front.
There shall be a minimum front yard of twenty-five (25) feet. (Ord. 2013-001, 2013; Ord. 2005-05, 2005)

17.28A.050 Yard requirements - Side.
Side yard shall be a minimum of five (5) feet. On corner lots the side yard shall be a minimum of fifteen (15) feet on the side abutting the street. (Ord. 2013-001, 2013; Ord. 2005-05, 2005)

17.28A.060 Yard requirements - Rear.
There shall be a rear yard with a minimum depth of twenty-five (25) feet to the main building. (Ord. 2013-001, 2013; Ord. 2005-05, 2005)

17.28A.065 Yard requirements - 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. 2007-22, 2007)

17.28A.080 Sale or conveyance of lot portion.
No sale or conveyance of any portion of a lot, for other than a public purpose, shall leave a structure or the remainder of the lot with less than the minimum lot, yard or setback requirements of this zone. (Ord. 2013-001, 2013; Ord. 2005-05, 2005)

17.28A.090 Off-street parking.
One automobile parking space shall be provided for each dwelling unit and shall be located to the rear of the building setback line. (Ord. 2005-05, 2005)

17.28A.100 Access requirement.
No dwelling shall be constructed or located on a lot or parcel which is not served by a legal sixty-foot (60) right-of-way or existing county road. (Ord. 2013-001, 2013; Ord. 2005-05, 2005)

17.28A.110 Setback lines.
None of the following uses shall be located within the distances indicated of any public street or road, any school or public park, or any dwelling (except such dwelling as may exist upon the same property with the restricted use):

1. Within one and one-half (1½) miles:
   a. (Publisher's note: this item intentionally left blank.)
   b. Farms or establishments for feeding of garbage or other refuse to hogs or other animals:
      i. Provision is made that all such operations of subsections 1 and 2 shall be conducted in compliance with all state and county health regulations, and
      ii. Complete protection from any potential detrimental effects such use might have on surrounding properties and/or use zones will be provided;
2. (Publisher's note: this item intentionally left blank.)
3. Within one hundred (100) feet: barns, shelters or other buildings or structures for keeping or feeding of any livestock, poultry, or other animals or birds whether wild or domestic;
4. Feedlots containing fifty (50) to one hundred (100) head at a density of less than five hundred (500) square feet per head for a period of six (6) months or more shall be located no closer than three hundred (300) feet to any existing home, school or park. (Ord. 2013-001, 2013; Ord. 2005-05, 2005)

17.28A.130 Repealed.
(Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2009-25, 2009; Ord. 2007-22, 2007; Ord. O-2006-01, 2006; Ord. 2005-05, 2005)

17.28A.140 Repealed.
(Ord. 2013-001, 2013; Ord. 2007-22, 2007)

Chapter 17.29
A-20 - AGRICULTURE ZONE*

Sections
17.29.010 Purpose and intent.
17.29.020 Allowed uses.
17.29.030 Repealed.
17.29.040 Lot size required.
17.29.050 Yard requirements - Front yard.
17.29.060 Yard requirements - Side yard.
17.29.070 Yard requirements - Rear yard.
17.29.075 Yard requirements- Zones adjacent to Commercial Forest Zone.
17.29.080 Yard requirements - Sale or conveyance restrictions.
17.29.090 Dimensional requirements.
17.29.100 Repealed.
17.29.110 Access.
17.29.120 Special setback requirements.
17.29.130 Repealed.

* For provisions on the right to farm for protection of agricultural activities, see Ch. 17.74. For provisions on the commercial agricultural and commercial agricultural overlay zones, see Ch. 17A.55.
Prior history: Ords. 81-Z-1, 80-Z-2, 68-1.

17.29.010 Purpose and intent.
The agriculture (A-20) zone is an area wherein farming, ranching and rural life styles are dominant characteristics. The intent of this zoning classification is to preserve fertile farmland from encroachment by nonagricultural land uses; and protect the rights and traditions of those engaged in agriculture. (Ord. 2013-008, 2013; Ord. 83-Z-2 (part), 1983:

Res. 83-10, 1983)

17.29.020 Allowed uses.
Uses allowed in the agriculture (A-20) zone include those uses pursuant to KCC Chapter 17.15. (Ord. 2013-008, 2013; Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2011-013, 2011; Ord. 2009-25, 2009; Ord. 2007-22, 2007; Ord. 92-1 (part), 1992; Ord. 83-Z-2 (part), 1983; Res. 83-10, 1983)

17.29.030 Repealed.
(Ord. 2013-001, 2013; Ord. 2012-009 , 2012; Ord. 2009-25, 2009; Ord. 2007-22, 2007; Ord. 2001-13 (part), 2001; Ord. 93-6 (part), 1993; Ord. 92-1 (part), 1992; Ord. 90-10 (part), 1990; Res. 83-10, 1983)

17.29.040 Lot size required.
1. Minimum lot (homesite) requirements in the agricultural (A-20) zone are:
    a. (20) acres, unless within a conservation plat as provided for in KCC Chapter 16.09, Cluster Platting and Conservation Platting
    b. In no case shall there be more than two dwellings (residences) on any lot or tax parcel unless such parcel is twice the required minimum (twenty-(20)-acre) size.
    c. One-half (½) acre for lots in a conservation plat.
2. Agriculture Study Overlay Zone: Properties containing prime farmland soils with capability grades between 1 and 4 shall be a minimum of twenty (20) acres in size. (Ord. 2013-001, 2013; Ord. 2010-014, 2010; Ord. 2009-25; 2009; Ord. 2007-22, 2007; Ord. 96-15 (part), 1996; Ord. 95-13 (part), 1995: Ord. 83Z-2 (part), 1983; Res. 83-10, 1983)

17.29.050 Yard requirements - Front yard.
There shall be a minimum front yard of twenty-five (25) feet. (Ord. 2013-001, 2013; Ord. 96-19 (part), 1996; Res. 83-10, 1983)

17.29.060 Yard requirements - Side yard.
Side yard shall be a minimum of five (5) feet; on corner lots the side yard shall be a minimum of fifteen (15) feet on the side abutting the street. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.29.070 Yard requirements - Rear yard.
There shall be a rear yard with a minimum depth of twenty-five (25) feet to the main building. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.29.075 Yard requirements - 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. 2007-22, 2007)

17.29.080 Yard requirements - Sale or conveyance restrictions.
No sale or conveyance of any portion of a lot for other than a public purpose shall leave a structure or the remainder of the lot with less than the minimum lot, yard, or setback requirements of this zone. (Res. 83-10, 1983)

17.29.090 Dimensional requirements.
The minimum average lot width shall be two hundred (200) feet. No platted lot or parcel may be created with a dimensional ratio greater than 4:1. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.29.100 Division of nonconforming lots.
Repealed by Ord. 95-13. (Res. 83-10, 1983)

17.29.110 Access.
No dwelling shall be constructed or located on a lot or parcel which is not served by a legal sixty-(60)-foot right-of-way or existing county road. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.29.120 Special setback requirements.
None of the following uses shall be located within the distances indicated of any public street or road, any school or public park, or any dwelling (except such dwelling as may exist upon the same property with the restricted):

1. Within one and one-half (1½) miles:
    a. (Deleted by Ord. 88-5)
    b. Farms or establishments for feeding of garbage or other refuse to hogs or other animals:
        i. Provisions made that all other operations (subdivisions 1 and 2 of Section 17.28.110A1) shall be conducted in compliance with all state and county health regulations, and
        ii. Reasonable protection from any potential detrimental effects such use might have on surrounding properties will be provided.
2. (Deleted by Ord. 87-11)
3. Within one hundred (100) feet:
    a. Barns, shelters or other buildings or structures for keeping or feeding of any livestock, poultry, or other animals or birds whether wild or domestic.
4. Feed lots containing fifty (50) to one hundred (100) head at a density of less than five hundred (500) square feet per head for a period of six (6) months or more shall be located no closer than three hundred (300) feet to any existing home, school or park. (Ord. 2013-001, 2013; Ord. 88-5 (part), 1988; Ord. 87-11 (part), 1987; Res. 83-10, 1983)

17.29.130 Repealed.
(Ord. 2013-001, 2013; Ord. 2007-22, 2007)

Chapter 17.30
R-R - Rural Recreation Zone*

Sections
17.30.010 Purpose and intent.
17.30.020 Allowed uses.
17.30.040 Lot size required.
17.30.050 Yard requirements.
17.30.055 Yard requirements- Zones Adjacent to Commercial Forest Zone.

* Chapter 17.19 R-3 - Rural-3 Zone was renumbered from 17.30 (Ord. 2013-001, 2013;)

17.30.010 Purpose and intent.
The purpose and intent of the Rural - Recreation zone is to provide areas where residential development may occur on a low density basis or in residential clusters. A primary goal and intent in siting R-R zones will be to promote rural recreation residential development associated with the many natural amenities found within Kittitas County. (Ord. 2013-001, 2013)

17.30.020 Uses permitted.
Uses allowed in the Rural Recreation zone include those uses pursuant to KCC Chapter 17.15. (Ord. 2013-001, 2013)

17.30.040 Lot size required.
The minimum residential lot size in the Rural Recreation zone shall be:

1. Five (5) acres, unless within a cluster plat as provided for in KCC Chapter 16.09, Cluster Platting and Conservation Platting;
2. For lots in cluster plats, the county may approve lots as small as one half (½) acre with the ability to increase the base density of one (1) unit per five (5) acres to a density of 0.4 units per acre (2 units per 5 acres), provided development rights are transferred pursuant to KCC Chapter 17.13.

(Ord. 2013-001, 2013)

17.30.050 Yard requirements.
There shall be a minimum front yard setback of twenty-five (25) feet. Side and rear yard setbacks shall be fifteen (15) feet. (Ord. 2013-001, 2013)

17.30.055 Yard requirements - 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)

Chapter 17.30A
R-5 - RURAL-5 ZONE

Sections
17.30A.010 Purpose and intent.
17.30A.020 Allowed uses.
17.30A.030 Repealed.
17.30A.040 Lot size required.
17.30A.050 Yard requirements.
17.30A.055 Yard requirements- Zones Adjacent to Commercial Forest Zone.
17.30A.060 Sale or conveyance of lot portion.
17.30A.070 Repealed.
17.30A.080 Shoreline setbacks.
17.30A.090 Repealed.

17.30A.010 Purpose and intent.
The purpose and intent of the Rural-5 zone is to provide areas where residential development may occur on a low density basis. A primary goal and intent in siting R-5 zones will be to minimize adverse effects on adjacent natural resource lands. (Ord. 2005-05, 2005)

17.30A.020 Uses permitted.
Uses allowed in the Rural-5 zone include those uses pursuant to KCC Chapter 17.15. (Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2011-013, 2011; Ord. O-2006-01, 2006; Ord. 2005-05, 2005)

17.30A.030 Repealed.
(Ord. 2013-001, 2013; Ord. O-2006-01, 2006; Ord. 2005-05, 2005)

17.30A.040 Lot size required.
The minimum lot size for parcels created after the adoption of the ordinance codified in this chapter shall be:

1. Five (5) acres for lots served by individual wells and septic tanks;
2. One-half (½) acre for lots in a cluster plat. (Ord. 2013-001, 2013; Ord. 2005-05, 2005)

17.30A.050 Yard requirements.
There shall be a minimum front yard setback of twenty-five (25) feet. Side and rear yard setbacks shall be fifteen (15) feet. (Ord. 2013-001, 2013; Ord. 2005-05, 2005)

17.30A.055 Yard requirements - 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. 2007-22, 2007)

17.30A.060 Sale or conveyance of lot portion.
No sale or conveyance of any portion of a lot, for other than a public purpose, shall leave a structure on the remainder of the lot with less than the minimum lot, yard or setback requirements of this zone. (Ord. 2013-001, 2013; Ord. 2005-05, 2005)

17.30A.070 Repealed.
(Ord. 2013-001, 2013; Ord. 2005-05, 2005)

17.30A.080 Shoreline setbacks.
The following setbacks shall be enforced for residences, accessory buildings, and on-site septic systems constructed or placed on shorelines or floodplains;

1. One hundred (100) feet (measured horizontally) from the ordinary high water mark or line of vegetation for lots abutting the shorelines or floodplains under the jurisdiction of the Washington State Shoreline Management Act;
2. One hundred (100) feet (measured horizontally) from the ordinary high water mark or line of vegetation for lots fronting on reservoirs including Keechelus, Cle Elum, Kachess, and Easton Lakes and Wanapum reservoir;
3. One hundred (100) feet (measured horizontally) from the ordinary high water mark or line of vegetation for all such structures constructed or placed on other streams, including intermittent streams, which are not regulated under the Shoreline Management Act. (Ord. 2013-001, 2013; Ord. 2005-05, 2005)

17.30A.090 Repealed.
(Ord. 2013-001 , 2013; Ord. 2007-22, 2007)

Chapter 17.31
COMMERCIAL AGRICULTURE ZONE

Sections
17.31.010 Purpose and intent.
17.31.020 Allowed uses.
17.31.030 Repealed.
17.31.040 Lot size required.
17.31.050 Yard requirements - Front yard.
17.31.060 Yard requirements - Side yard.

17.31.070 Yard requirements - Rear yard.
17.31.075 Yard requirements- Zones Adjacent to Commercial Forest Zone.
17.31.080 Yard requirements - Sale or conveyance restrictions.
17.31.090 Dimensional requirements.
17.31.100 Access.
17.31.110 Special setback requirements.
17.31.120 Repealed.

17.31.010 Purpose and intent.
The commercial agriculture zone is an area wherein farming and ranching are the priority. The intent of this zoning classification is to preserve fertile farmland from encroachment by nonagricultural land uses and protect the rights and traditions of those engaged in agriculture. (Ord. 96-15 (part), 1996)

17.31.020 Uses permitted.
Uses allowed in the commercial agriculture zone include those uses pursuant to KCC Chapter 17.15. (Ord. 2013-001, 2013; Ord. 2011-013, 2011; Ord. 2007-22, 2007; Ord. O-2006-01, 2006; Ord. 96-15 (part), 1996)

17.31.030 Repealed.
(Ord. 2013-001, 2013; Ord. 2009-25, 2009; Ord. 2007-22, 2007; Ord. O-2006-01, 2006; Ord. 96-15 (part), 1996)

17.31.040 Lot size required.
Minimum lot (homesite) requirements in the commercial agriculture zone are:

1. Twenty (20) acres, unless within a conservation plat as provided for in KCC Chapter 16.09, Cluster Platting and Conservation Platting.
2. One half (½) acre for lots in a conservation plat.
3. Commercial Agricultural Zones. In no case shall there be more than two (2) dwellings (residences) on any lot or tax parcel unless such parcel is twice the required minimum (twenty-(20)-acre) size. (Ord. 2013-001, 2013; Ord. 2007-22, 2007; Ord. 96-15 (part), 1996)

17.31.050 Yard requirements - Front yard.
There shall be a minimum front yard of twenty-five (25) feet unless previous building lines less than the required minimum exist, in which case the Hearing Examiner may grant a variance of up to ten (10) feet. (Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 96-15 (part), 1996)

17.31.060 Yard requirements - Side yard.
Side yard shall be a minimum of five (5) feet; on corner lots the side yard shall be a minimum of fifteen (15) feet on the side abutting the street. (Ord. 2013-001, 2013; Ord. 96-15 (part), 1996)

17.31.070 Yard requirements - Rear yard.
There shall be a rear yard with a minimum depth of twenty-five (25) feet to the main building. (Ord. 2013-001, 2013; Ord. 96-15 (part), 1996)

17.31.075 Yard requirements - 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 Kittitas County Code 17.57.050(2). (Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.31.080 Yard requirements - Sale or conveyance restrictions.
No sale or conveyance of any portion of a lot for other than a public purpose shall leave a structure or the remainder of the lot with less than the minimum lot, yard, or setback requirements of this zone. (Ord. 96-15 (part), 1996)

17.31.090 Dimensional requirements.
The minimum average lot width shall be two hundred (200) feet. No platted lot or parcel may be created with a dimensional ratio greater than 4:1. (Ord. 2013-001, 2013; Ord. 96-15 (part), 1996)

17.31.100 Access.
No dwelling shall be constructed or located on a lot or parcel which is not served by a legal sixty-(60)-foot right-of-way or existing county road. (Ord. 2013-001, 2013; Ord. 96-15 (part), 1996)

17.31.110 Special setback requirements.
None of the following uses shall be located within the distances indicated of any public street or road, any school or public park, or any dwelling (except such dwelling as may exist upon the same property with the restricted use):

1. Within one and one-half (1½) miles:
   a. Farms or establishments for feeding of garbage or other refuse to hogs or other animals:
      i. Provisions made that all other operations shall be conducted in compliance with all state and county health regulations, and
      ii. Reasonable protection from any potential detrimental effects such use might have on surrounding properties will be provided.
2. Within one hundred (100) feet:
   a. Barns, shelters, or other buildings or structures for keeping or feeding of any livestock, poultry, or other animals or birds whether wild or domestic.
3. Feed lots containing fifty (50) to one hundred (100) head at a density of less than five hundred (500) square feet per head for a period of six (6) months or more shall be located no closer than three hundred (300) feet to any existing home, school or park. (Ord. 2013-001, 2013; Ord. 96-15 (part), 1996)

17.31.120 Repealed.
(Ord. 2013-001, 2013; Ord. 2007-22, 2007)

Chapter 17.32
C-L - LIMITED COMMERCIAL ZONE*

Sections

17.32.010 Purpose and intent.
17.32.020 Allowed uses.
17.32.030 Lot size required.
17.32.040 Yard requirements - Front.
17.32.050 Yard requirements - Side.
17.32.060 Yard requirements - Rear.
17.32.065 Yard requirements- Zones Adjacent to Commercial Forest Zone.
17.32.070 Maximum structure height.
17.32.090 Access requirement.
17.32.110 Setback for vehicle service businesses.

* Prior history: Ords. 76-3, 69-3, 2.

17.32.010 Purpose and intent.
The purpose and intent of the limited commercial zone is to provide a district with a limited range of shopping and service businesses consisting primarily of small retail shops, stores and eating establishments. (Ord. 83-Z-2 (part), 1983)

17.32.020 Allowed uses.
Uses allowed in the limited commercial zone include those uses pursuant to KCC Chapter 17.15. (Ord. 2013-001, 2013; Ord. 2011-013, 2011; Ord. 2007-22, 2007; Ord. 96-19 (part), 1996; Ord. 83-Z-2 (part), 1983; Res. 83-10, 1983)

17.32.030 Lot size required.
The minimum lot size for all dwelling units shall meet the requirements of the residential zone. No sale or conveyance of any portion of a lot, for other than a public purpose, shall leave a structure on the remainder of the lot with less than the minimum lot, yard or setback requirements of this zone. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.32.040 Yard requirements - Front.
There shall be a front yard having a minimum depth of twenty (20) feet, unless a previous building line less than this has been established, in which case the minimum front yard for interior lots shall be the average of the setbacks of the main structures on abutting lots on either side if both lots are occupied; if one lot is occupied and the other vacant, the setback shall be the setback of the occupied lot, plus one-half (½) the remaining distance to the required twenty-(20)-foot setback. If neither of the abutting side lots or tracts are occupied by a structure, the setback shall be twenty (20) feet long. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.32.050 Yard requirements - Side.
There are no side yard requirements, except property abutting a residential zone, in which case the side yard on the abutting side shall be the same as that required for the abutting property. On a side abutting a street the setback shall be a minimum of ten (10) feet for all structures. Side yards for dwelling units shall meet the requirements of the residential zone. (Ord. 2013-001, 2013; Res. 83-10, 1983)

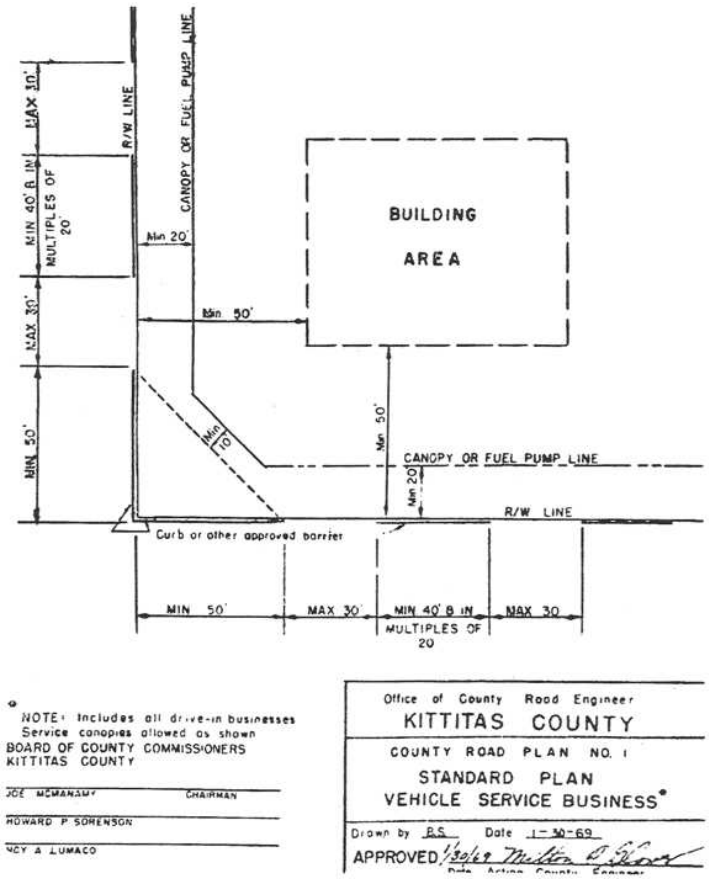
17.32.060 Yard requirements - Rear.
There are no rear yard requirements. However, if a rear yard is provided, the minimum depth shall be twelve (12) feet. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.32.065 Yard requirements - 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. 2007-22, 2007)

17.32.070 Maximum structure height.
The maximum height of any structure shall be two and one-half (2½) stories or thirty-five (35) feet, whichever is less. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.32.090 Access requirement.
All lots in this zone shall abut a public street, or shall have such other access as deemed suitable by the Board. (Ord. 2013-001, 2013; Ord. 83-Z-2 (part), 1983: Res. 8310, 1983)

17.32.110 Setback for vehicle service businesses.
Setback regulations for drive-in businesses, or minimum site standards for vehicle service businesses shall conform to the diagram on the following page. (Res. 83-10, 1983)



Chapter 17.36
PLANNED UNIT DEVELOPMENT ZONE*

Sections
17.36.010 Purpose and intent.
17.36.015 Applicability.

17.36.020 Uses permitted.
17.36.025 Allowed density.
17.36.030 Submittal requirements - Preliminary development plan.
17.36.040 Submittal requirements - Final development plan.
17.36.45 Review criteria.
17.36.050 Permit issuance and conditions.
17.36.060 Required improvements.
17.36.070 Repealed.
17.36.080 Planned unit development alterations.
17.36.090 Extensions and expiration.

* Prior history: Ords. 74-6, 2.

17.36.010 Purpose and intent.

The purpose and intent of this chapter is to provide for departures from strict compliance with the zoning standards outlined in other sections of this Title for projects that can demonstrate that such departures will protect the public interest and accomplish one or more of the following objectives:

a. To encourage more innovative design than is generally possible under conventional zoning and subdivision regulations;
b. To encourage more economical and efficient use of land, streets, and public services;
c. To preserve and create usable open space and other amenities superior to conventional developments;
d. To preserve important natural features of the land, including topography, natural vegetation, and views;
e. To encourage development of a variety of housing types and densities;
f. To encourage energy conservation, including the use of passive solar energy in project design and development to the extent possible;
g. To encourage development of areas or site characterized by special features of geography, topography, size, shape; and/or
h. To permit flexibility of design that will create desirable public and private open space,; to vary the type, design and layout of buildings,; and to utilize the potentials of individual sites and alternative energy services to the extent possible; (Ord. 2013-001, 2013; Ord. 2007-22, 2007; Ord. 90-6 (part), 1990: Res. 83-10, 1983)

17.36.015 Applicability.

1. Inside the Urban Growth Area (UGA) and Rural LAMIRDs: The provisions of this chapter can be used for any property over two (2) acres in size.
2. Outside the Urban Growth Area (UGA) and Rural LAMIRDs: The provisions of this chapter can be used for properties over twenty (20) acres in size, except that PUDs are prohibited on Resource Lands and Rural Lands in the Rural Working Land Use Designation.

(Ord. 2013-001, 2013)

17.36.020 Allowed uses.

1. Inside the Urban Growth Area, uses may include
   a. All residential uses including multifamily structures;
   b. Manufactured home parks;
   c. Hotels, motels, condominiums;
   d. Fractionally-owned units;
   e. Retail businesses;
   f. Commercial-recreation businesses, parks and playgrounds;
   g. Restaurants, cafes, taverns, cocktail bars;
   h. Electric vehicle infrastructure. pursuant to See KCC Chapter 17.66; and;
   i. The following uses where they are only serving a residential PUD and where all other applicable standards are met:
      i. Community buildings;
      ii. Indoor recreation facilities including athletic clubs, fitness centers, sports courts, swimming pools, and other similar uses;
      iii. Outdoor recreation facilities including swimming pools, sports courts or similar uses; and
      iv. Recreation vehicle storage areas.
2. Outside the Urban Growth Area, uses may include:
   a. The following residential uses;
      i. Accessory dwelling unit;
      ii. Accessory living quarters;
      iii. Dwelling, single-family;
      iv. Dwelling, two-family;
      v. Dwelling, multiple-family;
      vi. Special care dwelling;
      vii. Parks and playgrounds; and
   b. The following uses where they are only serving a residential PUD and where all other applicable standards are met:
      i. Community buildings;
      ii. Indoor recreation facilities including athletic clubs, fitness centers, sports courts, swimming pools, and other similar uses;
      iii. Outdoor recreation facilities including swimming pools, sports courts or similar uses;
      iv. Electrical vehicle infrastructure, pursuant to KCC Chapter 17.66; and
      v. Recreation vehicle storage areas. (Ord. 2013-001, 2013; Ord. 2011-013 , 2011; Ord. 2007-22, 2007; Ord. 90-6 (part), 1990: Res. 83-10, 1983)

17.36.025 Allowed density.

1. Inside the Urban Growth Area (UGA): The county may approve an increase of dwelling unit density for residential PUDs of not more than three (3) times the density permitted in the underlying zone, provided development rights are transferred pursuant to KCC Chapter 17.13 and additional natural and social amenities beyond the required minimums are provided.
2. Outside the Urban Growth Area (UGA) and Rural LAMIRDs: The density of the underlying zone shall not be exceeded by a PUD. For Rural LAMIRDs, the density shall be consistent with the character of the existing area as required by RCW 36.70A.070(5)d).

(Ord. 2013-001, 2013)

17.36.030 Submittal requirements - Preliminary development plan.

Any persons or corporation applying for a planned unit development zone shall file a preliminary development plan with an application for zone change, pursuant to KCC Chapter 17.98. The development plan application shall include all of the following:

1. Application forms and fees required by the County;
2. Legal description of the subject property including section, township, range, parcel numbers and number of acres;
3. A vicinity map showing the location of the site and its relationship to surrounding areas and roads;
4. A Development plan drawn to a scale no smaller than two hundred (200) feet to the inch with elevation contours of no more than twenty-(20)-foot intervals showing the following:
   a. Existing buildings, roads, utilities and easements;

   b. Arrangement of proposed land uses by type (residential, commercial, open spaces, etc.) with the approximate percentage of land in each category.
   c. Proposed traffic circulation and parking;
   d. Critical areas and natural features;
5. A Landscaping plan.
6. A Phasing plan with identified timelines.
7. A Project narrative addressing the following:
   a. Adjacent natural areas;
   b. The type, design and characteristics of the surrounding properties;
   c. Developer's intent with regard to providing landscaping and retention of open spaces;
   d. Future land ownership patterns within the development including homeowners associations if planned;
   e. Proposed water supply, storage and distribution system, sewage disposal/treatment plan, solid waste collection plan;
   f. Documentation from the Director that environmental review (SEPA) has been completed or will be completed;
   g. An explanation and specification of any nonresidential uses proposed within the project;
   h. Planned residential densities expressed in terms of dwelling units per building and per net acre (total acreage minus dedicated rights-of-way);
   i. The method proposed to insure the permanent retention and maintenance of common open space;
   j. Proposed development standards, including an analysis of the public benefit provided in exchange for the deviations from the standards of the underlying zone;
   k. Timing for the construction and installation of improvements, buildings, other structures and landscaping;
   l. A master plan of the site, if the proposed PUD is to be developed in phases. The master plan need not be fully engineered, but shall be of sufficient detail to illustrate the property's physical features and probable development pattern. The master plan will serve as a guide in each successive stage of development until its completion;
   m. If the proposed PUD rezone will result in an increase in unit density over the existing zone, include a narrative of the transfer of development rights in accordance with KCC Chapter 17.13, Transfer of Development Rights. (Ord. 2013-001, 2013; Ord. 2010-006, 2010 ; Ord. 2007-22, 2007; Ord. 90-6 (part), 1990: Res. 83-10, 1983)

17.36.040 Submittal requirements - Final development plan.

Following approval of the preliminary development plan by the county and before lot sales or building construction commences, the developer (owner) shall submit a final development plan for approval by the Board which shall include all of the following as listed below. Submittal shall be consistent with the process as outlined for final plat development in KCC Chapter 16.20.

1. A staging plan describing the timing or sequence of construction for all the elements of the plan. Subdivision lot sales may precede other elements of the development upon final plat approval;
2. A map or maps of the site drawn at a scale no smaller than one hundred (100) feet to one (1) inch showing the following:
   a. Preliminary engineering plans including site grading, road improvements, drainage and public utilities extensions;
   b. Arrangement of all buildings which shall be identified by type;
   c. Preliminary building plans including floor plans and exterior design and/or elevation views;
   d. Location and number of off-street parking areas including type and estimated cost of surfacing;
   e. The location and dimensions of roads and driveways including type and estimated cost of surfacing and road maintenance plans;
   f. The location and total area of common open spaces;
   g. Proposed location of fire protection facilities;
   h. Proposed storm drainage plan;
3. Certification from state and local health authorities that water and sewer systems are available to accommodate the development;
4. Provisions to assure permanence and maintenance of common open spaces;
5. Statement of intent including estimated cost for landscaping and restoration of natural areas despoiled by construction including tree planting;
6. Certification by the county of transfer of the required density credits in compliance with KCC Chapter 17.13, Transfer of Development Rights. (Ord. 2010-006, 2010; Ord. 2007-22, 2007; Ord. 96-19 (part), 1996; Ord. 90-6 (part), 1990: Res. 83-10, 1983)

17.36.045 Review criteria.

1. Preliminary development plan: The Hearing Examiner shall evaluate a planned unit development application and other evidence and testimony submitted into the record and shall issue a recommendation based on the following considerations and criteria:
   a. Criteria applicable to all PUDs:
      i. PUD complies with all amendment criteria in KCC Chapter 17.98;
      ii. PUD makes economic and efficient use of land, streets, and public services;
      iii. PUD preserves usable open space, important natural features, and other amenities;
      iv. PUD provides site design features that reasonably mitigate off-site impacts; and
      v. Public benefits of PUD outweigh the effect of the modification of underlying zoning standards.
   b. Additional criteria applicable to PUDs on Rural Lands:
      i. PUD is developed in a manner that maintains rural character;
      ii. Non-residential uses within PUD are designed at a scale appropriate for rural area and intended to serve only the residents of the PUD; and
      iii. PUD provides appropriate transitions to surrounding properties and land uses.
      iv. All new structures shall comply with the applicable standards contained in: (1) "Fire Safety Considerations for Developments in Forested Areas: Fire Hazard Severity Rating and Recommended Standards" (Northwest Interagency Fire Prevention Group) Washington Department of Natural Resources Severity Type Rating System; (2) standards adopted by Kittitas County Fire Protection Cooperative - "Recommendations For Fire Safety and Prevention of Forest and Range Land in Kittitas County Including Rural, Commercial and Private Developments"; and/or (3) Urban Wildland Interface Code for structures outside a fire district.
2. Final development plan: The Director shall evaluate and the Board shall approve final development plans for the PUD, provided the conditions imposed on the preliminary PUD approval, if any, have been satisfied. (Ord. 2013-001, 2013)

17.36.050 Permit issuance and conditions.

Building permits and other permits required for the construction or development of property under provision of this section shall be issued only when, in the opinion of the Director, the work to be performed substantially conforms to the final development plan approved by the Board. (Ord. 2013-001, 2013; Ord. 96-19 (part), 1996; Ord. 90-6 (part), 1990: Res. 83-10, 1983)

17.36.060 Required improvements.

All improvements including parking lots, driveways, landscaping, which are a part of the approved plan, but which do not otherwise require building permits, shall be completed or bonded before occupancy permits are issued by Community Development Services. The amount of the bond shall be determined by Community Development Services on the basis of information presented with the final development plan. (Ord. 2013-001, 2013; Ord. 90-6 (part), 1990: Res. 83-10, 1983)

17.36.070 Inter-jurisdiction review.

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

17.36.080 Planned Unit Development Alterations.

Proposed alterations to approved planned unit developments shall be processed as follows:

1. Minor alterations: Minor alterations are those which, in the opinion of the Director, alter the dimensions, location, or type of facilities but maintain the basic character of the approved PUD application and do not alter the proposed uses or density. Minor alterations may be approved by the Director.
2. Major alterations: Major alterations are those which, in the opinion of the Director, substantially change the basic design, density, open space or other requirement of the planned unit development. Major adjustments require a new application. (Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.36.090 Extensions and expiration.

1. Filing of final development plan - Non-phased PUDs. The applicant shall have five (5) years from the date of Board action to submit the final PUD application pursuant to 7.36.040, unless an extension has been granted pursuant to subsections 3 or 4 below. If the PUD is associated with a plat with a longer submittal timeframe the longer timeframe shall apply, pursuant to RCW 58.17.140.
2. Filing of final development plan - Phased PUDs. Applicants may develop a planned unit development in phases, provided a phasing plan is approved as part of the initial application. In such cases, a final development plan shall be submitted for phases in the time limit established in the approved phasing plan, unless an extension has been granted pursuant to subsections 3 or 4 below. If the PUD phase is associated with a plat with a longer submittal timeframe the longer timeframe shall apply, pursuant to RCW 58.17.140.
3. One-(1)-year extension. An applicant who files a written request with the Director prior to the end of the five-(5)-year expiration period (or applicable timeline established in an approved phasing plan) shall be granted a one-(1)-year extension upon showing a good faith attempt to complete the requirements necessary for submittal of the final development plan.
4. Additional extensions. Upon written request from the applicant, the Board may grant two (2) additional one-(1)-year extensions beyond the extension authorized in subsection 3 if they find there is reasonable justification for the granting of additional extensions. The Board may take into consideration changes in rules and regulations that occurred since the original PUD approval and may condition the extension to require compliance with any such rules and regulations, or portions thereof.
5. Expiration. Planned unit developments which do not obtain final approval and implementing permits within the time frames established in this section shall expire without prejudice. For phased PUDs the expiration shall apply to all portions or phases of the PUD that have not applied for or been granted final approval. All future permits shall be subject to the requirements of the underlying zone unless a new application for a planned unit development is submitted and approved.
6. Timeframe for implementing permits. Implementing permits, including land divisions for lot sales or building permits when there is no associated land division, shall be submitted within two (2) years of final development plan approval.
7. PUDs approved prior to 2007. Planned unit developments with preliminary development plans approved prior to adoption of the expiration standards contained in Ordinance 2007-22 shall have until December 31. 2017, to submit final development plans and shall be subject to the timeframes established in subsection 6 above for implementing permits. Undeveloped PUDs with final development plans approved prior to 2007 shall have until December 31, 2015, to complete land divisions for lot sales or building permits when there is no associated land division. Failure to obtain final plan or permit approvals or make substantial progress toward such approvals within the time frames in this subsection shall result in expiration without prejudice.
8. Lapse of zoning. If the planned unit development is not completed within the time periods in this section, the rezone to Planned Unit Development Zone is void for the area not completed, and the official zoning map shall be amended to the underlying zoning. (Ord. 2013-001, 2013; Ord. 2007-22, 2007)

Chapter 17.37
MASTER PLANNED RESORTS

Sections

17.37.010 Legislative findings, purpose and intent.
17.37.020 Definitions.
17.37.030 Allowed uses.
17.37.040 Applications/approvals required for new master planned resorts.
17.37.050 Applications/approvals required for existing resorts.

17.37.010 Legislative findings, purpose and intent.

1. Kittitas County has a wide range of natural features, including climate, vegetation, water, resources, scenic qualities, cultural, and geological features, which are desirable for a wide range of recreational users to enjoy. Master planned resorts authorized by RCW 36.70A.360 offer an opportunity to utilize these special features for enjoyment and recreational use, while bringing significant economic diversification and benefits to communities. The purpose of this chapter is to establish a master planned resort zoning district to be applied to those properties the Board determines are appropriate for development as a master planned resort consistent with county comprehensive plan policies and RCW 36.70A.360.
2. It is the county's intent that a master planned resort be located only on a site of at least three hundred twenty (320) contiguous acres. (Ord. 2013-001, 2013; Ord. 2000-13, 2000)

17.37.020 Definitions.

The following definitions shall be used in conjunction with the administration of this chapter:

1. "Existing resort," consistent with RCW 36.70A.362, means a resort in existence on July 1, 1990, and developed, in whole or in part, as a significantly self-contained and integrated development that includes short-term visitor accommodations associated with a range of indoor and outdoor recreational facilities within the property boundaries in a setting of significant natural amenities. An existing resort may include other permanent residential uses, conference facilities, and commercial activities supporting the resort, but only if these other uses are integrated into and consistent with the on-site recreational nature of the resort.
2. "Master planned resort," consistent with RCW 36.70A.360, means a self-contained and fully integrated planned unit development, located in a setting of significant natural amenities, with a primary focus on destination resort facilities consisting of short-term visitor accommodations associated with a range of developed on-site indoor or outdoor recreational facilities. A master planned resort may include other residential uses within its boundaries, but only if the residential uses are integrated into and support the on-site recreational nature of the resort.
3. "Short-term visitor accommodations" means the following master planned resort accommodation units: (1) hotel or motel units; (2) time-share and fractionally owned units; (3) recreational vehicle sites with power and water; and (4) vacation and second homes as described below.

   A master planned resort accommodation unit is a vacation or second home for purposes of this section unless its occupant(s) is either (1) registered to vote at such unit's resort address or (2) receive its/their Kittitas County annual property tax assessment for such unit at such unit's address, in which case such unit shall be considered a permanent residence for all purposes under this section. (Ord. 2013-001, 2013; Ord. 2009-25, 2009; Ord. 2000-13, 2000)

17.37.030 Allowed uses.

Uses allowed in master planned resorts include those uses pursuant to KCC Chapter 17.15, except as follows:

1. All residential uses including single-family and multifamily structures, condominiums, time-share and fractionally owned accommodations of all kinds, provided such uses are integrated into and support the on-site recreational nature of the master planned resort.
2. Short-term visitor accommodations, including, but not limited to, hotels, motels, lodges, and any residential use permitted under subsection A of this section that is made available for short-term rental; provided, however, short-term visitor accommodation units shall constitute greater than 50 percent of the total resort accommodation units.
3. Indoor and outdoor recreational facilities and uses, including, but not limited to, golf courses (including accessory structures and facilities, such as clubhouses, practice facilities, and maintenance facilities), tennis courts, swimming pools, marinas, alpine and/or cross country skiing, hiking and nature trails, bicycle paths, equestrian facilities, skating arenas, sports complexes, bowling alleys, and other recreational uses deemed to be consistent with the on-site recreational nature of the master planned resort.
4. Campgrounds and recreational vehicle ("RV") sites with power and water; provided, however, campgrounds and recreational vehicle sites without power and water are conditional uses.
5. Visitor-oriented amenities, including, but not limited to (1) restaurants, cafes, delicatessens, pubs, taverns and cocktail bars and entertainment associated with such uses; (2) meeting facilities; (3) on-site retail businesses and services limited to those typically found on other destination resort properties and which are designed to serve the convenience needs of the users and employees of the master planned resort; and (4) recreation businesses and facilities. Retail and commercial services offered on the resort shall be designed to discourage use from non-resort users by locating such services well within the site rather than on its perimeter.
6. Cultural and educational facilities of all kinds, including, but not limited to, interpretative centers and exhibits, and indoor and outdoor theaters.

7. Roadways and bridges, which, subject to any development agreement executed with the county pursuant to KCC Chapter 15A.11, Development Agreements, and RCW 36.70B.170 through 36.70B.210, may include roadways and bridges that are privately owned and maintained.
8. Industrial uses and capital facilities, utilities and services to the extent necessary to maintain and operate the master planned resort.
9. Temporary and/or permanent structures to serve as sales offices.
10. Any other similar uses deemed by the Director to be consistent with the purpose and intent of this chapter, the county comprehensive plan policies regarding master planned resorts, and RCW 36.70A.360.
11. Electric Vehicle Infrastructure. See KCC Chapter 17.66 (Ord. 2013-001, 2013; Ord. 2011-013, 2011; Ord. 2007-22, 2007; Ord. 2000-13, 2000)

17.37.040 Applications/approvals required for new master planned resorts.

1. A master planned resort may be authorized by the county only through approval of a master planned resort development permit in conjunction with approval by the Board of a development agreement as authorized by KCC Chapter 15A.11, Development Agreements, and RCW 36.70B.170 through 36.70B.210. Consistent with KCC 15A.11.020(B) and RCW 36.70B.170, the development agreement approved by the Board must set forth the development standards applicable to the development of a specific master planned resort, which may include, but are not limited to: (1) permitted uses, densities and intensities of uses, and building sizes; (2) phasing of development, if requested by the applicant; (3) procedures for review of site-specific development plans; (4) provisions for required open space, visitor-oriented accommodations, short-term visitor accommodations, on-site recreational facilities, and on-site retail/commercial services; (5) mitigation measures imposed pursuant to the State Environmental Policy Act, Chapter 43.21C RCW, and other development conditions; and (6) other development standards including those identified in KCC 15A.11.020(E) and RCW 36.70B.170(3).
2. Required applications/approvals. In addition to approval of a MPR development permit and a development agreement as set forth in subsection A of this section, a master planned resort shall require the following approvals from the county: (1) a site-specific amendment of the comprehensive plan land use designation map to master planned resort; provided, that the sub-area planning process described in Chapter 1 of the county comprehensive plan and KCC Chapter 15B.03, Amendments to Comprehensive Plan, may be used if deemed appropriate by the applicant and county; and (2) a site-specific rezone of the county zoning map to master planned resort zoning district pursuant to KCC Chapter 17.98, Amendments. The comprehensive plan amendment or subarea plan and rezone may be processed by the county concurrent with the master planned resort development permit and development agreement required for approval of a master planned resort.
3. Planned actions authorized. If deemed appropriate by the applicant and the county, a master planned resort project may be designated by the county as a planned action pursuant to the provisions of KCC Chapter 15A.09, Planned Actions. (Ord. 2013-001, 2013; Ord. 2011-005, 2011; Ord. 2011-005, 2011; Ord. 2010-006, 2010; Ord. 2009-25, 2009; Ord. 2000-13, 2000)

17.37.050 Applications/approvals required for existing resorts.

1. Designation. An existing resort may be designated by the county as a master planned resort, consistent with RCW 36.70A.362, through approval of a sub-area plan, resort plan, and adoption of an MPR zoning overlay. The sub-area plan, resort plan, and applicable zoning shall establish the range of uses, and the density, intensity and character of development that is permitted within the resort.
2. Development applications. Following designation of the site as an MPR, a property owner may submit a site-specific development application to the County which shall include an application for site plan review per KCC Chapter 15A.13. A development agreement, consistent with KCC Chapter 15A.11 and RCW 36.70B.170, may be submitted in conjunction with each development application.
3. Environmental review pursuant to the State Environmental Policy Act (SEPA, RCW 43,21C), shall occur and shall address significant impacts associated with development and redevelopment of the existing resort. (Ord. 2013-001, 2013; Ord. 2010-011, 2010; Ord. 2009-25, 2009)

Chapter 17.38 (Reserved)
Repealed

Repealed by Ord. 2013-001, 2013

Chapter 17.40
C-G - GENERAL COMMERCIAL ZONE*

Sections

17.40.010 Purpose and intent.
17.40.020 Allowed uses.
17.40.030 Lot size required.
17.40.040 Maximum lot coverage.
17.40.050 Maximum floor area.
17.40.060 Yard requirements.
17.40.070 Height restriction.
17.40.080 Repealed.
17.40.090 Access requirement.
17.40.100 Half streets.
17.40.110 Repealed.

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

17.40.010 Purpose and intent.

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

17.40.020 Allowed uses.

Uses allowed in the general commercial zone include those uses pursuant to KCC Chapter 17.15. (Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2011-013, 2011; Ord. 2010-014, 2010; Ord. 2007-22, 2007; Ord. 96-19 (part), 1996; Ord. 93-1 (part), 1993; Res. 83-10, 1983)

17.40.030 Lot size required.

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

17.40.040 Maximum lot coverage.

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

17.40.050 Maximum floor area.

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

17.40.060 Yard requirements.

1. Front Yard. No front yard is required.
2. Side Yard. No side yard is required.
3. Rear Yard. No rear yard is required; however, if a rear yard is provided, the minimum depth shall be twelve (12) feet. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.40.070 Height restriction.

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

17.40.080 Repealed.
(Ord. 2013-001, 2013; Res. 83-10, 1983)

17.40.090 Access requirement.
All lots in this zone shall abut a public street, or shall have such other access as deemed suitable by the Commission and Board. (Ord. 2013-001, 2013; Ord. 83-Z-2 (part), 1983: Res. 83-10, 1983)

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

17.40.110 Repealed.
(Ord. 2013-001, 2013; Res. 8310, 1983)

Chapter 17.44
C-H HIGHWAY COMMERCIAL ZONE

Sections
17.44.010 Purpose and intent.
17.44.020 Allowed uses.
17.44.030 Repealed.
17.44.040 Minimum lot size.
17.44.050 Setback requirements.
17.44.055 Setback requirements- Zones Adjacent to Commercial Forest Zone.
17.44.060 Building height.
17.44.070 Repealed.
17.44.080 Access.

17.44.010 Purpose and intent.
It is the purpose and intent of the highway commercial zone to provide for motorist- tourist dependent businesses having little interdependence and requiring convenient access to passing traffic. (Ord. 83-Z-2 (part), 1983)

17.44.020 Allowed uses. Uses allowed in the highway commercial zone include those uses pursuant to KCC Chapter 17.15.
(Ord. 2013-001, 2013; Ord. 2011-013, 2011; Ord. 2007-22, 2007; Ord. 96-19 (part), 1996; Ord. 83-Z-2 (part), 1983)

17.44.030 Repealed.
(Ord. 2013-001, 2013; Ord. 83-Z-2 (part), 1983)

17.44.040 Minimum lot size.
It is the intent of this chapter that each business be situated on a site of sufficient size to provide all off-street parking, loading and necessary driveways. (Ord. 83-Z-2 (part), 1983)

17.44.050 Setback requirements.
1. Front Setback. There shall be a minimum front yard depth of fifteen (15) feet. Off-street parking and maneuvering area shall not be considered as front yard;
2. Side Setback. Ten (10) feet;
3. Rear Setback. Ten (10) feet. (Ord. 2013-001, 2013; Ord. 2007-22, 2007; Ord. 83-Z-2 (part), 1983)

17.44.055 Setback requirements - 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. 2007-22, 2007)

17.44.060 Building height.
The maximum height of any structure shall be two and one-half (2½) stories or thirty-five (35) feet, whichever is less. (Ord. 83-Z-2 (part), 1983)

17.44.070 Repealed.
(Ord. 2013-001, 2013; Ord. 83- Z-2 (part), 1983)

17.44.080 Access.
All lots in this district shall abut a public street, or shall have such other access as deemed suitable by the board. (Ord. 2013-001, 2013; Ord. 83-Z-2 (part), 1983)

Chapter 17.48
I-L LIGHT INDUSTRIAL ZONE*

Sections
17.48.010 Purpose and intent.
17.48.020 Allowed uses.
17.48.030 Minimum lot size.
17.48.040 Front, side and rear yard requirements.
17.48.050 Setbacks.
17.48.060 Height restrictions.
17.48.070 Lot coverage.

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

17.48.010 Purpose and intent.
The light industrial zone is established to preserve areas for industrial and related uses of such a nature that they do not create serious problems of compatibility with other kinds of land uses and to protect such zones from encroachment by conflicting land uses. The regulations set out in this chapter shall apply to the light industrial zone. (Ord. 2013-001, 2013; Ord. 83-Z-2 (part), 1983)

17.48.020 Allowed uses.
Uses allowed in the light industrial district include those uses pursuant to KCC Chapter 17.15. (Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2011-013, 2011; Ord. 2010-014, 2010; Ord. 96-19 (part), 1996; Ord. 83Z-2 (part), 1983)

17.48.030 Minimum lot size. The minimum lot size in the City of Kittitas urban growth area is twenty (20) acres, unless the Director approves smaller lots after reviewing a land division plan or sketch that demonstrates the following:

1. The smaller lots do not result in inefficient use of land;
2. The smaller lots will not preclude future large-scale industrial development;
3. The smaller lots will not preclude the adequate access and infrastructure to future development; and
4. The lots are at least ten (10) acres.

(Ord. 2013-001, 2013; Ord. 93-1 (part), 1993)

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

17.48.050 Setbacks.
No building or permanent structure may be constructed closer than fifty-five (55) feet from the centerline of any public right-of-way. If any use in this zone abuts or faces any residential zone, a setback of fifty (50) feet on the side abutting or facing the residential zone shall be provided, with tree planting or other conditions necessary to preserve the character of the residential zone. The Director shall determine what these conditions shall be. (Ord. 2013-001, 2013; Ord. 83-Z-2 (part), 1983)

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

17.48.070 Lot coverage.
No structure or combination of structures, including buildings, shall occupy or cover more than fifty (50%) percent of the total lot area. (Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 93-1 (part), 1993)

Chapter 17.52
I-G GENERAL INDUSTRIAL ZONE

Sections
17.52.010 Purpose and intent.
17.52.020 Allowed uses.
17.52.030 Repealed.
17.52.040 Front, side and rear yard requirements.
17.52.050 Setbacks.
17.52.060 Height restrictions.
17.52.080 Access.

17.52.010 Purpose and intent.
This zone is intended to accommodate certain industrial structures and uses that could create serious problems of compatibility with other kinds of land uses and to protect such zones from encroachment by conflicting land uses. (Ord. 2013-001, 2013; Ord. 83-Z-2 (part), 1983)

17.52.020 Uses permitted.
Uses allowed in the general industrial zone include those uses pursuant to KCC Chapter 17.15. (Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2011-013, 2011; Ord. 2007-22, 2007; Ord. 83-Z-2 (part), 1983)

17.52.030 Repealed. (Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord 2007-22, 2007; Ord. 93-1 (part), 1993; Ord. 83-Z2 (part), 1983)

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

17.52.050 Setbacks.
If any use in this zone abuts or faces any Residential or Urban Residential zone, a setback of fifty (50) feet on the side abutting or facing the residential zone shall be provided, with tree planting or other conditions necessary to preserve the character of the residential zone. The Director shall determine what these conditions shall be. (Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2007-22, 2007; Ord. 96-19 (part), 1996; Ord. 83-Z-2 (part), 1983)

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

17.52.080 Access.
All lots in this zone shall abut a public street, or shall have such other access as deemed suitable by the board. (Ord. 2013-001, 2013; Ord. 83-Z-2 (part), 1983)

Chapter 17.56
FOREST AND RANGE ZONE*

Sections
17.56.010 Purpose and intent.
17.56.020 Allowed uses.
17.56.030 Repealed.
17.56.040 Lot - Minimum size.
17.56.050 Lot - Width.
17.56.060 Yard requirements.
17.56.062 Yard requirements - Adjacent to Liberty Historic Overlay Zone.
17.56.065 Yard requirements- Zones Adjacent to Commercial Forest Zone.
17.56.070 Structure height.
17.56.080 Setbacks.
17.56.090 Repealed.
17.56.100 Repealed.

* Prior legislation: Ords. 82-Z-1, 77-1Z, 76-3, 762,75-11, 74-6, 2.

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

17.56.020 Uses permitted.

Uses allowed in the forest and range zone include those uses pursuant to KCC Chapter 17.15. (Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2011-013, 2011; Ord. 2007-22, 2007; Ord. 96-19 (part), 1996; Ord. 92-6 (part), 1992: Ord. 88-4 § 5, 1988; Ord. 87-9 § 4, 1987; Ord. 85-Z-2 (part), 1985; Res. 83-10, 1983)

17.56.030 Repealed.
(Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2009-25, 2009; Ord. 2007-22, 2007; Ord. 2001-13 (part), 2001; Ord. 93-6 (part), 1993; Ord. 92-6 (part), 1992: Ord. 90-15 §§ 2 (part), 3 (part), 1990; Ord. 90-10 (part), 1990; Ord. 90-6 (part), 1990; Ord. 88-4 § 6, 1988; Ord. 87-9 § 5, 1987; Ord. 85-Z-2 (part), 1985; Ord. 83-Z-2 (part), 1983; Res. 8310, 1983)

17.56.040 Lot - Minimum size.
The minimum lot size in the Forest and Range zone shall be:

1. Twenty (20) acres, unless within a cluster or conservation plat as provided for in KCC Chapter 16.09, Cluster Platting and Conservation Platting;
2. One-half (½) acre for lots in a cluster or conservation plat; (Ord. 2013-001, 2013; Ord. 2007-22, 2007; Ord. 92-6 (part), 1992: Res. 83-10, 1983)

17.56.050 Lot - Width.

1. No parcel created after the adoption of the ordinance codified in this chapter shall have a length-width dimension less than five hundred (500) feet unless the parcel is approved under provisions established in Section 17.56.040 2 and 3.
2. No platted parcel shall have dimensions in excess of a 4:1 length by width ratio. (Ord. 2013-001, 2013; Ord. 2007-22, 2007; Ord. 92-6 (part), 1992: Res. 83-10, 1983)

17.56.060 Yard requirements.

1. Front Yard. There shall be a minimum front yard of twenty-five (25) feet.
2. Side Yard. Side yard shall be ten (10) feet, except on corner lots which shall have a fifteen-(15)-foot side yard.
3. Rear Yard. There shall be a rear yard with a minimum depth of ten (10) feet to the main building. (Ord. 2013-001, 2013; Ord. 96-19 (part), 1996; Ord. 92-6 (part), 1992: Res. 83-10, 1983)

17.56.062 Yard requirements - Adjacent to Liberty Historic Overlay Zone.

Properties bordering or adjacent to the Liberty Historic overlay zone are subject to a fifty (50) foot setback from the overlay boundary. For properties where such setback isn't feasible, development shall comply with KCC 17.84, Variances. (Ord. 2014-005, 2014;)

17.56.065 Yard requirements in Zones Adjacent to Commercial Forest Zone .
Properties bordering or adjacent to the Commercial Forest zone are subject to a 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)

17.56.070 Structure height.
No structure shall exceed two and one-half (2½) stories or thirty-five (35) feet in height, whichever is greater. This limit does not apply to agricultural buildings. (Ord. 2013-001, 2013; Ord. 92-6 (part), 1992: Res. 83-10, 1983)

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

1. One hundred (100) feet (measured horizontally) from the ordinary high water mark or line of vegetation for lots abutting such waterways;
2. One hundred (100) feet (measured horizontally) from the ordinary high water mark or line of vegetation for lots fronting on reservoirs including Keechelus, Cle Elum, Kachess, and Easton Lakes and Wanapum reservoir. (Ord. 2013-001, 2013; Ord. 92-6 (part), 1992: Res. 83-10, 1983)

17.56.090 Repealed.
(Ord. 2013-001, 2013; Ord. 92-6 (part), 1992: Res. 83-10, 1983)

17.56.100 Repealed.
(Ord. 2013-001, 2013; Ord. 2010-014, 2010)

Chapter 17.57
COMMERCIAL FOREST ZONE

Sections
17.57.010 Purpose and intent.
17.57.020 Allowed uses.
17.57.030 Repealed.
17.57.040 Lot - Minimum size.
17.57.050 Yard requirements.
17.57.060 Structure height.
17.57.070 Shorelines setbacks.
17.57.080 Fire protection.
17.57.090 Water supply.
17.57.100 Building location.
17.57.110 Access.
17.57.120 Road standards.
17.57.130 Repealed.
17.57.140 Resource activity notification.

17.57.010 Purpose and intent.
The purpose and intent of this zone is to provide for areas of Kittitas County wherein natural resource management is the highest priority and where the subdivision and development of lands for uses and activities incompatible with resource management are discouraged consistent with the commercial forest classification policies of the comprehensive plan. The commercial forest classification applies to lands which have long-term commercial significance for the commercial production of timber, and which have been designated as commercial forest in the comprehensive plan. Nothing in this chapter shall be construed in a manner inconsistent with the Washington State Forest Practices Act. Nothing in this chapter shall be construed in a manner to prohibit uses permitted prior to the effective date of this chapter. (Ord. 94-1 (part), 1994)

17.57.020 Uses permitted.
Uses allowed in the commercial forest zone include those uses pursuant to KCC Chapter 17.15. (Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2011-013, 2011; Ord. 96-19 (part), 1996; Ord. 94-1 (part), 1994)

17.57.030 Repealed.
(Ord. 2013-001, 2013; Ord. 2010-014, 2010; Ord. 2009-25, 2009; Ord. 94-1 (part), 1994)

17.57.040 Lot - Minimum size.
The minimum lot size in the Commercial Forest Zone shall be eighty (80) acres. (Ord. 2013-001, 2013; Ord. 94-1 (part), 1994)

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

17.57.060 Structure height.
No structure shall exceed two and one-half (2½) stories or thirty-five (35) feet in height, whichever is greater. This limit does not apply to agricultural buildings or transmission structures. (Ord. 2013-001, 2013; Ord. 94-1 (part), 1994)

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

1. one hundred (100) feet (measured horizontally) from the ordinary high water mark or line of vegetation for parcels abutting such waterways;
2. one hundred (100) feet (measured horizontally) from the ordinary high water mark or line of vegetation for lots fronting on reservoirs including Keechelus, Cle Elum, and Kachess Lakes. (Ord. 2013-001, 2013; Ord. 94-1 (part), 1994)

17.57.080 Fire protection.
All new structures shall comply with the applicable standards contained in: (1) "Fire Safety Considerations for Developments in Forested Areas: Fire Hazard Severity Rating and Recommended Standards" (Northwest Interagency Fire Prevention Group) Washington Department of Natural Resources Severity Type Rating System; (2) standards adopted by Kittitas County Fire Protection Cooperative - "Recommendations For Fire Safety and Prevention of Forest and Range Land in Kittitas County Including Rural, Commercial and Private Developments"; and/or (3) Urban Wildland Interface Code for structures outside a fire district. (Ord. 2007-22, 2007; Ord. 94-1 (part), 1994)

17.57.090 Water supply.
1. When residential or other structural uses are intended to be supplied with potable water from off-site sources, recorded, written permission shall be obtained from the property owners supplying the water prior to plat approval or building permit issuance, as applicable.
2. New residential or recreational domestic water supplies shall be certified by the state of Washington and shall not be located within one hundred (100) feet of adjacent property without recorded, written consent of the property owners. (Ord. 2013-001, 2013; Ord. 94-1 (part), 1994)

17.57.100 Building location.
No permanent buildings shall be located in a one hundred-(100)-year floodplain, in wetlands, or in geologically hazardous critical areas. (Ord. 2013-001, 2013; Ord. 94-1 (part), 1994)

17.57.110 Access.
Vehicular access to residential properties shall not traverse commercial forest lands unless legal access has been granted by the property owner of the forest commercial lands. Easements for permanent access shall be recorded with the county assessor by the property owner. (Ord. 94-1 (part), 1994)

17.57.120 Road standards.
1. Roads serving new residential, commercial or industrial building sites shall meet or exceed county road standards.
2. Private Driveways. Private driveways shall be a minimum of twelve (12) feet in width providing curves are not too sharp, a minimum centerline radius of fifty-five (55) feet for curves, a maximum grade of twelve percent (12%) up to fifteen percent (15%) for very short distances subject to approval by the county director of public works and county fire marshal (grades over twelve percent (12%) are required to be paved with asphalt cement or Portland cement concrete; any grade over twenty percent (20%) must be paved with Portland cement concrete), with functional turnouts intervisible, and a minimum of eighty (80) feet diameter turn-around for dead ends. (Ord. 2013-001, 2013; Ord. 94-1 (part), 1994)

17.57.130 Repealed.
(Ord. 2013-001, 2013; Ord. 94-1 (part), 1994)

17.57.140 Resource activity notification.
All conveyance instruments, plats, short plats, development permits, and building permits issued for development activities on, or within five hundred (500) feet of land designated as Commercial Forest Zone lands contain the following notice: "The subject property is within or near designated natural resource land of long-term commercial significance on which a variety of commercial activities may occur that are not compatible with residential development for certain periods of limited duration. Commercial natural resource activities performed in accordance with county, state and federal laws are not subject to legal action as public nuisances." (RCW 7.48.305) (Ord. 2007-22, 2007; Ord. 94-1 (part), 1994)

Chapter 17.58
AIRPORT ZONE*

Sections
17.58.010 Purpose and intent.
17.58.020 Statutory authority.
17.58.030 Definitions.
17.58.040A Airport overlay zoning district: Kittitas County Airport (Bowers Field).
17.58.040B Airport overlay zoning district: Easton State, Cle Elum Municipal, DeVere Field.
17.58.050 Uses, development requirements and restrictions.
17.58.060 Permits.
17.58.070 Nonconforming use - Regulations not retroactive.
17.58.080 Violations and enforcement.
17.58.090 Appeals.
17.58.100 Repealed.
17.58.110 Conflicting regulations.

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

17.58.010 Purpose and intent.
The purpose and intent of this chapter is to establish an airport overlay zoning district on properties located on, adjacent to, and in the vicinity of public-use airports including Easton State, Cle Elum Municipal, DeVere Field and Kittitas County Airport (Bowers Field), in order to protect the health, welfare, safety, and quality of life of the general public, property

owners, airport operators, and aviation community; and also to ensure compatible land uses in the vicinity of the affected environments of the airport overlay zoning district. With regulations set forth in the Adopted 14 CFR Federal Aviation Regulations Part 77. (Ord. 2007-22, 2007; Ord. 2001-10 (part), 2001)

17.58.020 Statutory authority.

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

17.58.030 Definitions.

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

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

   [1] Map "B", referenced throughout this chapter, is on file with the Kittitas County public works department.

   [2] Map "A", referenced throughout this chapter, is on file with the Kittitas County public works department.
4. "Airport surface" means a surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and along the same slope as the approach zone height limitation slope set forth in KCC 17.58.050. The perimeter of the approach surface coincides with the perimeter of the approach zone.
5. Approach, Transitional, Horizontal, and Conical Zones. These zones are set forth and defined in KCC 17.58.040.
6. "Conical surface" means a surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 feet upward to one foot outward for a horizontal distance of 4,000 feet.
7. "Flammable and combustible liquids" shall be defined as the type and design of underground and aboveground liquid storage tanks; the location and design of the fuel dispensers and dispenser nozzles; the design and specifications for related piping, valves and fittings; the location and classification of electrical equipment, including emergency fuel shutdown devices; and specifications for fuel storage and pressure-relief components, and shall be in accordance with Article 52 (5201.3.2(#1) Motor Vehicle Fuel - Dispensing Stations), Article 79 (Flammable and Combustible Liquids, specifically Special Options 7904), Standard of the International Fire Code and all applicable codes.
8. "Hazard to air navigation" means an obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.
9. "Height" for the purpose of determining the height limits in all zones set forth in this chapter and shown on the airport overlay zoning district map "A", the datum shall be mean sea level elevation unless otherwise specified.
10. "Horizontal surface" means a horizontal plane 150 feet above the established airport elevation.
11. "Larger than utility runway" means a runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight and jet-powered aircraft.
12. "Nonconforming use" means any preexisting structure, object of natural growth, or use of land, which is inconsistent with the provisions of this chapter.
13. "Nonprecision instrument runway" means a runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight in nonprecision instrument approach procedure has been approved or planned.
14. "Obstruction" means any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth in KCC 17.58.050.
15. "Person" means an individual, firm, partnership, corporation, company, association, joint stock association or government entity. "Person" includes a trustee, a receiver, an assignee, or a similar representative.
16. Precision Instrument Approach. The precision instrument approach is designed to provide an approach path for exact alignment and descent of an aircraft on final approach to a runway.
17. Precision Instrument Runway 29. The precision approach is a 50,000-foot-long trapezoid that is 1,000 feet wide at the point where it meets the primary surface. It has a 50:1 slope for the first 10,000 feet and a slope of 40:1 for the remaining 40,000 feet. The approach surface is 16,000 feet wide at the outermost point.
18. "Primary surface" means a surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway. For military runways or when the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface is set forth in KCC 17.58.040. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.
19. "Runway" means a defined area on an airport prepared for landing and takeoff of aircraft along its length.
20. "Structure" means an object, including a mobile object, constructed or installed by man, including but without limitation, buildings, towers, cranes, smokestacks, earth formation, and overhead transmission lines.
21. Transitional Surfaces. These surfaces extend outward at 90-degree angles to the runway centerline and the runway centerline extended at a slope of seven feet horizontally for each one foot vertically from the sides of the conical surfaces. Transitional surfaces for those portions of the precision approach surfaces, which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at 90-degree angles to the extended runway centerline.
22. "Tree" means any object of natural growth.
23. "Utility runway" means a runway that is constructed for and intended to be used by propeller-driven aircraft of 12,500 pounds maximum gross weight or less.
24. "Visual runway" means a runway intended solely for the operation of aircraft using visual approach procedures. (Ord. 2007-22, 2007; Ord. 200110 (part), 2001)

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

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

1. Surface Zones. In order to carry out the provisions of this chapter, there are created and established certain surface zones which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces as they apply to Kittitas County Airport (Bowers Field). Such zones are shown on Kittitas County Airport (Bowers Field) overlay zoning map "A", as amended. Within each of the surface zones there are hereby established certain height restrictions for structures and trees. The surface zones are established and defined as follow:
   a. Runways 07, 25, and 11, Larger than Utility with a Visibility Minimum Greater than Three-Fourth Mile Nonprecision Instrument Approach Zone. The 500-foot inner edge coincides with the width of the primary surface and slopes 34 feet outward for each one foot upward beginning at the end of and at the same elevation as the primary surface and expands to a horizontal distance of 3,500 feet at a horizontal distance of 10,000 feet along the extended runway centerline. Its centerline is the continuation of the runway centerline as depicted on map "A".

      Height Restrictions: No object shall penetrate the imaginary line created by a slope 34 feet outward for each one foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.
   b. Runway 29, Larger than Utility with a Visibility Minimum Lower than Three-Fourth Mile Precision Instrument Approach Zone. The 1,000-foot inner edge of this approach zone coincides with the width of the primary surface. The approach zone expands uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway as depicted on map "A".

      Height Restrictions: No object shall penetrate the imaginary line created by a slope 50 feet outward for each one foot upward for the first 10,000 feet of this zone and 40 feet outward for each one foot upward for the remaining 40,000 feet of this zone.
   c. Transitional Zones. This zone is defined by a slope seven feet outward for each one foot upward beginning at the sides of and at the same elevation as the primary

surface and the approach surface, and extending to a height of 150 feet above the airport elevation which is 139 feet above mean sea level.

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

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

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

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

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

2. Safety Zones. In order to carry out the provisions of this chapter and to promote land use compatibility on lands within and adjacent to and in the vicinity of the Kittitas County Airport (Bowers Field), there are created and established certain safety zones. Such safety zones are shown on Kittitas County Airport (Bowers Field) overlay zoning district map "B", as amended. Within each of the safety zones, certain land use limitations are established and certain development standards are imposed in addition to the land uses and development standards of the underlying zoning. Where the requirements imposed by these safety zones conflict with the requirements of the underlying zoning, the more restrictive requirement shall be enforced. The safety zones are established and defined as follows:
   a. Runway Protection Zone 1. An area extending beyond the centerlines of runways 11, 29, 07, and 25 as depicted on map "B" (shaded area #1). This zone begins from the outer boundaries of the primary surface, 200 feet from the ends of the runways and extends out 1,700 feet to its widest point, which measures 1,010 feet across, 505 feet on either side of the runway centerline.
   b. Inner Safety Zone 2. An area extending beyond the centerlines of runways 11, 29, 07, and 25 as depicted in map "B" (shaded area #2). This zone begins at the end of the runway protection zone 1 and extends out 2,800 feet, The zone measures 1,010 feet across, 505 feet on either side of the runway centerline.
   c. Inner Turning Zone 3. A fan shaped area extending beyond the center lines of runways 11, 29, 07, and 25 as depicted on map "B" (shaded area #3). This zone begins at the primary surface, 200 feet from the end of the runway centerline and extends out with a 60-foot radius arc on either side of the runway centerline to 4,500 feet and connects to the centerline of the inner safety zone with sweeping arcs.
   d. Outer Safety Zone 4. Area extending beyond the centerlines of runways 11, 29, 07, and 25 as depicted on map "B" (shaded area #4). This zone begins at the end of the inner safety zone and extends out 3,000 feet. The zone measures 1,000 feet across, 500 feet on either side of the runway centerline.
   e. Sideline Zone 5. An area adjacent to runways 11, 29, 07, and 25 as depicted on map "B" (shaded area #5). This zone begins from the outer boundaries of the primary surface, and extends out 1,000 feet perpendicular to the primary surface and connects to the 60-degree sector of the inner turning zone.
   f. Airport Operations Zone 6. This zone is depicted on map "B" (shaded area #6) and begins from the outer boundaries of the sideline zone and extends out 5,000 feet perpendicular to the primary surface and connects to the 60degree sector of the inner turning zone. (Ord. 2007-22, 2007; Ord. 2001-10 (part), 2001)

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

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

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

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

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

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

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

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

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

   The established airport elevations for airports in Kittitas County are as follows:
   - Kittitas County Airport (Bowers Field) at 1,916 feet above mean sea level
   - Easton State Airport at 2,221 feet above mean sea level
   - DeVere Field at 1,838 feet above mean sea level
   - Cle Elum Municipal at 1,945 feet above mean sea level

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

   Height Restrictions: No objects shall penetrate the imaginary line created by a slope 20 feet outward for each one foot upward beginning at the periphery of the horizontal zone and at 150 feet above the airport elevation and extending to a height up to 3,500 feet above the surface of the land.
2. Safety Zones. In order to carry out the provisions of this chapter and to promote land use compatibility on lands within and adjacent to and in the vicinity of the Kittitas County Airport (Bowers Field), there are created and established certain safety zones. Such safety zones are shown on Kittitas County Airport (Bowers Field) overlay zoning district

map "B", as amended. Within each of the safety zones, certain land use limitations are established and certain development standards are imposed in addition to the land uses and development standards of the underlying zoning. Where the requirements imposed by these safety zones conflict with the requirements of the underlying zoning, the more restrictive requirement shall be enforced. The safety zones are established and defined as follows:

a. Runway Protection Zone 1. An area extending beyond the centerlines of runways 11, 29, 07, and 25 as depicted on map "B" (shaded area #1). This zone begins from the outer boundaries of the primary surface, 200 feet from the ends of the runways and extends out 1,700 feet to its widest point, which measures 1,010 feet across, 505 feet on either side of the runway centerline.
b. Inner Safety Zone 2. An area extending beyond the centerlines of runways 11, 29, 07, and 25 as depicted in map "B" (shaded area #2). This zone begins at the end of the runway protection zone 1 and extends out 2,800 feet. The zone measures 1,010 feet across, 505 feet on either side of the runway centerline.
c. Inner Turning Zone 3. A fan shaped area extending beyond the center lines of runways 11, 29, 07, and 25 as depicted on map "B" (shaded area #3). This zone begins at the primary surface, 200 feet from the end of the runway centerline and extends out with a 60-foot radius arc on either side of the runway centerline to 4,500 feet and connects to the centerline of the inner safety zone with sweeping arcs.
d. Outer Safety Zone 4. Area extending beyond the centerlines of runways 11, 29, 07, and 25 as depicted on map "B" (shaded area #4). This zone begins at the end of the inner safety zone and extends out 3,000 feet. The zone measures 1,000 feet across, 500 feet on either side of the runway centerline.
e. Sideline Zone 5. An area adjacent to runways 11, 29, 07, and 25 as depicted on map "B" (shaded area #5). This zone begins from the outer boundaries of the primary surface, and extends out 1,000 feet perpendicular to the primary surface and connects to the 60-degree sector of the inner turning zone.
f. Airport Operations Zone 6. This zone is depicted on map "B" (shaded area #6) and begins from the outer boundaries of the sideline zone and extends out 5,000 feet perpendicular to the primary surface and connects to the 60degree sector of the inner turning zone. (Ord. 2010-014 , 2010; Ord. 2007-22, 2007)

17.58.050 Uses, development requirements and restrictions.

1. General Development Requirements and Restrictions Applicable to All Zones.
   a. Underlying Zoning Requirements. In addition to the airport overlay zoning district development requirements and restrictions set forth in subsections (A)(2) through (9) of this section and in the table in subsection B of this section, all uses and activities are at all times subject to the requirements of the underlying zoning district. Where the requirements and restrictions imposed by the airport overlay zoning district surface and safety zones conflict with the requirements of the underlying zoning district, the more restrictive requirement shall be applied.
   b. Pre-annexation/Annexation. Once the parcel is annexed into the Ellensburg city limits, the parcel shall adopt by reference the density requirements of the city of Ellensburg.
   c. Height. All uses shall be subject at all times to the height restrictions set forth in KCC 17.58.040(A).
   d. Signal and Radio Communication Interference. Electrical interference with navigational signals or radio communication between the airport and aircraft is prohibited and will be regulated in accordance with rules and regulations promulgated and enforced by the Federal Communications Commission (FCC) and Federal Aviation Administration (FAA) regulations.
   e. Lighting and Glare. Activities or uses that create lighting which make it difficult for pilots to distinguish between airport lights and non-airport lights or that create glare in the eyes of pilots using the airport are prohibited. All outdoor lighting fixtures shall be arranged and shielded so that area lighting shall not shine into the sky.
   f. Visibility. Activities or uses that create excessive amounts of dust, smoke, or other emissions that may result in impairment of visibility in the vicinity of the airport are discouraged and will be regulated in accordance with rules and regulations promulgated and enforced by the Washington State Department of Ecology under the Clean Air Act and other state and federal regulations.
   g. Large Bodies of Water. Activities or uses that create large areas of standing water are discouraged and shall be reviewed and regulated in accordance with the provisions set forth in the county's State Environmental Policy Act (SEPA) regulations as set forth in Chapter 15.04 KCC.
   h. Flammable and Combustible Material. Flammable and combustible liquids and specifications for fuel storage shall be in accordance with the International Fire Code and all applicable codes as adopted in KCC Title 14, Buildings and Construction.
   i. Noise Insulation. Noise insulation for new structures shall be in accordance with the International Building Code and the Washington State Energy Code as adopted in KCC Title 14, Buildings and Construction.
   j. Subdivision. When any division of land including short plats, plats, cluster subdivisions, and planned unit developments, occur on any land within the airport overlay zoning district safety zones 1 through 6, a note located on the first page of the plat, shall be recorded with the county auditor as follows:

> This property is located within the Airport Overlay Zoning District in which a variety of airport aviation activities occur. Such airport aviation activities may impact the use of your property.

2. Use Table.

Note: All aviation uses are acceptable only on airport property. Electric Vehicle Infrastructure is permitted in all zones. See KCC Chapter 17.66

Airport Overlay Zones	Applicable uses
Zone 1 (Runway Protection Zone)	1. Land uses, which by their nature will be relatively unoccupied by people should be encouraged (mini-storage, small parking lots, etc.) 2. Schools, play fields, hospitals, nursing homes, and churches are prohibited.
Zone 2 (Inner Safety Zone)	1. Schools, play fields, hospitals, nursing homes, and churches are prohibited. 2. Outside of the existing Ellensburg Urban Growth Area (UGA) the average density will be one dwelling unit per three acres on the property at the date of adoption of this ordinance [July 17, 2001]. 3. Inside the existing Ellensburg Urban Growth Area (UGA) the average density will be one dwelling unit per one acre on the property at the date of adoption of this ordinance [July 17, 2001].
Zone 3 (Inner Turning Zone)	1. Schools, play fields, hospitals, nursing homes, and churches are prohibited. 2. Flammable and combustible liquids and specifications for fuel storage shall be in accordance with Articles 52 and 79, the International Fire Code (IFC) standard, and applicable codes. 3. Outside of the existing Ellensburg Urban Growth Area (UGA) the average density will be one dwelling unit per three acres on the property at the date of adoption of this ordinance [July 17, 2001]. 4. Inside the existing Ellensburg Urban Growth Area (UGA) for lands zoned Agricultural - 3 the average density will be one dwelling unit per three acres on the property at the date of adoption of this ordinance [July 17, 2001]. 5. Inside the existing Ellensburg Urban Growth Area (UGA) for lands zoned Urban Residential or Rural Residential the average density will be one dwelling unit per one acre on the property at the date of adoption of this ordinance [July 17, 2001].
Zone 4 (Outer Safety Zone)	1. Schools, play fields, hospitals, nursing homes, and churches are prohibited. 2. Outside of the existing Ellensburg Urban Growth Area (UGA) the average density will be one dwelling unit per three acres on the property at the date of adoption of this ordinance [July 17, 2001]. 3. Inside the existing Ellensburg Urban Growth Area (UGA) for lands zoned Urban Residential or Rural Residential the average density will be one dwelling unit per one acre on the property at the date of adoption of this ordinance [July 17, 2001].
Zone 5 (Sideline Zone)	1. All aviation related uses are permitted. 2. Schools, play fields, hospitals, nursing homes, and churches are prohibited.
Zone 6 (Airport Operations Zone)	1. All aviation related uses are permitted within airport property. 2. Outside of the existing Ellensburg Urban Growth Area (UGA) the average density will be one dwelling unit per three acres on the property at the date of adoption of this ordinance [July 17, 2001]. 3. Inside the existing Ellensburg Urban Growth Area (UGA) the average density will be one dwelling unit per one acre on the property at the date of adoption of this ordinance [July 17, 2001].

(Ord. 2011-013 , 2011; Ord. 2007-22, 2007; Ord. 2001-10 (part), 2001)

17.58.060 Permits.

1. Future Uses. Except as specifically provided in subsections (A)(1), (2), and (3) of this section, no material change shall be made in the use of land, no structure shall be erected or otherwise established, and no tree shall be planted in any zone created unless a permit therefore has been applied for and granted. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the resulting use, structure, or tree is consistent with the provisions of this chapter. No permit for a use inconsistent with the provisions of this chapter shall be granted unless a variance has been approved in accordance with subsection D of this section.
    a. In the area lying within the limits of the horizontal zone and conical zone, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground except when, because of terrain, land contour, or topographic features, such tree or structure would extend above the height limits prescribed for such zones.
    b. In areas lying within the limits of the approach zones but at a horizontal distance of not less than 4,200 feet from each end of the runway, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground, except when such tree or structure would extend above the height limit prescribed for such approach zones.
    c. In the areas lying within the limits of the transition zones beyond the perimeter of the horizontal zone, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground, except when such tree or structure, because of terrain, land contour, or topographic features, would extend above the height limit prescribed for such transition zones.
    d. As a condition for approval of new development within the approach surfaces or safety zones a notice shall be recorded with the county auditor prior to final approval of new subdivisions, short subdivisions, building permits, conditional use permits, special use permit or other similar permits, unless said notice is already recorded on the property. Said notice shall state: "This property is located adjacent to an airport and routinely subject to overflight activity by aircraft using the airport; residents and tenants may experience inconvenience, annoyance, or discomfort from noise, smell or other effects of aviation activities."
2. Existing Uses. No permit shall be granted that would allow the establishment or creation of an obstruction or permit a nonconforming use, structure, or tree to become a greater hazard to air navigation, than it was on the effective date of the ordinance codified in this chapter or any amendments thereto or than it is when the application for a permit is made.
3. Nonconforming Uses Abandoned or Destroyed. Whenever the airport manager, or his or her designee, determines that a nonconforming or structure has been abandoned or more than eighty percent torn down, physically deteriorated, or decayed, no permit shall be granted that would allow such structure to exceed the applicable height limit or otherwise deviate from the zoning regulations.
4. Variances. Any person desiring to erect or increase the height of any structure, or permit the growth of any tree, or use property, not in accordance with the regulations prescribed in this chapter, may apply to the Hearing Examiner for a variance from such regulations. The application for variance shall be accomplished by a determination from the Federal Aviation Administration as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulations will result in unnecessary hardship and relief granted, will not be contrary to the public interest, will not create a hazard to air navigation, will do substantial justice, and will be in accordance with the spirit of this chapter. A copy of the variance application shall be forwarded to the Kittitas County airport manager by the Kittitas County Community Development Services department consistent with the notification procedures under KCC Title 15A.
5. Obstruction Marking and Lighting. Any permit or variance granted may, if such action is deemed advisable to effectuate the purpose of this chapter, be so conditioned as to require the owner of the structure or tree in question to install, operate, and maintain, at the owner's expense, such markings and lights as may be necessary.
6. Nothing in this chapter shall diminish the responsibility of project proponents to submit a Notice of Construction or Alteration to the Federal Aviation Administration if required in accordance with Federal Aviation Regulations Part 77, "Objects Affecting Navigable Airspace". (Ord. 2012-009, 2012; Ord. 2007-22, 2007; Ord. 2001-10 (part), 2001)

17.58.070 Nonconforming use - Regulations not retroactive.

The regulations prescribed in this chapter shall not be construed to require the removal, lowering, or other change or alteration of any structure or tree not conforming to the regulations at the effective date of the ordinance codified in this chapter, nor shall such be construed to require any change in the construction or alteration of any structure or tree which was begun prior to the effective date of the ordinance codified in this chapter, and which is diligently being prosecuted. (Ord. 2001-10 (part), 2001)

17.58.080 Violations and enforcement.

It shall be the duty of the code enforcement official of the Kittitas County building department to administer and enforce the regulations prescribed in this chapter. (Ord. 2001-10 (part), 2001)

17.58.090 Appeals.

Any person aggrieved, by any order, requirement, decision or determination made by an administrative official in the processing of any application made under this chapter or in the actual decision made as required by this chapter may appeal to the Hearing Examiner as provided in RCW 14.12.190. (Ord. 2012-009, 2012; Ord. 2001-10 (part), 2001)

17.58.100 Repealed.

(Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2001-10 (part), 2001)

17.58.110 Conflicting regulations.

Where there exists a conflict between any of the regulations or limitations prescribed in this chapter and any other regulations applicable to the same area, whether the conflict be with respect to the height of structures or trees, and the use of land, or any other matter, the more stringent limitation or requirement shall govern and prevail. (Ord. 2001-10 (part), 2001)

Chapter 17.59
LIBERTY HISTORIC ZONE*

Sections

17.59.010 Purpose and intent.
17.59.020 Allowed uses.
17.59.030 Repealed.
17.59.040 Lot size required.
17.59.050 Yard requirements.
17.59.060 Building height.
17.59.070 Building restrictions.
17.59.080 Architectural standards.
17.59.090 Interpretation.

* Prior history: Ords. 80-Z-4, 68-1.

17.59.010 Purpose and intent.

It is the purpose of this chapter to provide an overlay zone for the Liberty Townsite which is part of the Liberty historical district. The intent of the overlay zone is to permit a wide range of uses while preserving the historic mining-town character of the townsite. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.59.020 Allowed uses.

Uses allowed in the Liberty Historic Overlay Zone include those uses allowed in the Forest and Range Zone pursuant to KCC Chapter 17.15. (Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2011-013, 2011; Ord. 2007-22, 2007; Ord. 96-19 (part), 1996; Res. 83-10, 1983)

17.59.030 Repealed.

(Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 96-19 (part), 1996; Res. 83-10, 1983)

17.59.040 Lot size required.
The minimum lot size shall be one (1) acre with a minimum average lot width of one hundred fifty (150) feet. All lots existing at the time of adoption of the ordinance codified in this chapter shall be considered as legal size for construction purposes. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.59.050 Yard requirements.
Yard requirements are as follows:

1. Front yard: twenty (20) feet;
2. Side yard: five (5) feet;
3. Rear yard: twenty-five (25) feet;
4. Setback from USFS boundary: fifty (50) feet. (Ord. 2013-001, 2013;)

17.59.060 Building height.
No building shall exceed two (2) stories or thirty-five (35) feet in height, whichever is greater. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.59.070 Building restrictions.
Every structure erected or placed on a lot in this overlay zone shall conform strictly to a uniform pattern of external appearance as defined in this chapter. The intent of this requirement is to assure that such external appearance be substantially identical with the style and character of dwellings presently existing in the unincorporated townsite of Liberty in Kittitas County. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.59.080 Architectural standards.
In conformity with the foregoing, no dwelling, business, accessory building, fence or other structure shall be erected, placed or permitted on a lot unless its external appearance conforms to the following:

1. Exterior siding must be rough-sawed lumber or logs. Board or batten shakes or single siding is also permitted. All exterior surfaces must be natural or clear stain.
2. Windows. Wood frame windows are permitted. Window frames of other material may be permitted if it resembles wood.
3. Doors. All exterior doors must be wood with natural or clear stain permitted.
4. Chimneys. Brick or metal stovepipe chimneys shall be permitted.
5. Fences. Only natural wood fences are permitted.
6. Other. No plywood or metal siding is permitted. Metal roofing is permitted only if it is galvanized color. (Res. 83-10, 1983)

17.59.090 Interpretation.
Compliance with the intent of this chapter shall be the determination of the Director. (Ord. 2013-001, 2013; Res. 83-10, 1983)

Chapter 17.60A
CONDITIONAL USES*

Sections
17.60A.010 Review authority.
17.60A.015 Review criteria.
17.60A.020 Conditions.
17.60A.030 Application and accompanying data.
17.60A.040 Fees.
17.60A.050 Repealed.
17.60A.060 Hearings - Appeal.
17.60A.070 Repealed.
17.60A.080 Transfer of Ownership.
17.60A.090 Expiration.
17.60A.095 Modification.
17.60A.100 Revocation or limitation.

* Prior history: Ords. 71-5, 2.

17.60A.010 Review authority.
KCC 17.15.030 explains how to interpret the Zoning Use Tables. Uses identified with an "AC" (Administrative Conditional Use) on the use tabled in KCC Chapter 17.15 shall be reviewed administratively by the Director while uses identified with a "CU" (Conditional Use) shall require a public hearing and review by the Board. (Ord. 2013-012, 2013;)

17.60A.015 Review criteria.
The Director or Board, upon receiving a properly filed application or petition, may permit and authorize a conditional use when the following requirements have been met:

1. The proposed use is essential or desirable to the public convenience and not detrimental or injurious to the public health, peace, or safety or to the character of the surrounding neighborhood.
2. The proposed use at the proposed location will not be unreasonably detrimental to the economic welfare of the county and that it will not create excessive public cost for facilities and services by finding that
   A. The proposed use will be adequately serviced by existing facilities such as highways, roads, police and fire protection, irrigation and drainage structures, refuse disposal, water and sewers, and schools; or
   B. The applicant shall provide such facilities; or
   C. The proposed use will be of sufficient economic benefit to offset additional public costs or economic detriment.
3. The proposed use complies with relevant development standards and criteria for approval set forth in this title or other applicable provisions of Kittitas County Code.
4. The proposed use will mitigate material impacts of the development, whether environmental or otherwise.
5. The proposed use will ensure compatibility with existing neighboring land uses.
6. The proposed use is consistent with the intent and character of the zoning district in which it is located.
7. For conditional uses outside of Urban Growth Areas, the proposed use:
   A. Is consistent with the intent, goals, policies, and objectives of the Kittitas County Comprehensive Plan, including the policies of Chapter 8, Rural and Resource Lands;
   B. Preserves "rural character" as defined in the Growth Management Act (RCW 36.70A.030(15));
   C. Requires only rural government services; and
   D. Does not compromise the long term viability of designated resource lands. (Ord. 2013-012, 2013; Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2007-22, 2007; Ord. 88-4 § 11 (part), 1988: Res. 83-10, 1983)

17.60A.020 Conditions.
In permitting such uses the Director or Board may impose in addition to the regulations specified herein, such conditions as it deems necessary to protect the best interests of the surrounding property or neighborhood or the county as a whole. These conditions may include, but are not limited to, the following:

1. Increasing the required lot size, setback or yard dimensions;
2. Limiting the height of buildings or structures;

3. Controlling the number and location of vehicular access points (subject to approval by the reviewing authority with jurisdiction to issue approach or access permits);
4. Requiring the dedication of additional rights-of-way for future public street improvements;
5. Requiring the designation of public use easements;
6. Increasing or decreasing the number of required off-street parking and/or loading spaces as well as designating the location, screening, drainage, surfacing or other improvement of a parking area;
7. Limiting the number, size, height, shape, location and lighting of signs;
8. Requiring or limiting view-obscuring fencing, landscaping or other facilities to protect adjacent or nearby properties;
9. Designating sites for and/or the size of open space or recreational areas;
10. Requiring site reclamation upon discontinuance of use and/or expiration or revocation of the project permit;
11. Limiting hours and size of operation;
12. Controlling the siting of the use and/or structures on the property;
13. Requiring mitigation measures to effectively reduce the potential for land use conflicts with agricultural and resource lands, such as: landscape buffers, special setbacks, screening, and/or site design using physical features such as rock outcrops, ravines, and roads.
14. Demonstrating that the requirements of Chapter 13.35, Kittitas County Code, Adequate Water Supply Determination, can be met. (Ord. 2014-005, 2014; Ord. 2013-012, 2013; Ord. 2012-009, 2012; Ord. 2007-22, 2007; Ord. 88-4 § 11 (part), 1988)

17.60A.030 Application and accompanying data.
Written application for the approval of the uses referred to in this chapter shall be filed in the Community Development Services department upon forms prescribed for that purpose. The application shall be accompanied by a site plan showing the dimensions and arrangement of the proposed development or changes in an existing conditional use. The administrator, Hearing Examiner and/or Board may require other drawings, topographic surveys, photographs, or other material essential to an understanding of the proposed use and its relationship to the surrounding properties. (Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2007-22, 2007; Ord. 96-19 (part), 1996; Res. 83-10, 1983)

17.60A.040 Fees.
The fees for such application shall be as established annually by the Board under separate action. Fees shall be payable to the Kittitas County and shall not be returnable in any case. (Ord. 2013-001, 2013; Ord. 2007-22, 2007; Ord. 88-4 § 11 (part), 1988: Res. 83-10, 1983)

17.60A.050 Affected area of use.
Repealed by Ord. 96-19. (Ord. 2007-22, 2007; Ord. 88-4 § 11 (part), 1988: Res. 83-10, 1983)

17.60A.060 Hearings - Appeal.
Any such hearings shall be held pursuant to Title 15A of this code, Project permit application process. (Ord. 2007-22, 2007)

17.60A.070 Appeal.
Repealed by Ord. 9619. (Ord. 2007-22, 2007; Ord. 88-4 § 11 (part), 1988: Res. 83-10, 1983)

17.60A.080 Transfer of ownership
The granting of a conditional use permit and the conditions set forth run with the land; compliance with the conditions of the conditional use permit is the responsibility of the current owner of the property, the applicant and successors. (Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.60A.090 Expiration
A conditional use permit shall become void five (5) years after approval or such other time period as established if the use is not completely developed. Said extension shall not exceed a total of ten (10) years and said phases and timelines shall be clearly spelled out in the application. (Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2007-22, 2007)

17.60A.095 Modification
Any change. enlargement or alteration in such use shall require a new review and new conditions may be imposed where finding requires. (Ord. 2013-012, 2013; Ord. 2013-001, 2013)

17.60A.100 Revocation or limitation.
The Board may hold a hearing to revoke or additionally limit a conditional use permit granted pursuant to the provisions of this Chapter. Ten (10) days prior to the hearing, notice shall be delivered in writing to the applicant and/or owner of the property for which such conditional use permit was granted. Notice shall be deemed delivered three (3) days after being mailed, first class postage paid, to the owner as shown on the current tax rolls of the County.

A conditional use permit may be revoked or limited by the Board if any one (1) of the following findings can be made:

1. That circumstances have changed so that 1 or more of the Conditions of 17.60A.020 are no longer met;
2. That the conditional use permit was obtained by misrepresentation or fraud;
3. That one or more of the conditions of the conditional use permit have not been met;
4. That the use for which the conditional use permit was granted had ceased or was suspended for twelve or more consecutive calendar months;
5. That the actual or permitted use is in violation of any statute, ordinance, law, or regulation; or
6. That the use permitted by the conditional use permit is detrimental to the public health, safety or welfare or constitutes a nuisance.

The Board's decision shall be subject to judicial appeal under the provisions of KCC Chapter 15A.08.

The Board's decision shall not be effective for twenty-one (21) days after being entered. The Superior Court in reviewing the Board's decision to revoke a CUP may grant a stay during the pendency of any appeal upon a finding that such a stay is necessary to avoid manifest injustice or upon stipulation by the County. (Ord. 2013-001, 2013; Ord. 2009-22, 2009)

Chapter 17.60B
PERMITTED ADMINISTRATIVE USES

Sections
17.60B.010 Applicability.
17.60B.020 Purpose.
17.60B.030 Administrative Authority.
17.60B.040 Fees.
17.60B.050 Administrative Review.
17.60B.060 Administrative Action.
17.60B.070 Permit Processing and Notice.
17.60B.080 Effect.
17.60B.090 Transfer of Ownership.
17.60B.100 Expiration.
17.60B.110 Appeal of Administrator's Decision.

17.60B.010 Applicability.
The provisions of this chapter shall apply to all uses listed as an administrative use in the applicable zoning district. Administrative uses are those uses subject to standards that are

applicable for all permits and those that require the exercise of limited discretion about non-technical issues and about which there may be limited public interest. The proposed development may or may not be subject to SEPA review. (Ord. 2007-22, 2007)

17.60B.020 Purpose.
The purpose of this chapter is to establish criteria and procedures for uses, which due to their unique qualities may require additional regulations or other special degrees of control. The administrative use process, which includes public notice and comment, is required to ensure that the activity, if established, will be in full compliance with the applicable regulations and that such uses are compatible with the comprehensive plan, adjacent uses, planned uses and the character of the vicinity. (Ord. 2007-22, 2007)

17.60B.030 Administrative Authority.
The Director is authorized to approve, approve with the conditions stated in this chapter and additional conditions deemed necessary to satisfy the purposes of this chapter and the criteria found in Section 17.60B.050 an administrative use permit. Any additional requirements obtained from other sections of the Kittitas County Code above those specified in this title, or modification of the proposal to comply with specified requirements or local conditions is also authorized. (Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2007-22, 2007)

17.60B.040 Fees.
The fees for such application shall be consistent with the most updated fee schedule as established annually by the Board under separate action. Fees shall be payable to the Kittitas County Treasurer and shall not be refundable in any case. (Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.60B.050 Administrative Review.
The development standards of this title shall be used by the applicant in preparing the administrative use permit application, and by the administrator in determining the acceptability of permitting a use in a certain location. The applicant has the burden of proving that the proposed use meets criteria set forth below in this section. An administrative use permit may be approved only if all of the following findings can be made regarding the proposal and are supported by the record:

1. That the granting of the proposed administrative use permit approval will not:
   a. Be detrimental to the public health, safety, and general welfare;
   b. Adversely affect the established character of the surrounding vicinity and planned uses; nor
   c. Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located.
2. hat the granting of the proposed administrative use permit is consistent and compatible with the intent of goals, objectives and policies of the comprehensive plan, and any implementing regulation.
3. That all conditions necessary to mitigate the impacts of the proposed use are conditions that are measurable and can be monitored and enforced.
4. That the applicant has addressed all requirements for a specific use. (Ord. 2007-22, 2007)

17.60B.060 Administrative Action.
A decision by the administrator shall include the following:

1. A statement of the applicable criteria and standards in the development codes and other applicable law.
2. A statement of the findings of the review authority, stating the applicant's compliance or noncompliance with each applicable criterion, and assurance of compliance with applicable standards.
3. The decision to approve or deny the application; if approved any decision must state all conditions of approval.
4. A statement that the decision is final unless appealed as provided in the respective governing regulation within fourteen (14) calendar days after the date the notice of decision is mailed. The appeal closing date shall be listed. The statement shall describe how a party may appeal the decision, including applicable fees and the elements of a notice of appeal.
5. A statement that the complete case file is available for inspection and the name and telephone number of the department's representative to contact to arrange inspection. (Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.60B.070 Permit Processing and Notice.
Administrative use permits shall be processed in accordance with the provisions contained in this chapter and the provisions of Title 15A, Project Permit Application Process of the Kittitas County Code. (Ord. 2007-22, 2007)

17.60B.080 Effect.
In any case where an administrative use permit is granted under the terms of this title, no building or other permit shall be issued until the end of the appeal period allowed in Title 15A, Project Permit Application Process of the Kittitas County Code. An appeal of the decision shall automatically stay the issuance of building or other permits until such appeal has been completed. (Ord. 2007-22, 2007)

17.60B.090 Transfer of Ownership.
The granting of an administrative use permit and the conditions set forth run with the land; compliance with the conditions of the administrative use permit is the responsibility of the current owner of the property, the applicant and successors. (Ord. 2007-22, 2007)

17.60B.100 Expiration.
An administrative use permit shall become void three (3) years after approval or such other time period as established by the administrator if no substantial construction or satisfying the conditions of approval has taken place. (Ord. 2007-22, 2007)

17.60B.110 Appeal of Administrator's Decision.
Action by the Administrator is final unless an appeal in writing is filed with the Board, together with the applicable fee, within the time allowed per KCC Title 15A, Project Permit Application Process of the Kittitas County Code. The request shall conform to the requirements of KCC Chapter 15A.07, Project Permit Application Process of the Kittitas County Code. (Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2007-22, 2007)

Chapter 17.61
UTILITIES

Sections
17.61.010 Definitions.
17.61.020 Permitted and conditional uses.
17.61.030 Review criteria - Special utilities and associated facilities.
17.61.040 Communication facilities - Administrative review - General requirements.

17.61.010 Definitions.
1. "Utility" or "utilities" means the supply, treatment and distribution, as appropriate, of gas, gas meter stations, municipal domestic and irrigation water, sewage, storm water, electricity, telephone, fiber-optic and cable television. Such utilities consist of both the service activity along with the physical facilities necessary for the utilities to be supplied, except for associated facilities and special utilities as defined herein. Electric vehicle infrastructure, as provided for in Chapter 17.66, is not a "utility" or "utilities".
2. "Special utility" or "special utilities" shall mean the following:
   a. Natural gas, synthetic fuel gas, or liquefied petroleum gas pipelines operating at a pressure which results in a hoop stress of 20 percent or more of the specified minimum yield strength;
   b. Electrical transmission lines exceeding 115,000 volts;

c. Electrical substations;
d. Cellular, mobile or fiber-optic telecommunication facilities;
e. Geothermal power facilities;
f. Minor thermal power plant facilities; 7. Minor alternative energy facilities.

3. "Antenna" or "antennas" means any system of poles, panels, rods, dishes, reflecting discs or similar devices used for the transmission or reception of radio frequency signals.
4. "Associated facility" or "associated facilities" means a land use whose principal purpose involves the distribution, processing, storage, handling, or other related and supporting activities necessary for a special utility, not including administrative activities or offices.
5. "Communication facility" or "communication facilities" means any real property or portion thereof used for the reception, transmission and/or regeneration of electromagnetic and light signals, including but not limited to cellular, fiber-optic, microwave, mobile radio, radio, satellite, and television mediums. The term does not include poles or lattice-work towers supporting aboveground distribution or transmission lines for utility services such as electricity, telephone, or cable television. Communication facilities consist of all buildings, transmission structures, and other appurtenant improvements necessary for the support, shelter and operation of applicable communication equipment.
6. "Fuel cell" or "fuel cells" means a device which uses an electrochemical process to produce electrical energy using as its fuel source natural gas, methanol, propane, or like fuel.
7. "Geothermal power facility" or "geothermal facility" means a facility used to produce electricity by extracting and converting the natural thermal energy of the earth. The term does not include ground-source heat pumps or the direct use of geothermal energy for the heating of buildings located on or adjacent to the subject property.
8. "Hydroelectric plant" or "hydroelectric plants" means a facility used to produce electricity by converting the kinetic energy of flowing water to electric power. Hydroelectric facilities include but may not be limited to a dam, powerhouse apparatus (penstock, turbines and generators), step-up transformers, and any other buildings, support structures, or other related improvements necessary for the generation of electric power. The term does not include irrigation diversion dams, electrical distribution or transmission lines, or electrical substations otherwise regulated by this chapter.
9. "Major alternative energy facility" means a hydroelectric plant, solar farm, or wind farm that is not a minor alternative energy facility.
10. "Major thermal power plant facility" or "major thermal power plant facilities" means an electrical generating facility that utilizes nuclear or fossil fuels with output exceeding 10 mva.
11. "Minor alternative energy facility" or "minor alternative energy system" means a fuel cell or a facility for the production of electrical energy that:
    a.
        i. Uses as its fuel either solar, wind not more than 100 kW and subject to the development standards in KCC 17.61 B.050, or hydropower;
        ii. Is located on the power beneficiary's premises;
        iii. Is intended primarily to offset part or all of the beneficiary's requirements for electricity; and
        iv. Is secondary to the beneficiary's use of the premises for other lawful purpose(s); or
    b. Is intended to mitigate electrical system improvement requirements.
12. "Minor thermal power plant facility" or "minor thermal power plant facilities" means an electrical generating facility that utilizes nuclear or fossil fuels with an output of at least one mva but equal to or less than 10 mva.
13. "Normal maintenance" includes those usual acts to prevent a decline, lapse, or cessation from a lawfully established condition. "Normal repair" means to restore a development to a state comparable to its original condition within a reasonable period after decay or partial destruction.
14. "Utility corridor" or "utility corridors" means a lineal transportation route utilized by one or more special utilities.
15. "Solar farm" or "solar farms" means a facility or area of land principally used to convert solar radiation to electricity. The term does not include devices or combination of devices which rely upon direct sunlight as an energy source for a minor alternative energy system.
16. "Wind farm" means a single wind turbine exceeding 120 feet in height above grade or more than one wind turbine of any size proposed and/or constructed by the same person or group of persons on the same or adjoining tax parcels. The term does not include turbines mounted to existing structures principally used for other lawful purposes (such as buildings or electric utility poles) provided the nacelle does not extend more than 20 feet above the uppermost portion of the structure to which it is mounted or attached.
17. "Wind turbine" or "wind turbines" means any of various machines used to produce electricity by converting the kinetic energy of wind to rotational, mechanical and electrical energy. Wind turbines consist of the turbine apparatus (rotor, nacelle and tower) and any other buildings, support structures, or other related improvements necessary for the generation of electric power. The term does not include electrical distribution or transmission lines, or electrical substations otherwise regulated by this chapter. (Ord. 2012-009, 2012; Ord. 2011-013 , 2011; Ord. 2001-12 (part), 2001: Ord. 2000-06 (part), 2000; Ord. 99-14 (part), 1999: Ord. 98-17 (part), 1998)

17.61.020 Permitted and conditional uses.

1. Utilities shall be a permitted use in all zoning districts.
2. Minor alternative energy facilities shall be a permitted use in all zoning districts, provided the following limitations shall apply to wind turbines located within urban growth areas:
    a. Wind turbines shall not exceed a total height of 75 feet above grade; and
    b. Rotors shall not exceed 30 feet in diameter.
3. Minor thermal power plant facilities may be authorized by the Community Development Services director as an administrative conditional use in all zoning districts, pursuant to the criteria and procedures of this chapter and KCC Title 15A.
4. Major alternative energy facilities may be authorized in the Agriculture-20, forest and range, commercial agriculture, and commercial forest zones as follows:
    a. Wind farms may be authorized pursuant to the provisions of KCC Chapter 17.61A;
    b. All other major alternative energy facilities may be authorized as a conditional use.
5. Major thermal power plant facilities may be authorized as a conditional use in the Agriculture-20, forest and range, commercial agriculture, and commercial forest zones.
6. Special utilities may be authorized as a conditional use in all zoning districts, except for minor thermal power plant facilities as provided in subsection C of this section, and communication facilities as provided in KCC 17.61.040. Normal maintenance and repair of existing developments shall be a permitted use for both nonconforming and lawfully established special utilities.
7. Associated facilities may be authorized as a conditional use in the general industrial zone (KCC Chapter 17.52).
8. All conditional use requests and administrative appeals sale be reviewed pursuant to the procedures contained in KCC Title 15A, Project Permit Application Process, and the criteria contained in KCC Chapter 17.60, Conditional Uses, this chapter, and other applicable law.
9. Nothing in this chapter is intended to interfere with the storage and/or distribution of products associated with on-site natural resource activities, including but not limited to fossil fuels. (Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2007-22, 2007; Ord. 2002-19 (part), 2002; Ord. 2001-12 (part), 2001: Ord. 2000-06 (part), 2000; Ord. 99-14 (part), 1999: Ord. 98-17 (part), 1998)

17.61.030 Review criteria - Special utilities and associated facilities.

1. The Hearing Examiner shall determine that adequate measures have been undertaken by the proponent of the special utility and/or associated facility to reduce the risk of accidents caused by hazardous materials.
2. The Hearing Examiner, as required by existing statutes, shall determine that the proposed special utility and/or associated facilities are essential or desirable to the public convenience and/or not detrimental or injurious to the public health or safety, or to the character of the surrounding neighborhood.
3. The Hearing Examiner shall determine that the proposed special utility and/or associated facilities will not be unreasonably detrimental to the economic welfare of the county and/or that it will not create excessive public cost for public services by finding that:
    a. It will be adequately serviced by existing services such as highways, roads, police and fire protection, emergency response, and drainage structures, refuse disposal, water and sewers, and schools; or
    b. The applicant shall provide such services or facilities.
4. Special utilities and/or associated facilities as defined by this chapter shall use public rights-of-way or established utility corridors when reasonable. Although Kittitas County may map utility corridors, it is recognized and reaffirmed that the use of such corridors is subject to conditional use approval and just compensation to the landowner for the use of such corridor. While a utility corridor may be used for more than one utility or purpose, each utility or use should be negotiated with the landowner as a separate easement, right-of-way, or other agreement, or other arrangement between the landowner and all owners of interests in the property. Any county map which shows utility corridors shall designate such corridors as "private land closed to trespass and public use" where such corridors are on private land. Nothing in this paragraph is intended to conflict with the right of eminent domain.
5. The Hearing Examiner shall consider industry standards, available technology, and proposed design technology for special utilities and associated facilities in promulgating

conditions of approval.

6. The construction and installation of utilities and special utilities may necessitate the importation of fill material which may result in the displacement of native material. The incidental generation of earthen spoils resulting from the construction and/or installment of a utility or special utility, and the removal of said material from the development site shall not require a separate zoning conditional use permit.
7. The operation of some utilities and special utilities identified within this chapter may necessitate unusual parcel configurations and/or parcel sizes. Such parcels:
   a. Need not conform with applicable zoning requirements; provided, they comply with the procedures provided in KCC Title 16, Subdivisions, and so long as used for a utility or special utility;
   b. Are not eligible for any other use or any rights allowed to nonconforming lots in the event the utility or special utility use ceases;
   c. Shall continue to be aggregated to the area of the parent parcel for all other zoning and subdivision requirements applicable to the parent parcel. (Ord. 2012-009, 2012; Ord. 2001-12 (part), 2001: Ord. 2000-06 (part), 2000; Ord. 99-14 (part), 1999: Ord. 98-17 (part), 1998)

17.61.040 Communication facilities - Administrative review - General requirements.

1. Communication facilities may be authorized by the Community Development Services director as an administrative conditional use in all zoning districts, pursuant to the criteria and procedures of this chapter and KCC Title 15A and KCC 17.60. An administrative conditional use permit is not required for the operation of amateur or noncommercial communication equipment as defined by FCC regulations under Part 95D and Part 97 CFR (i.e., citizen band, ham radio).
2. Construction of all improvements shall be completed within one year of the date of permit issuance except as provided for in subsections E and F of this section.
3. The lot line setback requirements of this title may be waived by the Community Development Services director, in order to improve the facilities' reception and/or transmission capabilities or to achieve greater levels of audible or visual screening than that which would be available by using the applicable zone's yard requirements.
4. Communication facilities shall be designed to blend with existing surroundings; provided, no conflicts exist with existing Federal Communications Commission and the Federal Aviation Administration regulations relating to aircraft safety. This should be achieved through the use of compatible colors and materials, and alternative site placement to allow the use of topography, existing vegetation or other structures to screen the proposed transmission support structure from adjacent lands.
5. The co-location of antennas on both existing and proposed transmission structures is encouraged. Communication antennas shall be permitted outright in all zoning districts provided the following:
   a. An antenna shall not extend more than six feet horizontally from any structure to which it is attached.
   b. An antenna shall not extend vertically more than 15 feet above the uppermost portion of the structure to which it is mounted or attached.
6. Modifications to, including the expansion of, existing approved communication facilities shall be outright permitted; provided, there is no increase in the height of the transmission tower. For purposes of this subsection, "transmission tower" means a pole or lattice-work structure specifically designed and intended to support antenna and related communication equipment. (Ord. 2007-22, 2007; Ord. 2001-12 (part), 2001: Ord. 2000-06 (part), 2000)

Chapter 17.61A
WIND FARM RESOURCE OVERLAY ZONE

Sections

17.61A.010 Legislative findings, purpose and intent.
17.61A.020 Definitions.
17.61A.030 Development uses, requirements, and restrictions.
17.61A.035 Pre-identified areas for siting.
17.61A.040 Approvals required for wind farm resource overlay zone.

17.61A.010 Legislative findings, purpose and intent.

The purpose and intent of this chapter is to establish a process for recognition and designation of properties located in areas of Kittitas County suitable for the location of wind farms, to protect the health, welfare, safety, and quality of life of the general public, and to ensure compatible land uses in the vicinity of the areas affected by wind farms. (Ord. 2002-19 (part), 2002)

17.61A.020 Definitions.

The following definitions shall be used in conjunction with the administration of this chapter:

1. "Wind farm" means a single wind turbine exceeding 120 feet in height above grade or more than one wind turbine of any size proposed and/or constructed by the same person or group of persons on the same or adjoining parcels.
2. "Wind turbine" means any machine used to produce electricity by converting the kinetic energy of wind to electrical energy. Wind turbines consist of the turbine apparatus and any other buildings, support structures or other related improvements necessary for the generation of electric power. (Ord. 2002-19 (part), 2002)

17.61A.030 Development uses, requirements, and restrictions.

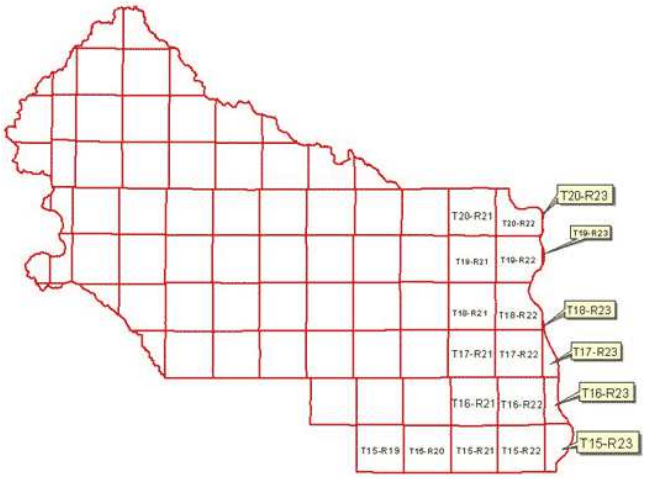
Development uses, requirements, and restrictions. All listed permitted uses in the underlying zoning district of this overlay zone are permitted. All listed conditional uses in the underlying zoning district of this overlay zone are subject to conditional use permit process and review. Wind farms are a permitted use in a wind farm resource overlay zoning district, subject to the additional approval requirements and restrictions set forth in KCC 17.61A.040 . (Ord. 2002-19 (part), 2002)

17.61A.035 Pre-identified areas for siting.

For proposed wind farms located in identified areas in Kittitas County meeting specific siting standards as identified in this code, a process separate from the requirement for wind farm resource overlay zone as identified in Kittitas County Code 17.61A.40 can be undertaken.

The purpose of this code is to identify areas where environmental review and public process has already occurred, expediting the siting of proposed wind farm facilities. The intent of this code is to streamline the development process for such applications, separate from the process already allowed in 17.61A.40. It is recognized that lands contained within this area may be under federal, state and local ownership and may be subject to additional requirements per jurisdiction.

A map of the pre-identified areas identifies the following Townships and Ranges open to this process. This includes T.15N., Ranges 19E., 20E., 21E., 22E., 23E., T.16N., Ranges 21E., 22E., 23E., T.17N., Ranges 21E., 22E., 23E., T.18N., Ranges 21E., 22E., 23E., T.19N., Ranges 21E., 22E., 23E., T.20N., Ranges 21E., 22E., 23E. W.M. in Kittitas County.



The following siting standards are established for these areas: a minimum 1/2 mile setback from existing structures at the time of application shall apply. If not attainable, additional analysis shall be included to support the application. Further, analysis shall also include, but is not limited to, the following as part of the application: wildlife impact analysis, noise impact analysis, visual impact analysis, and traffic impact analysis.

A wind farm may be authorized by the county in these pre-identified areas only through approval of a site plan and development agreement by the board of county commissioners. The development agreement shall be consistent as authorized in Kittitas County Code 15A.11, Development Agreements. (Ord. 2007-22, 2007)

17.61A.040 Approvals required for wind farm resource overlay zone.

1. Except as noted in 17.61A.035, a wind farm may be authorized by the county only through approval of a wind farm resource development permit in conjunction with approval by the board of county commissioners of a development agreement as authorized by Chapter 15A.11 KCC, Development Agreements, and RCW 36.70B.170 through 36.70B.210. Consistent with KCC 15A.11.020(B) and RCW 36.70B.170, the development agreement approved by the board of county commissioners must set forth the development standards applicable to the development of a specific wind farm, which may include, but are not limited to:
   a. Densities, number, size, setbacks, and location of turbines;
   b. Mitigation measures and such other development conditions as deemed appropriate by the board of county commissioners to be necessary including measures to protect the best interests of the surrounding property or neighborhood or the county as a whole; and
   c. Other development standards including those identified in KCC 15A.11.020(E) and RCW 36.70B.170(3).
2. Required Applications/Approvals. In addition to approval of a wind farm resource development permit and a development agreement as set forth in subsection A of this section, a wind farm shall require the following approvals from the county:
   a. A site-specific amendment of the comprehensive plan land use designation map to wind farm resource overlay district (the subarea planning process described in Chapter 1 of the county comprehensive plan and Chapter 15B.03 KCC, Amendments to Comprehensive Plan, may be used if deemed appropriate by the applicant and county);
   b. A site-specific rezone of the county zoning map to wind farm resource overlay zoning district pursuant to Chapter 17.98 KCC, Amendments.
3. The approvals by the board of county commissioners set forth in subsections A and B of this section shall only be made if it determined that:
   a. The proposal is essential or desirable to the public convenience;
   b. The proposal is not detrimental or injurious to the public health, peace, or safety or to the character of the surrounding neighborhood; and
   c. The proposed use at the proposed location(s) will not be unreasonably detrimental to the economic welfare of the county and it will not create excessive public cost for facilities and service.
4. A comprehensive plan amendment or subarea plan for a wind farm resource overlay district must be processed by the county concurrent with the rezone application, development permit, and development agreement required for approval of a wind farm. (Ord. 2007-22, 2007; Ord. 2002-19 (part), 2002)

Chapter 17.61B
SMALL WIND ENERGY SYSTEMS

Sections

17.61B.010 Purpose.
17.61B.020 Definitions.
17.61B.030 Applicability.
17.61B.040 Regulatory Framework.
17.61B.050 General Requirements.
17.61B.060 Permit Application Requirements.
17.61B.070 Abandonment Requirements.

17.61B.010 Purpose.

The purpose of this Chapter is to facilitate the installation and construction of small wind energy systems in Kittitas County for private landowners, subject to reasonable restrictions to protect life, health and safety. (Ord. 2010-02, 2010; Ord. 2009-25, 2009)

17.61B.020 Definitions.

As used in this Chapter the following terms shall have the meanings indicated:

1. "County" means Kittitas County Government.
2. "FAA" means the Federal Aviation Administration.
3. "Small Wind Energy System (SWES)" means a wind energy conversion system which converts wind energy into electricity through the use of a wind turbine generator, and includes any of the following to accomplish this production: a wind turbine, rotor blades, tower, foundation, and associated control or conversion electronics, which has a rated capacity of not more than 20kW and which is intended to primarily reduce on-site consumption of utility power.
4. "Wind Turbine Total Height" means the distance measured from the grade plane to the tip of the rotor blade when extended vertical to its highest point.
5. "Wind Turbine" means any of the parts of the small wind energy system including, but not limited to, the rotor blades, generator, housingtail, guyed wire, foundation or other items necessary to erect, maintain or operate a small wind energy system. (Ord. 2010-02, 2010; Ord. 2009-25, 2009)

17.61B.030 Applicability.

The requirements set forth in this Chapter shall govern the siting and permitting of small wind energy systems used to generate mechanical or electrical energy to perform work, and which may be connected to the utility grid pursuant to the Revised Code of Washington, Chapter 80.60 (Net Metering of Electricity), serve as an independent source of energy, or serve as part of a hybrid system. The requirements of this Chapter shall apply to Small Wind Energy Systems (SWES) proposed after the effective date of this Chapter. Any SWES for which a required permit has been properly issued prior to the effective date of this Chapter shall not be required to meet the requirements of this Chapter; provided,

however, that any such pre-existing SWES that are not producing energy for a continuous period of twelve (12) months shall meet the requirements of this Chapter prior to production of energy. No modification that increases the height of the system or significantly increases its output shall be allowed without full compliance with this Chapter. (Ord. 2010-02, 2010; Ord. 2009-25, 2009)

17.61B.040 Regulatory Framework.

1. A SWES may be installed pursuant to KCC 17.61.010 as a "minor alternative energy system" for the production of energy that:
   a. Uses as its fuel wind;
   b. Is located on the power beneficiary's premises;
   c. Is intended primarily to offset part or all of the beneficiary's requirements for electricity; provided, excess energy may be sold on the utility grid; and
   d. Is secondary to the beneficiary's use of the premises for other lawful purposes.
2. Pursuant to KCC 17.61.020, minor alternative energy facilities shall be a permitted use in all zoning districts, provided the following limitations shall apply to wind turbines located within urban growth areas:
   a. Wind turbines shall not exceed a total height of 75 feet above grade; and
   b. Rotors shall not exceed 30 feet in diameter;
   c. Provided, however, that where a municipality has adopted regulations governing wind turbines or other regulations involving height restrictions that are more restrictive, such regulations shall control in the surrounding urban growth areas
3. Pursuant to the limitations of KCC 17.61.010 and KCC 17.61A.020, only one wind turbine, with a maximum height of 120 feet above grade, shall be allowed to be constructed by the same person or group of persons on the same or adjoining tax parcels.
4. A SWES may be installed in any land use zone of Kittitas County per the requirements as outlined in Table 5.3.

TABLE 5.3

LOT SIZE	# TOWERS	POLE TYPE	TOTAL HEIGHT[2]	SETBACKS[3]
INSIDE UGA[1] (minimum 1 acre)	1	MONOPOLE	MAXIMUM 75 FEET	1.2 TIMES HEIGHT
1-3 ACRES OUTSIDE UGA	1	MONOPOLE	MAXIMUM 75 FEET	1.2 TIMES HEIGHT
3-5 ACRES OUTSIDE UGA	1	MONOPOLE, GUYED, LATTICE	MAXIMUM 100	1.2 TIMES HEIGHT
>5 ACRES OUTSIDE UGA	1	MONOPOLE, GUYED, LATTICE	MAXIMUM 120	1.2 TIMES HEIGHT

[1]Rotors shall not exceed 30 feet in diameter in the UGA.
[2]Total Height shall be the distance measured from the grade plane to the tip of the rotor blade when extended vertical to its highest point.
[3]Each SWES shall be setback from the nearest property line a distance no less than 1.2 times the Total Height, unless appropriate easements are secured from adjacent property, or other acceptable mitigation is approved by the Zoning Administrator or Board of Adjustment. (Ord. 2010-02, 2010; Ord. 2009-25, 2009)

17.61B.050 General Requirements.

1. The following visual appearance, lighting and power-line requirements shall apply to all SWES.
   a. Wind Turbines shall be painted a non-reflective, non obtrusive color. Small wind energy towers shall maintain galvanized steel, brushed aluminum, white or gray finish, unless FAA standards require otherwise.
   b. At SWES sites, the design of buildings and related structures shall use materials, colors, textures, screening and landscaping that will blend the SWES to the natural setting and the existing environment.
   c. No SWES shall be artificially lighted, except to the extent required by the FAA or other applicable authority.
   d. No SWES shall be used for displaying any advertising except for reasonable identification of the manufacturer.
   e. Electrical controls, control wiring and power-lines shall be wireless or underground after reaching grade from the turbine and extending away from the base of the tower. Wiring may be exposed vertically from the turbine to the base of the tower.
2. Guyed, lattice and monopole towers are allowed to support Wind Turbines per the limitations as outlined in Table 5.3. Lattice type towers shall not include any horizontal members; all lattice tower members must be angled to prevent bird roosting.
3. The following setback and tower height requirements shall apply to all SWES.
   a. The total Height of a SWES shall not exceed the limitations as established in Table 5.3.
   b. Property lines: Each SWES shall be set back from the nearest property line a distance no less than 1.2 times the Total Height as established in Table 5.3.
   c. At the time of application, each SWES shall be set back from the nearest non-participating building structure (i.e., buildings on neighboring land) a distance no less than on and a half (1.5) times its Total Height.
   d. Communication and electrical lines: Each SWES shall be set back from the nearest above-ground public or private non-participating electric power line or telephone line a distance no less than 1.5 times its Total Height, determined from the existing power line or telephone line or easement. Each SWES shall be set back from the nearest above-ground public or private participating utility a distance as specified by said utility.
   e. Setbacks shall be measured to the outer edge of the base of the SWES structure towers. Guy cables and other accessory support structures may be located within setback areas.
4. Audible sound due to SWES operations shall not exceed (55) dBA for any period of time, when measured at the property line of any abutting property. The sound level may, however, be exceeded during short-term events such as utility outages and/or severe wind storms.
5. The rotor blade tip of any Wind Turbine shall, at its lowest point, have ground clearance of no less than (15) feet, as measured at the lowest point of the arc of the rotor blades.
6. The following safety requirements shall apply to all SWES.
   a. Wind Turbine towers shall not be climbable up to 15 feet above ground level.
   b. All electrical equipment shall be safely and appropriately enclosed from unintentional access by means such as barrier fencing, equipment cabinetry or similar means. All access doors to electrical equipment shall remain locked unless access is necessary.
   c. Appropriate warning signage (i.e., electrical hazards) shall be placed on SWES equipment.
   d. All SWES shall be equipped with manual and/or automatic overspeed controls to limit rotation of the rotor blades to a speed below the designed limits of the system.
   e. Any SWES found to be unsafe by the building official shall be repaired by the landowner to meet federal, state and local safety standards or removed within 3 months.
7. All SWES shall comply with all current adopted Kittitas County Codes and Ordinances and all other current adopted Federal and State requirements.
   a. All SWES must comply with all regulations of the Federal Aviation Administration (FAA), including any necessary approvals for installations close to airports.
   b. All SWES shall comply with all applicable sections of the Washington State Building Code and adopted International Building Codes.
   c. All SWES shall comply with requirements per the Washington State Department of Labor & Industries (L&I) and the current adopted edition of the National Electrical Code (NEC).
   d. All SWES that are connected to the utility grid shall comply with the requirements of Chapter 80.60 of the Revised Code of Washington, Net Metering of Electricity. (Ord. 2010-02, 2010; Ord. 2009-25, 2009)

17.61B.060 Permit Application Requirements.

In addition to all other Building Permit Application requirements, the following items shall be provided by the applicant for a SWES Building Permit Application.

1. Description of the project including specific information on the type, size, rotor material and diameter, rater power output, performance, safety, and maximum noise characteristics of the system, including name and address of the manufacturer, model and serial number.
2. A site plan showing:
   a. The planned location of the SWES on the parcel and type and location of any associated support structures.
   b. The location of and distance to all SWES setback lines, property lines, roads, adjacent properties, ROW's, any overhead utility and/or communication lines on the subject property and adjacent properties within 300 feet of the SWES base, and easements.
   c. The location of all buildings on the parcel and immediately adjoining parcels, including the building(s) use.

3. A scaled representation of the SWES showing the system height and rotor diameter and evidence that the proposed height does not exceed the height recommended by the manufacture of the system or any limitation contained in this Chapter.
4. Structural drawings and an engineering analysis from the SWES manufacturer or a licensed professional showing compliance with the current adopted Washington State Building Code and International Building Code. The engineering analysis must include a complete analysis of the tower, the tower foundation and the connection of the tower to the foundation. The engineering analysis must be completed by a licensed engineer, certified to practice in the State of Washington. A "wet" stamp may not be required, provided that the engineering analysis and accompanying drawings demonstrate that the system is designed to meet the most stringent requirements at the site for wind speed and exposure, seismic class, and the weakest soil class, with a soil strength of not more than 1,000 pounds per square foot.
5. Description of emergency and normal shutdown procedures.
6. If a roof-mounted or wall-mounted system is proposed, the roof or wall of the structure shall be certified by a licensed professional engineer to be sufficiently sturdy to support the proposed SWES under all applicable design requirements.
7. If a SWES is intended to be connected to the utility grid, the applicant must provide written documentation that the provider of electrical service to the property has been notified of and agrees to the intent of the applicant to install an interconnected electricity generator to the electricity grid. (Ord. 2010-02, 2010; Ord. 2009-25, 2009)

17.61B.070 Abandonment Requirements.

1. At any time a SWES is scheduled to be abandoned or is discontinued, as later described, the owner shall notify the Building Official, Code enforcement Officer or designee by certified U.S. mail Upon abandonment or discontinuation of use, the owner shall physically remove the SWES within 90 days from the date of abandonment or discontinuation of use. This period may be extended at the discretion of the Building Official, Code Enforcement Officer, or designee. The term "physically remove" shall in include, but not be limited to:
   a. Removal of the wind turbine and tower and related above grade structures.
   b. Restoration of the location of the SWES to its natural condition, except that any landscaping, grading or below-grad foundation may remain in the after-conditions.
2. In the event an owner fails to give such notice as required in '1' above, the Building Official, Code Enforcement Officer or designee may presume an SWES is abandoned or discontinued if it has been out-of-service, or not generating power, for a continuous 12-month period. If any SWES is not operational for a period of 12 consecutive months, the Building Official, Code Enforcement Officer or designee may issue a Notice of Abandonment to the owner of the SWES. The owner shall have the right to respond to the Notice of Abandonment within 30 days from the Notice receipt date. The Building Official, Code Enforcement Officer or designee may withdraw the Notice of Abandonment and notify the owner that the Notice has been withdrawn if the owner provides sufficient information to demonstrate that the SWES has not been abandoned.
3. If the owner fails to respond to the Notice of Abatement or if after review by the Building Official, Code Enforcement Officer or designee it is determined that the SWES has been abandoned or discontinued, the owner of the SWES shall remove the SWES at the owner's sole expense within 3-months of receipt of the Notice of Abandonment. If the owner fails to physically remove the SWES after the Notice of Abandonment procedure, the County shall have the authority to enter the subject property and physically remove the SWES and to recover costs associated with that removal from the property owner.

As a condition of initial SWES permit approval, the applicant may be required to provide a form of surety (i.e., post a bond, letter of credit or establish and escrow account or other means) at the time of building permit approval to cover costs of the removal in the event the County must remove the facility. The applicant shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified professional. The amount shall include a mechanism to accommodate the rate of inflation of 15 years. (Ord. 2010-02, 2010; Ord. 2009-25, 2009)

Chapter 17.62
PUBLIC FACILITIES PERMITS

Sections

17.62.010 Definitions.
17.62.020 Purpose.
17.62.030 Procedures.
17.62.040 Decision criteria.
17.62.050 Minimum lot sizes.
17.62.060 Appeals.

17.62.010 Definitions.

1. "Public facility" means the capital improvements and systems of transportation, law enforcement, fire protection, and recreational facilities (i.e., parks and playgrounds). Public facilities may be sited in any zoning, classification, subject to the review and approval requirements of this chapter.
2. "Public facility permit" means a written decision by the Community Development Services department authorizing a public facility use to locate at a specific location. (Ord. 2007-22, 2007; Ord. 2002-03 (part), 2002)

17.62.020 Purpose.

The purpose of this chapter is to establish decision criteria and procedures for the permitting of public facilities and to provide coordinated review of the proposed project. Certain public facilities provide necessary services to other uses but are deemed unique due to factors such as siting criteria, size, technological processes, and requirements for comprehensive facility planning and budgeting. These uses require a certain degree of review to incorporate and document consistency with the comprehensive plan, facility plans, or capital improvement programs, and to assure compatibility with adjacent uses. (Ord. 2002-03 (part), 2002)

17.62.030 Procedures.

Public facilities permits shall be processed in the same manner as zoning administrative conditional uses are processed pursuant to KCC Title 15A , except as otherwise provided in this chapter. (Ord. 200203 (part), 2002)

17.62.040 Decision criteria.

The Community Development Services department shall review public facility permit applications in accordance with the provisions of this section and may approve, approve with conditions, or deny the public facility permit.

1. Required Findings. A public facility permit may be approved by the Community Development Services department only if all of the following findings can be made regarding the proposal and are supported by the record:
   a. That the granting of the proposed public facilities permit will not:
      i. Be detrimental to the public health, safety, and general welfare;
      ii. Be injurious to the property or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located; nor
      iii. Adversely affect the established character of the surrounding vicinity.
   b. That the proposed use will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties, the vicinity, and the public health, safety, and welfare of the community from such hazard.
   c. That the granting of the proposed public facilities permit is consistent and compatible with the intent of the goals, objectives, and policies of the comprehensive plan and any implementing regulations.
   d. That the facility site and environmental designs:
      i. Meet local and state siting criteria and design; and
      ii. Have been reviewed and/or commented upon by local and state agencies responsible for issuing permits.
   e. That all conditions to mitigate the site specific impacts of the proposed use which were identified can be monitored and enforced.
   f. That all yards, open spaces, landscaping, walls and fences, and other buffering features are properly provided to mitigate the impacts of the facility to make it compatible with the character of the surrounding area.
   g. That the proposed public facility will be supported by, and not adversely affect, adequate public facilities and services; or that conditions can be imposed to lessen any

adverse impacts on such facilities and services.

2. Approval. The Community Development Services department may approve an application for a public facilities permit or approve with additional requirements to comply with specified requirements or site conditions.
3. Denial. The Community Development Services department may deny a public facility permit if the proposal does not meet or cannot be conditioned to meet the required findings. (Ord. 2007-22, 2007; Ord. 2002-03 (part), 2002)

17.62.050 Minimum lot sizes.

The operation of some public facilities may necessitate unusual parcel configurations and/or parcel sizes. Such parcels:

1. Need not conform with the applicable minimum lot size for the specific zone the public facility is to be located; provided, they comply with the procedures provided under KCC Title 16, Subdivisions, and so long as used for a public facility;
2. Are not eligible for any other use or any rights allowed to nonconforming lots in the event the public facility ceases to operate;
3. Shall continue to be subject to all other zoning and subdivision requirements applicable to the parent parcel;
4. For Chapter 17.29 KCC, A-20 Agricultural Zone, and Chapter 17.31 KCC, Commercial Agriculture Zone, the splitting of property for a public facility would not be considered as a one time split for that property. (Ord. 2002-03 (part), 2002)

17.62.060 Appeals.

Any aggrieved party with standing may appeal a decision to approve or deny a public facilities permit within 10 working days of the date of decision pursuant to KCC Title 15A . (Ord. 2002-03 (part), 2002)

Chapter 17.65*

Repealed (Ord. 2005-35, 2005)

Chapter 17.66
ELECTRONIC VEHICLE INFRASTRUCTURE

Sections

17.66.010 Allowed Uses.
17.66.020 Off Street Parking - Electric Vehicle Charging Stations.

17.66.010 Allowed Uses.

Table 17.66.010 Allowed Electric Vehicle Infrastructure Uses

Land Use	**Zoning District**					
	Low- Density Residential	**Mixed-Use**	**Commercial**	**Industrial**	**Institutional**	**Resource**
	Including: R; R-2; RR; R-3; R-5; HT-C; L-H; and UR zones	Including: MPR; PUD	Including: CL; GC; and CH zones	Including: IL and IG zones	Including : Airport Zone	Including: A-3; A-5; A-20; CA; FR; CF;
EV Charging Station [1, 2]	P[3]	P	P	P	P	P[3]
Rapid Charging Station [4]	P[5]	P	P	P	P	P[3]
Battery Exchange Station			P	P	P	P[3]

P: Use is permitted.
Absence of "P": Use is not allowed in the given zoning district.

Development Standards

1. Level 1 and Level 2 charging only.
2. Level 1 and Level 2 charging are permitted in aquifer recharge areas and in other critical areas when serving an existing use.
3. Allowed only as accessory to a principal outright permitted use or permitted conditional use.
4. The term "Rapid" is used interchangeably with Level 3 and Fast Charging.
5. Only "electric vehicle charging stations - restricted" as defined in KCC Chapter 17.08 Definitions.

(Ord. 2011-013, 2011)

17.66.020 Off Street Parking - Electric Vehicle Charging Stations.

To ensure an effective installation of electric vehicle charging stations, the regulations in this subsection provide a framework for when a private property owner chooses to provide electric vehicle charging stations.

1. Electric Vehicle Charging Station Spaces
   a. Purpose. For all parking lots or garages, except those that include restricted electric vehicle charging stations.
   b. Number. No minimum number of charging station spaces is required.
   c. Minimum Parking Requirements. An electric vehicle charging station space may be included in the calculation for minimum required parking spaces that are required pursuant to other provisions of code.
   d. Location and Design Criteria. The provision of electric vehicle parking will vary based on the design and use of the primary parking lot. The following required and additional locational and design criteria are provided in recognition of the various parking lot layout options.
      i. Where provided, parking for electric vehicle charging purposes is required to include the following:
         1. Signage. Each charging station space shall be posted with signage indicating the space is only for electric vehicle charging purposes. Days and hours of operations shall be included if time limits or tow away provisions are to be enforced. Signage design shall comply with the signage examples in KCC 12.14.020.
         2. 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.
         3. Accessibility. Where charging station equipment is provided within an adjacent pedestrian circulation area, such as a sidewalk or accessible route to the building entrance, the charging equipment shall be located so as not to interfere with accessibility requirements of WAC 51-50-005.
         4. Lighting. Where charging station equipment is installed, adequate site lighting shall exist, unless charging is for daytime purposes only.
      ii. Parking for electric vehicles should also consider the following:
         1. Notification. Information on the charging station, identifying voltage and amperage levels and any time of use, fees. or safety information.
         2. Signage. Installation of directional signs at the parking lot entrance and at appropriate decision points to effectively guide motorists to the charging station space(s).
   e. 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. 2011-013, 2011)

Chapter 17.72
SIGNS

Sections

17.72.010 Applicability.
17.72.020 Purpose.
17.72.030 Definitions.
17.72.040 Setback restrictions.
17.72.050 Erection or painting on natural features prohibited.
17.72.060 Obstruction of driver's view prohibited.
17.72.070 Flashing or moving lights prohibited.
17.72.080 Moving signs or parts prohibited.
17.72.090 Maintenance.
17.72.100 Encroachment of county property - Indemnity.
17.72.110 Near intersection, railroad crossing or centerline - Restrictions.
17.72.120 Distance from right-of-way edge - Measurement.
17.72.130 Height, length and area.
17.72.140 Erection over property or right-of-way - Owner permission required.
17.72.150 Removal when function or business ceases.
17.72.160 State or federal prohibition not overridden.
17.72.170 Produce stands - Exemptions and requirements.
17.72.180 Permitted signs - Protected or scenic areas.
17.72.190 Permitted signs - R and UR and RR zones.
17.72.200 Permitted signs - A, C or I zones.
17.72.210 Prohibited signs declared nuisance.
17.72.220 Removal notice - Noncompliance deemed misdemeanor - Remedies.
17.72.230 Removal notice - Owner not located - Property posting and sign abatement.
17.72.240 Existing signs deemed nonconforming.
17.72.250 Class 3 or 4 sign - Permit required - Application - Contents.
17.72.260 Class 3 or 4 sign - Permit - Expiration and renewal.
17.72.270 Class 3 or 4 sign - Permit - Application fees - Term - Report of changes - Revocation - Renewal withheld when.

17.72.010 Applicability.

This chapter shall apply to the entire county. (Res. 83-10, 1983)

17.72.020 Purpose.

The erection and maintenance of outdoor advertising signs should be controlled in order to promote the public health, safety and welfare; to promote the safety and recreational value of public travel; and to preserve the natural beauty of the county. (Res. 83-10, 1983)

17.72.030 Definitions.

1. "Centerline of the highway" means the line equidistant from the edges of the median separating the main traveled ways of the divided interstate highway, or the centerline of the main-traveled way of any highway.
2. "Commission" means the Kittitas County planning commission.
3. "Entrance roadway" means any public road or turning roadway including acceleration lanes, by which traffic may enter the main-traveled way of an interstate highway from the general road system within a state, irrespective of whether traffic may also leave the main-traveled way by such road or turning roadway.
4. "Erect" means to construct, build, raise, assemble, place, affix, create, paint, draw, or in any other way bring into being or establish.
5. "Exit roadway" means any public road or turning roadway including deceleration lanes, by which traffic may leave the main-traveled way of an interstate highway to reach a general road system within a state, irrespective of whether traffic may also enter the main-traveled way by such road or turning roadway.
6. "Interstate system" means any highway which is or does become a part of a national system in interstate and defense highways as described in Section 103(d) of Title 23, United States Code, or which has been on the effective date of the ordinance codified herein, or which is after the effective date of the ordinance codified herein, established as such by the Washington State Highway Commission, pursuant to RCW 47.52.
7. "Legible" means capable of being read without visual aid by a person of normal visual acuity.
8. "Maintain" means to allow to exist.
9. "Off-premises sign" means a sign advertising goods, services or activities, manufactured, produced, conducted or available at a premises other than the premises where the sign is situated.
10. "On-premises sign" means a sign located on the premises, advertising goods, services or activities, manufactured, produced, conducted or available on the premises.
11. "Person" means this county or any public or private corporation, firm, partnership, association, as well as any individual or individuals.
12. "Protected area" means all lands adjoining or adjacent to the interstate system or any state highway or county road which has been or shall hereafter be so designated by the board of county commissioners and which is within two thousand six hundred forty feet of the edge of the right-of-way of said road.
13. "Scenic area" means all land adjoining or adjacent to a state highway and within two thousand six hundred forty feet of the edge of the right-of-way within any public park, federal forest area, public beach, or public recreation area, national monument, and any state highway or portion thereof outside the boundaries previously existing on March 11, 1961, of any incorporated city or town designated by the state legislature as a scenic area.
14. "Sign" means any outdoor sign, display, device, figure, painting, drawing, message, placard, poster, billboard, or anything which is designed, intended or used to advertise or inform, or any part of the advertising or informative contents of which is visible from any place on the main-traveled way of the interstate system, state highway or any other county road. Also included in the meaning of the term are the definitions at Chapter 17.08 under Outdoor Advertising Signs and Billboards.
15. "State highway" means any primary or secondary state highway.
16. "Electronic display systems" means an outdoor advertising sign, display, or device whose message may be changed by electrical or electronic process, and includes the device known as the electronically changeable message center for advertising on-premise activities. (Ord. 90-11 § 1, 1990; Res. 83-10, 1983)

17.72.040 Setback restrictions.

All signs shall comply with setback restrictions pertaining to structures as set forth in each zone. (Res. 83-10, 1983)

17.72.050 Erection or painting on natural features prohibited.

Signs shall not be erected or maintained upon trees or painted or drawn upon rocks or other natural features. (Res. 83-10, 1983)

17.72.060 Obstruction of driver's view prohibited.

Signs shall not prevent the driver of a vehicle from having a clear and unobstructed view of official signs and encroaching or merging traffic. (Res. 83-10, 1983)

17.72.070 Flashing or moving lights prohibited.

Signs shall not contain, include or be illuminated by any flashing, intermittent or moving light or lights, except electronic display systems as defined in Section 17.72.030. (Ord. 90-11 § 2, 1990; Res. 83-10, 1983)

17.72.080 Moving signs or parts prohibited.

Signs shall not move or have any animated or moving parts. (Res. 83-10, 1983)

17.72.090 Maintenance.
All signs shall be maintained in their original condition and the display surface shall be neatly painted or posted at all times. (Res. 83-10, 1983)

17.72.100 Encroachment of county property - Indemnity.
When a sign projects over a right-of-way or in any other way encroaches upon county property, the owner of the sign shall file with the county planner a written agreement to save the county harmless on account of any damage or injuries sustained as a result of the negligent construction, operation or maintenance of such sign, and shall submit proof that he is protected by liability and property damage in a sum of not less than fifty thousand dollars property damage and three hundred thousand dollars for personal injuries. (Res. 8310, 1983)

17.72.110 Near intersection, railroad crossing or centerline - Restrictions.
Only signs of Class 1 and Class 2 shall be erected or maintained within three hundred feet of the intersection of any county road with another county road or any railroad crossing or within eighty feet of the centerline or right-of-way of any county road; provided that such signs when located within the above distances shall not exceed four square feet in area. (Res. 83-10, 1983)

17.72.120 Distance from right-of-way edge - Measurement.
Distance from the edge of a right-of-way shall be measured horizontally along a line normal or perpendicular to the centerline of the highway. (Res. 83-10, 1983)

17.72.130 Height, length and area.
No sign may be permitted to exceed thirteen feet in height or twenty-five feet in length or three hundred twenty-five square feet in area, including border and trim, but excluding supports, provided that on-premises signs are exempt from the provisions of this section but shall not exceed a total area of four hundred square feet. In no case shall more than two signs exceeding fifty square feet each in area be permitted on a lot. (Res. 83-10, 1983)

17.72.140 Erection over property or right-of-way - Owner permission required.
No sign shall be erected or maintained on or over private or public property or right-of-way without the written permission of the property owner or proprietor of the land. (Res. 83-10, 1983)

17.72.150 Removal when function or business ceases.
Any person who owns or leases a sign shall remove such sign when either the function or business it advertises has ceased. (Res. 83-10, 1983)

17.72.160 State or federal prohibition not overridden.
Nothing in Sections 17.72.040 through 17.72.150 shall be construed to permit the erection of signs which are prohibited by state or federal law or any amendment thereto. (Res. 83-10, 1983)

17.72.170 Produce stands - Exemptions and requirements.
Regardless of the provisions in Section 17.72.130, produce stands dealing primarily in fresh, perishable produce, for any continuous period not to exceed six months in any one calendar year, may have any number of signs; provided that:

1. The signs are affixed to the building within which the produce is sold;
2. No such single sign shall exceed four hundred square feet;
3. The premises shall be permitted one additional freestanding, two-sided sign not to exceed two hundred fifty square feet on each side and located not more than fifty feet from the building in which the produce is sold;
4. No sign on the building or the freestanding sign shall advertise any produce unless the produce is immediately available for sale on the premises; and
5. At the end of the six-month period all additional signs permitted by this section shall be promptly removed and stored out of view. (Res. 83-10, 1983)

17.72.180 Permitted signs - Protected or scenic areas.
Only the following signs may be erected or maintained in protected or scenic areas:

1. Class 1 - Official Signs. Direction or other official signs or notices erected and maintained by public officers or agencies pursuant to and in accordance with direction or authorization contained in state or federal law, for the purpose of carrying out an official duty or responsibility are permitted.
2. Class 2 - For Sale or Lease and Other Miscellaneous Signs. Signs not prohibited by state law which are consistent with the applicable provisions of these regulations and which advertise the sale or lease of the real property where the signs are located, or advertise candidates for election to public office, or provide information relating to the premises on which they are located, are permitted.
3. Class 3 - Any on-premises or off-premises sign located upon property which has been affirmatively zoned commercial or industrial by the board is permitted.
4. Class 4 - Governmental Information Signs. Information signs may be erected and maintained by any city or town. Signs which comply with setback restrictions for county roads directed to travelers on such roads may be permitted. (Res. 83-10, 1983)

17.72.190 Permitted signs - R and UR and RR zones.
Only the following signs may be erected or maintained in R and UR and RR zones:

1. A sign advertising the sale or rental of a premises or a sign advertising material or workmanship used in constructing or repairing or improving a permitted structure, not artificially illuminated, of a temporary nature with a maximum area on each side of eight square feet when erected at least ten feet behind the property line;
2. A sign advertising the sale of a tract of land or legally approved subdivision or development, not artificially illuminated, of a temporary nature, with a maximum area on each side of thirty-two feet square when erected at least ten feet behind the property line;
3. A sign stating the name of the owner or occupant of the property, not artificially illuminated, with a maximum area of four square feet on one (each) side;
4. Upon property zoned for conditional use, or a trailer park or clinic, a sign pertaining to such use, limited to not more than ten square feet in area; a sign not exceeding four square feet in area giving direction or listing the name of physicians or dentists;
5. There shall be permitted upon any property in UR and RR zone, not more than two signs containing not more than six square feet per sign, advertising the sale of products grown upon the same property. (Ord. 2007-22, 2007; Res. 83-10, 1983)

17.72.200 Permitted signs - A, C or I zones.
The following signs only may be erected or maintained in A (agricultural), C (commercial) or I (industrial) zones: any sign conforming to the general regulations in Sections 17.72.040 through 17.72.170; provided that no sign shall be legible from any adjoining R (residential) UR (urban residential) or RR (rural residential) zone, nor shall it use any lighting which shall unreasonably interfere with any use permitted in such zones. (Ord. 2007-22, 2007; Res. 8310, 1983)

17.72.210 Prohibited signs declared nuisance.
Any sign erected or maintained contrary to the provisions of this chapter is a public nuisance and the commission or the county sheriff shall notify the permittee, or, if there is no permittee, the owner of the property on which the sign is located, by registered mail at his last known address, that it constitutes a public nuisance and must comply with this chapter or be removed. (Res. 83-10, 1983)

17.72.220 Removal notice - Noncompliance deemed misdemeanor - Remedies.
If the permittee or owner, as the case may be, fails to comply with this chapter or remove such sign mentioned in Section 17.72.210 within fifteen days after being notified to remove such sign, he shall be guilty of a misdemeanor. In addition to the penalties imposed by law upon conviction, an order may be entered compelling removal of the sign. Each day such sign is maintained constitutes a separate offense. (Res. 83-10, 1983)

17.72.230 Removal notice - Owner not located - Property posting and sign abatement.

If the permittee or the owner of the sign or the owner of the property upon which the sign is located, as the case may be, is not found, or refuses receipt of the notice, the board or the county sheriff shall post the sign and property upon which it is located with a notice that the sign constitutes a public nuisance and must be removed. If the sign is not removed within fifteen days after posting, the board or the county sheriff shall abate the nuisance and destroy the sign, and for that purpose may enter upon private property without incurring liability for doing so. (Res. 83-10, 1983)

17.72.240 Existing signs deemed nonconforming.
Any sign lawfully erected prior to the effective date of the ordinance codified herein which does not comply with this chapter constitutes a nonconforming sign subject to Section 17.72.040. (Res. 83-10, 1983)

17.72.250 Class 3 or 4 sign - Permit required - Application - Contents.
1. No Class 3 or 4 sign shall be erected without a permit from the county planner or such other person as the board of county commissioners shall designate.
2. No permit shall be issued except upon written application which shall contain:
    a. The name and address of the person who shall erect and/or maintain the sign, and the height of support;
    b. A statement and the signature of the owner or occupant of the land on which the sign is to be erected or maintained indicating he has consented thereto and agrees to keep the sign in a state of repair as required in the general regulations herein;
    c. A statement of the precise location where the sign is to be erected or maintained;
    d. A statement of the proposed size and shape of the design;
    e. Such other information as may be required by the commission. (Res. 83-10, 1983)

17.72.260 Class 3 or 4 sign - Permit - Expiration and renewal.
Additional signs provided for in Section 17.72.170 shall be subject to annual permit renewal. Failure to remove such signs promptly upon notification of permit expiration shall be basis for denial of subsequent permits. (Res. 83-10, 1983)

17.72.270 Class 3 or 4 sign - Permit - Application fees - Term - Report of changes - Revocation - Renewal withheld when.
1. Applications shall be accompanied by a fee in accordance with the following schedule:
    a. One dollar per sign if advertising area does not exceed fifty square feet;
    b. Two dollars per sign if advertising area exceeds fifty square feet.
2. Failure to renew permit within thirty days after expiration date, following written notification thereof, shall be cause for revoking of said permit, and removal by the county of affected sign and structure.
3. Changes in size, shape, position or copy of a permitted sign or replacement with a new sign shall be reported to the planning commission at least ten days before a change is to be made. Such changes will not require a new permit except where change in size of sign places sign in the higher permit fee bracket. (Res. 8310, 1983)

Chapter 17.74
RIGHT TO FARM FOR THE PROTECTION OF AGRICULTURAL ACTIVITIES

Sections
17.74.005 Policies on agricultural land use.
17.74.010 Purpose and intent.
17.74.020 Definitions.
17.74.030 Agricultural activities - Presumed reasonable and not a nuisance.
17.74.040 Immunity from private action based on agricultural activity on certain lands - Exceptions.
17.74.050 Reserved.
17.74.060 Notification and disclosure.
17.74.070 Severability.

17.74.005 Policies on agricultural land use.
Agriculture has priority in matters dealing with conflicting land uses in agricultural areas. (Ord. 96-5 (part), 1996)

17.74.010 Purpose and intent.
The history, economy, culture and the future of Kittitas County revolve around agricultural activities. The Kittitas County board of county commissioners finds that the agricultural areas of Kittitas County are increasingly subjected to nuisance lawsuits and that such lawsuits encourage and even force the premature removal of lands from agricultural uses. It is therefore the purpose of this chapter to provide:

1. That agricultural activities in Kittitas County on land used for agriculture be protected; and
2. Notice to individuals who locate on or near an area used for agriculture, that agricultural activities are allowed, encouraged and promoted as the acceptable use of land in those areas, and by locating in such areas they are doing so with this understanding.
3. This chapter is not intended to replace or diminish state code and is intended only to enhance its provisions for the right to farm. (Ord. 96-5 (part), 1996)

17.74.020 Definitions.
1. "Farm" means land, buildings, livestock, and machinery devoted primarily to the production for commercial purposes of agricultural commodities on lands used for agriculture outside urban growth areas and urban growth nodes and on lands used for existing and on-going agriculture within urban growth areas and urban growth nodes.
2. "Supporting facilities" include, but are not limited to, roads and waterways, storage, processing, conditioning and sale facilities within the county on lands used for agriculture outside urban growth areas and urban growth nodes and on lands used for existing and ongoing agriculture within urban growth areas and urban growth nodes.
3. "Agricultural activity" includes, but is not limited to, the growing or raising, harvesting, storage, disposal, transporting, conditioning, processing, sale, and research and development of, but not limited to, the following: horticultural crops, poultry, livestock, grain, mint, hay, forages and feed crops, apiaries, beekeeping, equine activities, leather, fur, wool, dairy products and seed crops. Agricultural activity may involve, but is not limited to, the following operations and conditions: on-farm and roadside marketing, dust, fumes, vapors, gases, smoke, odors, and noise from the farm or farm activities, open burning; operation of machinery; movement (including use of current county road ditches, streams, rivers, canals, and drains, etc.) and use of water for agricultural activities; ground and aerial seeding and spraying; application of fertilizers, conditioners, pesticides and associated drift of such materials; employment and use of labor, roadway movement of equipment and livestock, protection from damage by wildlife; prevention of trespass; construction and maintenance of buildings, fences, roads, bridges, ponds, drains, waterways, etc. and maintenance of stream banks and watercourses; and conversion from one agricultural activity to another, including a change in the type of plant-related farm product being produced. The term includes use of new practices and equipment consistent with technological development within the agricultural industry.
4. "Generally accepted agricultural and management practices" means historic practices, and those practices as defined or recommended by the United States or Washington State Department of Agriculture, Agricultural Stabilization and Conservation Service, Soil Conservation Service, Washington State University Cooperative Extension, Kittitas County Conservation District and other professional and agricultural organizations. These practices may be modified to reflect varying conditions which include, but are not limited to, geographical location, weather, soil types and conditions, type of crop or livestock and management system.
5. "Agricultural land" means land primarily devoted to the commercial production of horticulture, viticulture, floriculture, dairy, apiary, vegetable, or animal products or of berries, grain, hay, straw, turf, seed, Christmas trees not subject to the excise tax imposed by RCW 84.33.100 through 84.33.140, finfish in upland hatcheries, or livestock.
6. "Agriculture" is the grazing, feeding, and watering of livestock, plowing, seeding, cultivation and harvesting for the production of crops and pasture; soil and water conservation practices; the creation and maintenance of farm or stock ponds, irrigation ditches, drainage ditches, underground drainage systems, fences and farm roads, the control of noxious weeds, and includes any associated structures, appurtenances, equipment or activities.
7. "Lands used for agriculture" means lands where agriculture is allowed either as a permitted use or a conditional use or not prohibited by the zoning code. If ongoing and existing agricultural activities occur inside urban growth areas or urban growth nodes, these shall be considered as "lands used for agriculture". (Ord. 2007-22, 2007; Ord. 96-5

(part), 1996)

17.74.030 Agricultural activities - Presumed reasonable and not a nuisance.
Notwithstanding any other provision of the Kittitas County Code, agricultural activities conducted on the farm, or supporting facilities if consistent with good agricultural practices and established prior to surrounding nonagricultural activities, are presumed to be reasonable and do not constitute a public or private nuisance unless the activity has a substantial adverse effect on the public health and safety.

If that agricultural activity is conducted under generally accepted agricultural and management practices and does not conflict with federal, state, and local laws and regulations, it is presumed to be a good agricultural practice not adversely affecting the public health and safety. Agricultural activity shall not be limited as to hours of the day nor days of the week. (Ord. 96-5 (part), 1996)

17.74.040 Immunity from private action based on agricultural activity on certain lands - Exceptions.
1. No agricultural activity, as described in Section 17.74.030, on lands used for agriculture outside urban growth areas and urban growth nodes and on lands used for existing and on-going agriculture within urban growth areas and urban growth nodes shall give rise to any private rights of action or claim for relief.
2. Subsection A of this section shall not apply to a right of action or claim for relief for damage to commercial agricultural products.
3. If the urban growth boundary is changed in such a way as to place an agricultural activity outside its limits, subsection A of this section applies to that agricultural activity after the date the urban growth boundary is changed. (Ord. 96-5 (part), 1996)

17.74.050 Reserved.
(Ord. 96-5 (part), 1996)

17.74.060 Notification and disclosure.
To facilitate cooperation between agricultural activities and nonagricultural activities, there will be resource activity notification and disclosure as follows:

1. All plats, short plats, development permits, and building permits issued for development activities on or within one thousand feet of land zoned Agriculture-3, Agriculture-20, Commercial Agriculture, or Forest and Range shall contain the following notice: "The subject property is within or near land used for agriculture on which a variety of commercial activities may occur that are not compatible with residential development for periods of varying duration. (RCW 36.70A.060(1)) Commercial natural resource activities performed in accordance with county, state and federal laws are not subject to legal action as public nuisances." (RCW 7.48.305).
2. Disclosure Statement. The disclosure statement required by this section shall be used under the following circumstances and in the following manners:
    a. Copies of the disclosure statement notice substantially in the form as set forth in sub-part (2)(a) herein shall be posted for public view in appropriate locations in the Kittitas County Courthouse and other appropriate county public building locations. Copies of such disclosure statement notices shall also be transmitted to real estate agents, title companies and attorneys located in Kittitas County for their use in posting or such other use as they may deem appropriate to assist them in advising their clients of the existence of this chapter.
    b. Upon the issuance of a development permit by Kittitas County Community Development Services including, but not limited to, subdivision permits and use permits, for use on or adjacent to lands zoned for agriculture, the development permit shall include a condition that the owners of the property shall be required to sign a statement of acknowledgment containing the Disclosure set out in sub-part (2)(a) on forms provided, which shall then be recorded with Kittitas County.
        i. Disclosure Statement. "The County of Kittitas supports the continuation and development of properly conducted agricultural operations within the County and has enacted a Right to Farm For the Protection of Agricultural Activities Ordinance (KCC 17.74). If the property you are purchasing is located near agricultural lands or operations or included within an area zoned for agricultural purposes, you may be subject to inconveniences arising from such operations. Inconveniences may occur as a result of agricultural operations which are in conformance with existing laws and regulations and accepted customs and standards. These inconveniences may include, but are not limited to: noise, odors, fumes, dust, smoke, insects, operation of machinery (including aircraft), and the driving of machinery and/or livestock on public and private rights-of-way during any 24hour period, storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides and pesticides. If you live near an agricultural area, you should be prepared to accept such conditions as part of the custom of a county with a strong rural character and an active agricultural sector". (Ord. 2007-22, 2007; Ord. 96-5 (part), 1996)

17.74.070 Severability.
If any section, subsection, sentence, clause, phrase, part or portion of this chapter is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter or the application of the provisions to other persons or circumstances. (Ord. 96-5 (part), 1996)

Chapter 17.80
NONCONFORMING USES*

Sections
17.80.010 Changes to conform to district.
17.80.020 Destruction - Rebuilding to conform to district.
17.80.030 Discontinuance over three year - Reestablishment prohibited.
17.80.040 Maintenance.

* Prior history: Ords. 79-1, 68-17, 2.

17.80.010 Changes to conform to district.
A nonconforming structure or use may not be changed, altered, replaced, added to or expanded in any manner unless such change or alteration would bring the use into conformity with the uses permitted in the district in which it is located. Such limitations and restrictions shall not apply to existing residential dwellings. (Res. 83-10, 1983)

17.80.020 Destruction - Rebuilding to conform to district.
In case of partial or complete destruction by fire or other causes requiring expenditures for repair in excess of one-half the assessed value as shown on the county assessor's records immediately prior to destruction, the structures, other than residential dwellings, shall not be rebuilt unless they conform to all requirements of the district in which they are located. (Res. 83-10, 1983)

17.80.030 Discontinuance over three year - Reestablishment prohibited.
If a nonconforming use is discontinued for any reason for more than three years, it shall not be reestablished. (Ord. 2007-22, 2007; Res. 83-10, 1983)

17.80.040 Maintenance.
Any nonconforming structure or use may be maintained with ordinary care. (Res. 83-10, 1983)

Chapter 17.84
VARIANCES*

Sections
17.84.010 Granted when.

* Prior history: Ord. 2.

17.84.010 Granted when.

Pursuant to Title 15A of this code, Project permit application process, the administrator, upon receiving a properly filed application or petition, may permit and authorize a variance from the requirements of this title only when unusual circumstances cause undue hardship in the application of it. The granting of such a variance shall be in the public interest. A variance shall be made only when all of the following conditions and facts exist:

1. Unusual circumstances or conditions applying to the property and/or the intended use that do not apply generally to other property in the same vicinity or district, such as topography;
2. Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by the owners of other properties in the same vicinity or district;
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;
4. That the granting of such variance will not adversely affect the realization of the comprehensive development pattern. A variance so authorized shall become void after the expiration of one year if no substantial construction has taken place;
5. Pursuant to Title 15A of this code, the Hearing Examiner, upon receiving a properly filed appeal to an administrative determination for approval or denial of a variance, may permit and authorize a variance from the requirements of this title only when unusual circumstances cause undue hardship in the application of it. The granting of such a variance shall be in the public interest. A variance shall be made only when all of the conditions and facts identified within subsections A through D of this section are found by the Hearing Examiner to exist. (Ord. 2012-009, 2012; Ord. 96-19 (part), 1996; Res. 83-10, 1983)

Chapter 17.92
PERMITS*

Sections

17.92.010 Temporary permits.
17.92.020 Building permits.
17.92.030 Fee schedule.

* Prior history: Ords. 81-Z-2, 79-Z-4, 2.

17.92.010 Temporary permits.

The county planner, upon receiving a properly filed application, may approve temporary permits, valid for a period of not more than one year after issuance, for structures or uses which do not conform to this title, which are of a temporary nature such as:

1. Storage of equipment during the building of roads or other developments;
2. Real estate office used for the sale of lots or housing in subdivisions;
3. Temporary storage of structures or equipment (including boats and trailer houses);
4. Sheds used in conjunction with the building of a structure for such purposes as tool storage;
5. Temporary housing for use only during construction of a single family residence;
6. Other uses of a substantially similar nature.

Prior to the granting of a permit under this section, the owner shall record a notice to title which indicates the restrictions and removal requirements. (Ord. 2007-22, 2007; Res. 83-10, 1983)

17.92.020 Building permits.

Building permits shall be required within the boundaries of the area affected by this title for the erection, placement (including Manufactured Homes as well as RV and Park Models being placed in a manufactured/mobile home community), or the alteration of all structures or land uses. No building permit shall be issued for any structure which fails to conform to the provisions of this Code or amendments hereto. (Ord. 2010-02, 2010; Res. 83-10, 1983)

17.92.030 Fee schedule.

Fees for zone changes, conditional uses and all special permits related to this code are established annually by resolution and may be obtained from the Community Development Services department. (Ord. 2007-22, 2007; Ord. 83-Z-2 (part), 1983: Res. 83-10, 1983)

Chapter 17.96
BOARD OF ADJUSTMENT*

Repealed (Ord. 2012-009, 2012;)

Chapter 17.98
AMENDMENTS*

Sections

17.98.010 Proposal.
17.98.020 Petitions.

* Prior history: Ord. 2.

17.98.010 Proposal.

Changes and amendments to this title may be proposed by:

1. The Board;
2. The Planning Commission;
3. Petition of the property owners affected, or their authorized agent. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.98.020 Petitions.

1. A petition to amend this title shall be filed with the administrator on forms prescribed by the Director. If the petition is for an amendment to the zoning map it shall include a legal description and location of the property to be reclassified.
2. A petition asking for a change from one zone to another must be signed by not less than seventy-five percent (75%) of the property owners and representing at least seventy-five percent (75%) of the assessed valuation of the area proposed for the zone reclassification.
3. Any member of the general public has the right to petition the Board or planning commission for consideration of text amendments or change from one zone to another for a general area. Such consideration is not mandatory.
4. Petitions shall be processed pursuant to Title 15A of this code, Project permit application process.
5. shall be processed consistently with the Annual Comprehensive Plan Docketing Process, pursuant to KCC Title 15B, unless the petition is consistent with the Comprehensive Plan land use designation of the property and accompanied by a specific development application.
6. A petition requesting a change on the zoning map from one zone to another must demonstrate that the following criteria are met:
    a. The proposed amendment is compatible with the comprehensive plan; and

b. The proposed amendment bears a substantial relation to the public health, safety or welfare; and
c. The proposed amendment has merit and value for Kittitas County or a sub-area of the county; and
d. The proposed amendment is appropriate because of changed circumstances or because of a need for additional property in the proposed zone or because the proposed zone is appropriate for reasonable development of the subject property; and
e. The subject property is suitable for development in general conformance with zoning standards for the proposed zone; and
f. The proposed amendment will not be materially detrimental to the use of properties in the immediate vicinity of the subject property; and
g. The proposed changes in use of the subject property shall not adversely impact irrigation water deliveries to other properties; and
h. The proposed amendment is in full compliance with KCC Chapter 17.13, Transfer of Development Rights. (Ord. 2013-001, 2013; Ord. 2010-006, 2010; Ord. 2007-22, 2007; Ord. 96-19 (part), 1996; Ord. 96-1, 1996; Res. 83-10, 1983)

Title 17A | CRITICAL AREAS

Chapters

17A.01 Statutory Authorization, Purpose and Objectives
17A.02 Definitions
17A.03 Administration
17A.04 Critical Areas Designation and Development Standards
17A.05 Frequently Flooded Areas
17A.06 Geologically Hazardous Areas
17A.07 Habitat
17A.08 Aquifer Recharge Areas
17A.55 Repealed

Chapter 17A.01
STATUTORY AUTHORIZATION, PURPOSE AND OBJECTIVES

Sections

17A.01.010 Statutory authorization.
17A.01.015 Purpose and objectives.
17A.01.020 New critical areas.

17A.01.010 Statutory authorization.

The Washington State Legislature requires local governments who plan under RCW 36.70A.040 to designate critical areas and adopt development regulations concerning critical areas. (RCW 36.70A.170 and 36.70A.060.) In adopting these regulations, the county has considered the guidelines established pursuant to RCW 36.70A.050. (Ord. 94-22 (part), 1994).

17A.01.015 Purpose and objectives.

This critical areas chapter is intended to set forth the procedure by which critical areas are designated, and to protect critical areas, pursuant to RCW 36.70A.170 (designation) and RCW 36.70A.060 (development regulations). All regulations established herein may not prohibit uses permitted prior to their adoption and shall remain in effect until Kittitas County adopts permanent development regulations pursuant to RCW 36.70A.120. (RCW 36.70A.060(1)). (Ord. 94-22 (part), 1994).

17A.01.020 New critical areas.

This critical areas chapter is based upon Washington State law and the various maps and regulations referenced herein as of the date of the adoption of the ordinance codified in this chapter. Subsequent amendment of state law, or identification by the state of new information concerning critical areas, or the listing by the state of new threatened, endangered, or sensitive species will not be deemed by the county to automatically amend this chapter. This chapter is based upon the law, information, public comment, and scientific study as of the date of its adoption. A change in any of these factors may lead to future amendment of this chapter, but only after complying with the normal requirements for amending county ordinances. It is the policy of Kittitas County to insure that any amendments to this chapter will only occur after landowners and county residents have an opportunity for significant participation and consultation. (Ord. 94-22 (part), 1994).

Chapter 17A.02
DEFINITIONS

Sections

17A.02.010 Agriculture.
17A.02.020 Areas with a critical recharging effect on aquifers used for potable water.
17A.02.030 Base flood.
17A.02.040 Big game winter range.
17A.02.050 Buffer.
17A.02.060 Critical areas.
17A.02.070 Development.
17A.02.080 Erosion hazard areas.
17A.02.090 Fish and wildlife habitat conservation areas.
17A.02.100 Flood fringe.
17A.02.110 Flood protection elevation.
17A.02.120 Floodplain.
17A.02.130 Floodway.
17A.02.140 Frequently flooded area.
17A.02.150 Geologically hazardous areas.
17A.02.160 Groundwater.
17A.02.170 Hazardous materials.
17A.02.180 Irrigation.
17A.02.190 Irrigation system.
17A.02.200 Landslide hazard areas.
17A.02.210 Mine hazard areas.
17A.02.220 Native vegetation and fauna.
17A.02.230 Priority species habitats.
17A.02.240 Priority animal species.
17A.02.250 Riparian habitat.
17A.02.260 Seismic hazard areas.
17A.02.270 Species of local importance.
17A.02.280 Volcanic hazard area.

17A.02.290 Water rights.
17A.02.300 Waters/water typing system.
17A.02.310 Wetlands.
17A.02.320 Wetland buffers.
17A.02.330 Wetland replacement ratio.

17A.02.010 Agriculture.
"Agriculture" is the grazing, feeding, and watering of livestock; plowing, seeding, cultivation, and harvesting for the production of crops and pasture; soil and water conservation practices; the creation and maintenance of farm or stock ponds, irrigation ditches, drainage ditches, underground drainage systems, fences and farm roads, the control of noxious weeds, and includes any associated structures, appurtenances, equipment, or activities. (Ord. 94-22 (part), 1994).

17A.02.020 Areas with a critical recharging effect on aquifers used for potable water.
"Areas with a critical recharging effect on aquifers used for potable water" are areas where an aquifer that is a source of drinking water is vulnerable to contamination that would effect the potability of the water. (WAC 365-190-030(2)). (Ord. 94-22 (part), 1994).

17A.02.030 Base flood.
"Base flood" means a flood having a one percent chance of being equaled or exceeded in any given year. (Ord. 94-22 (part), 1994).

17A.02.040 Big game winter range.
"Big game winter range" means wintering areas used by deer, elk, and bighorn sheep. The wintering areas are owned or leased by the Washington Department of Fish and Wildlife. These lands also provide significant habitat for other species and constitute wildlife conservation areas. (Ord. 94-22 (part), 1994).

17A.02.050 Buffer.
"Buffer" means an area which is an integral part of a critical area and which enhances its protection. (Ord. 94-22 (part), 1994).

17A.02.060 Critical areas.
"Critical areas" are: (1) wetlands; (2) areas with a critical recharging effect on aquifers used for potable water; (3) fish and wildlife habitat conservation areas; (4) frequently flooded areas; and (5) geologically hazardous areas. (Ord. 94-22 (part), 1994).

17A.02.070 Development.
"Development" constitutes any activity specified in Section 17A.03.015. (Ord. 94-22 (part), 1994).

17A.02.080 Erosion hazard areas.
"Erosion hazard areas" are those geologically hazardous areas containing soils which may experience or have experienced a severe to very severe surface erosion process. (Ord. 94-22 (part), 1994).

17A.02.090 Fish and wildlife habitat conservation areas.
"Fish and wildlife habitat conservation areas" are:

1. Those lands in Kittitas County owned or leased by the Washington State Department of Fish and Wildlife;
2. Those lands donated to or purchased by Kittitas County for corridors pursuant to RCW 36.70A.160;
3. Wetlands;
4. Big game winter range;
5. Riparian habitat;
6. Habitats for species of local importance. (Ord. 94-22 (part), 1994).

17A.02.100 Flood fringe.
The "flood fringe" is the area between the floodway and the boundary of the one-hundred-year floodplain. The flood fringe encompasses the portion of the floodplain that could be completely obstructed without increasing the water surface elevation of the one-hundred-year floodplain more than one foot at any point. (Ord. 94-22 (part), 1994).

17A.02.110 Flood protection elevation.
The "flood protection elevation" is considered under the Kittitas County Flood Damage Prevention Ordinance #93-18 to be one foot above the base flood elevation. (Ord. 94-22 (part), 1994).

17A.02.120 Floodplain.
The "floodplain" means those lands or areas which are subject to a one percent or greater chance of flooding in any given year or within the one-hundred-year floodplain. (Ord. 94-22 (part), 1994).

17A.02.130 Floodway.
The "floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot. (Ord. 94-22 (part), 1994).

17A.02.140 Frequently flooded area.
"Frequently flooded areas" means the one-hundred-year floodplain, which are lands subject to a one percent or greater chance of flooding in any given year, as designated by the Federal Emergency Management Agency Federal Insurance Rate Map for Kittitas County. (Ord. 94-22 (part), 1994).

17A.02.150 Geologically hazardous areas.
"Geologically hazardous areas" are areas that because of their susceptibility to erosion, sliding, earthquake, or other geological events, are not suited to the siting of major commercial, residential, or industrial development consistent with public health or safety concerns without proper engineering consideration and design. The term commercial should not be construed to include natural resource activities. (Ord. 94-22 (part), 1994).

17A.02.160 Groundwater.
"Groundwater" means all water that exists beneath the land surface or beneath the bed of any stream, lake or reservoir, or other body of surface water, whatever may be the geological formation or structure in which such water stands, flows, percolates or otherwise moves, as defined in RCW 90.44.035. (Ord. 94-22 (part), 1994).

17A.02.170 Hazardous materials.
"Hazardous materials" is defined identically to the definition contained in state law at RCW 70.102.010. It means those substances or materials identified as such under regulations adopted pursuant to the Federal Hazardous Materials Transportation Act, the Toxic Substances Control Act, the Resource Recovery and Conservation Act, the Comprehensive Environmental Response Compensation and Liability Act, the Federal Insecticide, Fungicide, and Rodenticide Act, the Occupational Safety and Health Act Hazardous Communications Standards, and the State Hazardous Waste Act. (Ord. 94-22 (part), 1994).

17A.02.180 Irrigation.
"Irrigation" is the artificial application of water to land, from either surface or groundwater sources. (Ord. 9422 (part), 1994).

17A.02.190 Irrigation system.
"Irrigation system" means all related water and access rights, structures, and equipment, including but not limited to standpipes, weir boxes, pipelines, ditches, pump houses, power sources, culverts, spur lines, laterals, irrigation sprinklers, and any other artificial conveyance of water for agricultural purposes. Portions of streams utilized for return flows also

constitute part of the irrigation system. (Ord. 94-22 (part), 1994).

17A.02.200 Landslide hazard areas.
"Landslide hazard areas" are geologically hazardous areas subject to severe risk of landslide based on a combination of geologic, topographic, and hydrologic factors, including bedrock, soil, slope gradient, slope aspect, geologic structure, groundwater, or other factors. (Ord. 94-22 (part), 1994).

17A.02.210 Mine hazard areas.
"Mine hazard areas" are geologically hazardous areas, directly underlain by, adjacent to, or affected by abandoned mine workings such as adits, tunnels, ducts or air shafts with the potential for creating large underground voids susceptible to collapse. Closed and abandoned mines shall be presumed not hazardous unless specifically identified by the U.S. Department of Mines or other relevant information. (Ord. 94-22 (part), 1994).

17A.02.220 Native vegetation and fauna.
"Native vegetation and fauna" means plant and animal species which are indigenous to the area or location in question. (Ord. 94-22 (part), 1994).

17A.02.230 Priority species habitats.
"Priority species habitats" are fish and wildlife habitat conservation areas that include a seasonal range or habitat element in which a priority species is located, and which, if altered, may reduce the likelihood that the species will maintain and reproduce over the long term. The Washington State Department of Wildlife has preliminarily identified priority habitats and species on its maps. However, the unique land ownership patterns and terrain of Kittitas County result in the majority of the priority species habitats being located on big game winter range, riparian habitat, and wetlands, all as defined herein. (Ord. 94-22 (part), 1994).

17A.02.240 Priority animal species.
"Priority animal species" are designated by the state of Washington as endangered, threatened, or sensitive, pursuant to Chapter 232-12 WAC as of the date of the adoption of the ordinance codified in this chapter. Priority animal species have a primary association with priority animal species habitat as defined in Section 17A.02.230. (Ord. 94-22 (part), 1994).

17A.02.250 Riparian habitat.
"Riparian habitat" is an area adjacent to rivers, streams or lakes that contains elements of both aquatic and terrestrial ecosystems which mutually influence each other. The state of Washington has adopted a classification system for identifying riparian habitat, WAC 222-16-030, Water Typing System, Forest Practices Rules. Riparian habitat for purposes of this chapter is deemed to be Type 1, 2, 3, and portions of Type 4 and 5 waters as provided herein, under the state classification system. (Ord. 95-15 (part), 1995; Ord. 94-22 (part), 1994).

17A.02.260 Seismic hazard areas.
"Seismic hazard areas" are geologically hazardous areas subject to risk of earthquake damage. (Ord. 94-22 (part), 1994).

17A.02.270 Species of local importance.
"Species of local importance" are fish and wildlife species that are of local concern because of their population status or their sensitivity to habitat manipulation. (Ord. 94-22 (part), 1994).

17A.02.280 Volcanic hazard area.
"Volcanic hazard areas" are geologically hazardous areas that are subject to inundation by pyroclastic flows, lava flows, inundation by debris flows, mudflows, lahars, or related flooding resulting from volcanic activity. (Ord. 94-22 (part), 1994).

17A.02.290 Water rights.
"Water rights" are those rights defined in state law, including RCW 90.03.010 and 90.44.035, as well as those rights subject to adjudication and determined pursuant to the water basin adjudication generally described as State of Washington v. Acquavella.

In defining water rights for purposes of this critical areas ordinance, no water rights as determined under state law, including the Acquavella litigation, are available for fish or wildlife habitat, and may not be considered for purposes of application of this critical areas ordinance.

Water rights and waters covered by the stipulation entered in the Acquavella adjudication, as to all sub-basins in Kittitas County, dealing with water rights as confirmed for Nondiversionary stock and wildlife watering shall not be considered for purposes of application of this critical areas ordinance. The stipulation referred to is incorporated by reference, and set forth as follows for clarity.

1. Waters in natural watercourses in the subbasin shall be retained when naturally available, in an amount not to exceed 0.25 cubic foot per second (cfs), for stock water uses in such watercourses as they flow across or are adjacent to lands, which are now used as pasture or range for livestock. Retention of such water shall be deemed senior (or first) in priority, regardless of other rights confirmed in this cause. Regulation of these watercourses by the plaintiff shall be consistent with such retention requirements.
2. Water in natural watercourses in the subbasin shall be retained when naturally available, in an amount not to exceed 0.25 cubic foot per second (cfs), for wildlife watering uses in such watercourses as they flow across or are adjacent to lands, which are now used as pasture or range for wildlife. Retention of such water shall be deemed senior (or first) in priority.
3. Waters in naturally occurring ponds and springs (with no surface connection to a stream) in the subbasin shall be retained for stock water uses, when such ponds and springs are located on or adjacent to lands which are now used as pasture or range for livestock. Said uses embody entitlement to a level in the water bodies sufficient to provide water for animals drinking directly therefrom while ranging on riparian lands, and with the same priority as provided in paragraph 1. Regulation of the ponds and springs by the plaintiff shall be consistent with such retention requirements.
4. Waters in naturally occurring ponds and springs (with no surface connection to a stream) in the subbasin shall be retained for wildlife watering uses, when such ponds and springs are located on or adjacent to lands which are now used as pasture or range for wildlife. Said uses embody entitlement to a level in the water bodies sufficient to provide water for wildlife drinking directly therefrom while ranging on riparian lands, and with the same priority as provided in paragraph 2. Regulation of the ponds and springs by the plaintiff shall be consistent with such retention requirements.
5. Nothing in this stipulation mandates that any lands, associated with water rights or water retention as provided herein shall be reserved for wildlife purposes.

(Ord. 94-22 (part), 1994).

17A.02.300 Waters/water typing system.
"Waters" includes all surface waters not otherwise owned pursuant to water rights established under state law, as defined in Section 17A.02.290. A "water typing system" is a classification system for certain streams, lakes and ponds. The state of Washington for its purposes has adopted a five-tier typing system in WAC 222-16-030. For purposes of this chapter, Kittitas County adopts five classification types. Types 1, 2, 3, 4 and 5 waters are adopted and are classified according to the following system for the purposes of this chapter:

"Type 1 waters" means all waters, within their ordinary high water mark (OHWM), as inventoried as "shorelines of the state" under Chapter 90.58 RCW, but not including those waters' associated wetlands as defined in Chapter 90.58 RCW.

"Type 2 waters" means segments of natural waters not classified as Type 1 and have a high fish, wildlife, or human use.

"Type 3 waters" means segments of natural waters which are not classified as Type 1 or 2 and have a moderate to slight fish, wildlife, or human use.

"Type 4 waters" are segments of natural waters within Kittitas County which are not classified as Type 1, 2 or 3 and have a channel width of two feet or more between the ordinary high water marks.*

"Type 5 waters" are segments of natural waters within Kittitas County which are not classified as Types 1, 2, 3 or 4 waters and have a channel width of two feet between the

ordinary high water marks, including streams with or without well-defined channels.*

*Type 4 and 5 waters are not truly waters, but are waterways which are intermittent in nature and may be dry beds at any time of the year.

(Ord. 96-14 (part), 1996; Ord. 95-15 (part), 1995; Ord. 94-22 (part), 1994).

17A.02.310 Wetlands.
"Wetland" or "wetlands" means areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, agricultural fields or areas of agricultural activities that exhibit wetland characteristics due to the introduction or influence of irrigation waters to those fields, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities. The introduction or influence of irrigation waters to agricultural fields or areas of agricultural activities which cause those areas to exhibit wetland characteristics, even though the areas were nonwetland sites prior to the introduction or influence of irrigation waters, is defined in this section. However, wetlands may include those artificial wetlands intentionally created from nonwetland areas created to mitigate conversion of wetlands, if permitted by the county.

This definition is taken from the statutory definition at RCW 36.70A.030(17). This statutory definition of wetlands specifically exempts a number of intentionally created wetlands, including but not limited to those related to irrigation systems. Due to the inherent design of most irrigation systems, such systems are reasonably and foreseeably expected to result in some leakage or seepage. Such seepage or leakage is a normal result of utilization of irrigation systems and is deemed for purposes of this chapter to be an artificial wetland intentionally created from a nonwetland site, and therefore such areas do not constitute wetlands.

Furthermore, the phrase "normal circumstances" in this definition shall be defined as set forth by the United States Army Corps of Engineers in its Regulatory Guidance Letter 90-7 dated September 26, 1990, which is incorporated herein by reference. The letter deals with prior converted farmland, which may have been cropped prior to December 23, 1985. (Ord. 9515 (part), 1995; Ord. 94-22 (part), 1994).

17A.02.320 Wetland buffers.
"Wetland buffers" or "wetland buffer zones" are areas that surround and protect a wetland from adverse impact to the natural functions and values of the designated wetland. (Ord. 94-22 (part), 1994).

17A.02.330 Wetland replacement ratio.
Wetland replacement ratio refers to the act of providing on-site compensation or mitigation for disturbed wetlands as a result of development. The replacement ratio is the amount of new wetland areas required for those disturbed wetlands. The term is used in Section 17A.04.050 in regards to restoration or creation of wetlands equivalent to or greater than those altered in order to compensate for wetland loss. (Ord. 94-22 (part), 1994).

Chapter 17A.03
ADMINISTRATION

Sections
17A.03.010 Lands to which this chapter applies.
17A.03.015 Land use activities to which this chapter applies.
17A.03.020 Exempt land use activities.
17A.03.025 Preliminary identification of critical areas - Maps and reference material.
17A.03.030 Conflict between critical areas ordinance and critical areas policy document.
17A.03.035 Critical area checklist and required information.
17A.03.040 Processing of critical areas checklist and information.
17A.03.045 Coordination with the State Environmental Policy Act and other concurrent permitting.
17A.03.050 Appeal deadlines.
17A.03.055 Inventory of available information.
17A.03.060 Request for technical assistance.
17A.03.065 Property rights.
17A.03.070 Conservation moneys.
17A.03.075 Economically feasible mitigation efforts.
17A.03.080 Noncompliance.
17A.03.085 Warning and disclaimer of liability.
17A.03.090 Severability.

17A.03.010 Lands to which this chapter applies.
Lands to which this chapter applies. This chapter applies to lands within unincorporated Kittitas County, including both Washington State-owned lands and privately owned lands. Application of this chapter to specific parcels shall be based upon the general guidance of the Kittitas County critical areas policy document, coupled with the more specific provisions of this critical areas development ordinance, pursuant to the requirements of Chapter 36.70A RCW. (Ord. 94-22 (part), 1994).

17A.03.015 Land use activities to which this chapter applies.
Land use activities to which this chapter applies.

1. The following land use activities shall be subject to and coordinated with the requirements of this chapter:
   a. Any activity which is not exempt from a threshold determination under the State Environmental Policy Act, as subject to the threshold exemptions established by the county SEPA ordinance;
   b. Any activity which requires approval through a public hearing process under county ordinance;
   c. Rezones;
   d. Long plats;
   e. Short plats;
   f. Shoreline substantial development permits;
   g. Shoreline conditional uses;
   h. Shoreline variances;
   i. Zoning conditional use permits;
   j. Replats;
   k. Conversion of forest land to nonforest land uses;
   l. Filling and draining of Class 1 - 4 wetlands, except as otherwise provided herein;
   m. New residential building permits on all lots twenty acres or less shall comply with buffer requirements and restrictions in Chapters 17A.05 and 17A.08;
   n. All building permits must comply with Section 17A.05.10, which requires compliance with the county's flood prevention ordinance;
   o. Building permits.
2. Critical area protection which is imposed as a result of any of these listed activities will not be required until existing and ongoing activities cease to exist. Any construction related to the permit, including project related movement of dirt, will trigger protection of critical areas. (Ord. 96-14 (part), 1996; Ord. 95-15 (part), 1995; Ord. 94-22 (part), 1994).

17A.03.020 Exempt land use activities.
Exempt land use activities. The following land use activities are exempt:

1. Land use activities regulated administratively, except as provided in Section 17A.03.015(a) "land use activities to which this chapter applies", including but not limited to septic tank installation, public or private water conservation projects, and any land use activity which does not require either public hearing approval or is categorically exempt under the State Environmental Policy Act.
2. Existing and ongoing agricultural and irrigation activities, including such activities on land or portions of land subject to the nonexempt activities in Section 17A.03.015(a).
3. Activities involving artificially created habitat, including but not limited to grass-lined swales, irrigation systems and drainage ditches, farm ponds, detention facilities such as ponds, and landscape features, including any adjacent riparian habitat created or resulting from these activities, except for wetlands or habitat areas created as mitigation.
4. Forest practices conducted in accordance with the provisions of Chapter 76.09 RCW and forest practice regulations Title 222 WAC, and which are exempt from Kittitas County jurisdiction.
5. Reconstruction as a result of destruction by a natural disaster or disintegration over time, maintenance, or remodeling of structures, provided that such reconstruction, maintenance, or remodeling does not involve an expansion of the structure's footprint when located within a critical area. Any such activity shall nevertheless comply with the county's flood damage prevention ordinance, No. 93-18.
6. Construction, maintenance, repair, or replacement of Kittitas County permitted or franchised utility facilities.
7. Educational activities, scientific research, and outdoor recreational activities, including hunting and fishing.
8. Emergencies that threaten the public health, safety and welfare, including private or public property.
9. Existing and ongoing natural resource activities.
10. Fencing shall not be required for critical areas protection. (Ord. 95-15 (part), 1995; Ord. 94-22 (part), 1994).

17A.03.025 Preliminary identification of critical areas - Maps and reference material.
Preliminary identification of critical areas - Maps and reference material. Critical areas may be depicted generally on the Federal Emergency Management Agency's (FEMA) FIRM and floodway maps; National Wetlands Inventory maps; The Federal Manual for Identifying and Delineating Jurisdictional Wetlands (1987 revised edition); Washington State Tier Wetlands Rating System as it pertains to Category I - IV wetlands; Washington State Department of Natural Resources geologic hazard areas maps; Washington State Department of Natural Resources mine hazard area maps base; U.S. Bureau of Land Management mine hazard area maps; Washington State Department of Fish and Wildlife priority habitats and species maps; Washington State Department of Natural Resources water type maps; U.S.G.S landslide activity and slope maps; U.S. Soil Survey's National Soils Survey Interpretations Handbook; snow avalanche hazard area maps in the Snoqualmie Pass Sub-Area Comprehensive Plan; Uniform Building Code seismic risk zone maps.

The dates of all of the foregoing maps shall precede the date of adoption of the ordinance codified in this chapter. Revised maps as issued by various governmental authorities after the date of adopting this chapter shall not be utilized as a preliminary source of information until such time as utilization of such maps are authorized by amendments to this chapter. This chapter is designed to protect county critical areas based upon the best available information at this time, which information has been subject to considerable review and comment from the general public as well as from scientific and technical sources. Utilization of revised maps must be subject to that same critique prior to adoption by the county.

These maps are used as a general guide to the location and extent of critical areas. Any presumption created by these maps may be rebutted by a preponderance of the evidence. These maps are also intended to alert the development community, county residents, as well as current and prospective landowners of the possibility of site development constraints which may limit or alter development plans. This chapter does not apply if critical areas do not exist on a given parcel. (Ord. 95-15 (part), 1995; Ord. 94-22 (part), 1994).

17A.03.030 Conflict between critical areas ordinance and critical areas policy document.
Conflict between critical areas ordinance and critical areas policy document. The Kittitas county critical areas policy document, incorporated by reference, is to be used as a general guideline in administering this chapter. Any inconsistencies between this chapter and the policy document shall be resolved in favor of this chapter. This chapter was adopted After the policy document was developed, and benefited from substantial additional technical and public comment. (Ord. 94-22 (part), 1994).

17A.03.035 Critical area checklist and required information.
Critical area checklist and required information. An applicant is required to submit a checklist of critical area information before commencement of all land use activities which are subject to this chapter. This information shall be used in processing all other site related development permits and approvals. Development may be required to be modified or may be conditioned to meet the requirements of this chapter. The checklist shall contain the following information:

1. Legal description of the land, and assessor's parcel number.
2. As defined herein, the location of the following, if applicable:
   a. Wetlands;
   b. Erosion hazard areas;
   c. Floodplains and floodways;
   d. Riparian habitat;
   e. Geologically hazardous areas;
   f. Landslide hazard areas;
   g. Mine hazard areas;
   h. Seismic hazard areas;
   i. Streams and rivers.
3. Any voluntary methods or activities
4. anticipated by the applicant pertaining to critical areas, including incentives being offered by local or state government.
5. Duplicate plans drawn to scale showing the nature, location, dimensions and elevations of the area in question, including existing or proposed structures, estimated amounts of fill material, drainage facilities, significant natural features, and the location of the above items, if applicable. Survey quality documents will not normally be required.
6. The requirement for delineating the location of possible critical areas will be waived if field investigation by county staff indicates the following:
   a. Sufficient information exists for staff to estimate the boundaries of any critical areas without a delineation by the applicant; or
   b. No structures and uses, except for exempt activities, are proposed to be located within any possible critical area.
7. Subject to field investigation by county staff, or other reliable and relevant information, the information submitted by the applicant shall be presumed valid for all purposes under this chapter. (Ord. 94-22 (part), 1994).

17A.03.040 Processing of critical areas checklist and information.
Processing of critical areas checklist and information. The Kittitas County planning department shall serve as the administrative agency for this chapter. All discretionary decisions hereunder shall be made by the planning director or his designee. The director may consult with other official sources, including the landowner, to determine the presence of critical areas. Utilization of outside data and information by either the director or the applicant is permitted by the Kittitas County critical areas policy document, and may be utilized to verify or dispute the designation or existence of critical areas on any property.

The critical areas checklist shall be processed concurrently with all other development permits requested concerning the site. After the application is complete, the director shall make a binding determination as to whether the parcel contains critical areas. The written determination shall include findings setting forth the basis for the determination. The written determination shall be made within fifteen business days of submittal of a complete checklist, together with receipt of the complete application as to any other related land use permit being requested for the parcel.

The director's decision may be appealed by the applicant to the Kittitas County board of commissioners, except that if the underlying permits require processing by any other decisionmaker, such as the Kittitas County planning commission, or Hearing Examiner, the appeal shall lie to that body. That body shall either make a final decision, or a recommendation to the board of commissioners, consistent with the nature of the underlying permit, concerning the critical areas designation and related mitigation. The decision or recommendation shall be coordinated with the decisionmaker's final decision or recommendation on the underlying permit. If the board of county commissioners does not have jurisdiction to review the underlying permit, such as a conditional use permit granted by a Hearing Examiner and appealable directly from that board to superior court, the board of county commissioners shall nevertheless have jurisdiction of all appeals under this critical areas ordinance which de novo appeal shall be heard prior to the need to file an appeal

on the underlying permit in superior court. (Ord. 2012-009, 2012; Ord. 94-22 (part), 1994).

17A.03.045 Coordination with the State Environmental Policy Act and other concurrent permitting.
Coordination with the State Environmental Policy Act and other concurrent permitting. The director shall coordinate application of the critical areas ordinance with any required SEPA review and the processing of any other associated permits. Any required critical areas mitigation shall be separate from SEPA conditions imposed as part of a threshold determination. The objective is to provide a concurrent, coordinated, and consistent review of development activities within critical areas, without creating another regulatory review or appeal process. (Ord. 94-22 (part), 1994).

17A.03.050 Appeal deadlines.
Appeal deadlines. All appeals of the director's decision concerning critical area designation or other discretionary decision making under this chapter shall utilize the same timelines for appeals related to any underlying permits. In the event there is no underlying permit, or the appeal deadline is not clear from other county ordinances, appeals must be filed with the board of commissioners no more than twenty business days following the date of mailing the decision to the applicant. All appeals shall be de novo, and conducted by the board of commissioners at a public hearing no later than a month following the filing of the appeal, with issuance of a decision no more than ten business days from the public hearing, or as otherwise agreed by the appellant and the board. The board's decision shall be final, subject to appeal to superior court. (Ord. 94-22 (part), 1994).

17A.03.055 Inventory of available information.
Inventory of available information. The Kittitas County planning department shall maintain an inventory of available information which shows the location, referenced in this chapter, of critical areas. This information shall be made available to the public. The planning department shall prepare materials which enable citizens to clearly understand the location of critical areas on and adjacent to their property, and what obligations, rights and opportunities they have regarding such lands. (Ord. 94-22 (part), 1994).

17A.03.060 Request for technical assistance.
Request for technical assistance. Kittitas County shall enlist, as much as practicable, technical assistance to help those wishing to develop land that contains, or potentially contains any of the various critical areas defined by the critical areas policy document. Such help shall be aimed at addressing mitigation of such adverse effects of said development that the county deems to be important in the context of this document. (Ord. 94-22 (part), 1994).

17A.03.065 Property rights.
1. All regulatory or administrative actions taken pursuant to this chapter shall not result in an unconstitutional taking of private property, and shall not expand or reduce the scope of private property protections provided in the state and federal constitutions. This chapter shall not prohibit uses permitted prior to its adoption and shall remain in effect until the county adopts development regulations pursuant to RCW 36.70A.120. Classifying or designating critical areas does not imply a change in the landowner's right to use his or her land under current law.
2. In applying this chapter, the planning department shall refer to relevant legal authorities at all levels of government, including federal and state constitutions, federal and state statutes, federal and state administrative regulations, and judicial interpretations thereof. The application and administration of this chapter shall assure that proposed regulatory or administrative actions do not unconstitutionally infringe upon private property rights; and are not arbitrary or discriminatory.
3. Periodic reports shall be made at least annually to the board of county commissioners by the planning director and prosecuting attorney concerning county compliance with constitutional and judicial requirements. The planning director shall immediately advise the board should any provisions of this chapter in his opinion be in violation of state or federal constitutional requirements, or recent court decisions, and whether the provision is required by the state of Washington or discretionary with the county. If the provision which generates concern is a requirement of the state, the board of county commissioners shall immediately advise the appropriate state department or agency. If the provision is discretionary with the county, the board of commissioners shall promptly schedule a public hearing to consider the ordinance provision or policy. (Ord. 94-22 (part), 1994).

17A.03.070 Conservation moneys.
Kittitas County shall examine the feasibility of enhancement moneys for fish and wildlife habitat conservation areas and wetlands. These programs at a minimum should provide conservation moneys for habitat and wetland enhancement, the exemption and/or reduction of habitats and wetlands and their buffers from the usual rate of local property tax, and a penalty system for withdrawal. These programs shall include an element whereby the Kittitas County actively participates in the acquisition of state, federal, or private funds or materials for landowners. Lastly, the programs should have an element for landowners who may volunteer to provide fish and wildlife habitat conservation areas or wetlands if they are not required to do so, and receive benefits as outlined in this proposal. (Ord. 94-22 (part), 1994).

17A.03.075 Economically feasible mitigation efforts.
Economically feasible mitigation efforts. Kittitas County shall encourage economically feasible mitigation efforts when protecting critical areas. (Ord. 94-22 (part), 1994).

17A.03.080 Noncompliance.
Any person who engages in work at a project site within a critical area and (1) fails to comply with this chapter; or (2) fails to comply with any permit condition required pursuant to this chapter shall be subject to enforcement proceedings and sanctions as specified in the Kittitas County zoning or code enforcement ordinances. (Ord. 94-22 (part), 1994).

17A.03.085 Warning and disclaimer of liability.
The degree of hazard protection required by this chapter is considered reasonable for mandatory regulatory purposes under Chapter 36.70A RCW. These provisions are based on scientific and engineering considerations, and extensive public comment. Catastrophic natural disasters can, and will, occur on rare occasions. This chapter does not imply that land outside the designated critical areas or activities permitted within such areas will be free from exposure or damage. This chapter shall not create liability on the part of Kittitas County, and officers or employees thereof, for any damages that result from reliance on this chapter or any administrative decision lawfully made hereunder. (Ord. 94-22 (part), 1994).

17A.03.090 Severability.
If any section, subsection, sentence, clause, phrase, part or portion of this chapter is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter or the application of the provision to other persons or circumstances. (Ord. 94-22 (part), 1994).

Chapter 17A.04
CRITICAL AREAS DESIGNATION AND DEVELOPMENT STANDARDS

Sections
17A.04.010 Wetlands.
17A.04.015 No net loss of wetland areas.
17A.04.020 Buffer width requirements.
17A.04.025 Wetland buffer ranges.
17A.04.030 Wetland buffer averaging.
17A.04.035 Natural condition of wetland buffer.
17A.04.040 Allowed uses.
17A.04.045 Building setback lines from wetland buffers.
17A.04.050 Wetland replacement ratios.

17A.04.010 Wetlands.
Wetlands in Kittitas County are defined in Section 17A.02.310 and classified in four categories: Category I (extreme high value), Category II (high value), Category III (average value), Category IV (less than average value). Critical area wetlands in Kittitas County are defined as Category I, Category II, Category III and Category IV wetlands as determined by the planning manager.

Category IV wetlands may be determined by the director to constitute a critical area based upon application of the criteria in this chapter. (Ord. 95-15 (part), 1995; Ord. 94-22 (part), 1994).

17A.04.015 No net loss of wetland areas.
Kittitas County shall require, to the extent practical, and except for Category IV wetlands, a zero net loss of natural wetlands functions and values together with, if reasonably possible through voluntary agreements or government incentives, a gain of wetlands in the long term. (Ord. 94-22 (part), 1994).

17A.04.020 Buffer width requirements.
Wetland buffer requirements apply to all nonexempt activities on regulated wetlands. All wetland buffers shall be measured from the wetland boundary.

Category	Size of Wetland	Required Buffer
I	any size	50 - 200 feet
II	over 2,000 sq. ft.	25 - 100 feet
III	over 10,000 sq. ft.	20 - 80 feet
IV*	43,560 sq. ft. (1 acre)	Building setbacks will be determined by the zoning lot line setbacks, but shall not exceed 25 feet.

*Includes only nonirrigation induced or enhanced Category IV wetlands. Irrigation water does influence ground water table elevations in Kittitas County.

(Ord. 96-14 (part), 1996; Ord. 95-15 (part), 1995; Ord. 94-22 (part), 1994).

17A.04.025 Wetland buffer ranges.
The wetland buffer ranges have been established to reflect the impact of certain intense land uses on wetland function and values. The director shall base the buffer size on the following criteria and shall establish the least restrictive width of buffer necessary to account for all of the following considerations:

1. The overall intensity of the proposed use;
2. The presence of threatened, endangered, or sensitive species;
3. The site's susceptibility to severe erosion;
4. The use of a buffer enhancement plan by the applicant which uses native vegetation or other measures which will enhance the functions and values of the wetland or buffer. (Ord. 94-22 (part), 1994).

17A.04.030 Wetland buffer averaging.
Wetland buffers may be modified by averaging buffer widths. Wetland buffer width averaging shall be allowed only where the applicant demonstrates that the following exists:

1. That averaging is necessary to avoid an extraordinary hardship to the applicant caused by circumstances peculiar to the property;
2. That the wetland contains variations in sensitivity due to existing physical characteristics;
3. That the proposed use would be located adjacent to areas where buffer width is reduced, and that such land uses are low in impact;
4. That width averaging will not adversely impact wetland function and values. (Ord. 9422 (part), 1994).

17A.04.035 Natural condition of wetland buffer.
Natural condition of wetland buffer. Wetland buffer areas shall be retained in their natural condition or may be improved to enhance buffer functions and values. Where buffer disturbance has occurred during construction, revegetation with native vegetation may be required. The Kittitas County noxious weed ordinance shall be adhered to. (Ord. 94-22 (part), 1994).

17A.04.040 Allowed uses.
In addition to exempt activities otherwise identified herein, the following activities are allowed to occur on wetland and wetland buffer areas: nonmotorized outdoor recreational activities including hunting and fishing; educational activities; existing and ongoing agricultural activities, silviculture and mining; and maintenance of existing facilities, structures, ditches, roads, bridges and other utility systems. Up to two acres of Class IV wetlands may be filled, drained or modified with no approval required from the planning manager. If more than two acres of Class IV wetlands are filled, drained or modified, approval of the planning manager is required. Such development activity shall provide mitigation in accordance with Section 17A.04.050 for that portion of the wetland fill or modification that exceeds two acres. Category IV wetlands may be used for secondary stormwater management facilities having no reasonable alternative on-site location, provided there is no significant adverse impact to the functions and values of those wetlands. (Ord. 95-15 (part), 1995; Ord. 94-22 (part), 1994).

17A.04.045 Building setback lines from wetland buffers.
A building setback line equal to the side yard setback requirement of the applicable zoning district is required from the edge of any wetland buffer. Minor intrusions into the area of the building setback may be allowed if the director determines that such intrusions will not negatively impact the wetland. The setbacks shall be shown on all site plans submitted with the application. (Ord. 94-22 (part), 1994).

17A.04.050 Wetland replacement ratios.
Wetland replacement ratios are expressed in gross area required for replacement. The actual replacement, enhancement or rehabilitation of wetlands shall be determined by the director and meet all applicable standards for such. Replacement areas shall be determined according to function, acreage, type, location, time factors, ability to be self sustaining and projected success. Wetland functions and values shall be calculated using the Kittitas County critical areas policy document and the professional judgment of the director.

Category of Wetland	Replacement Ratio
I	3:1
II	2:1
III	1.5:1
IV	1:1 for the portion of a wetland fill or modification

(Ord. 96-14 (part), 1996; Ord. 95-15 (part), 1995; Ord. 94-22 (part), 1994).

Chapter 17A.05
FREQUENTLY FLOODED AREAS

Sections
17A.05.010 County flood prevention ordinance.
17A.05.015 Delineated floodplain boundaries on preliminary plats.
17A.05.020 No net loss of floodplain storage.

17A.05.010 County flood prevention ordinance.
The Kittitas County Flood Prevention Ordinance No. 93-18 is hereby adopted by reference as the development regulation for all uses defined in this chapter and in the Kittitas County critical areas policy document. (Ord. 94-22 (part), 1994).

17A.05.015 Delineated floodplain boundaries on preliminary plats.
All preliminary plats must clearly delineate the one-hundred-year floodplain boundary, according to the FEMA Flood Insurance Rate Map. (Ord. 94-22 (part), 1994).

17A.05.020 No net loss of floodplain storage.

1. A no net loss of floodplain storage concept shall be incorporated in all new construction on existing lots and all future development on the following rivers, streams and lakes, which are designated as "shorelines of the state" under 90.58 RCW and listed under 173-18-230 WAC:

Stream	Legal Description
Big Creek	From the Wenatchee National Forest boundary downstream to mouth on Yakima River.
Cabin Creek	From the Wenatchee National Forest boundary downstream to mouth on Yakima River.
Cle Elum River	From the Wenatchee National Forest boundary crossing Cle Elum Lake downstream to mouth on Yakima River.
Columbia River	From Chelan County line on the Columbia River downstream along the Douglas and Kittitas County line to Yakima County.
Kachess River	From the Wenatchee National Forest downstream through Lake Easton State Park and to mouth on Yakima River.
Little Creek	From the Wenatchee National Forest boundary downstream to mouth on Yakima River.
Log Creek	From confluence of Log Creek and unnamed creek downstream to mouth of Cabin Creek.
Manastash Creek	From confluence of North and South Forks Manastash Creek downstream to mouth on Yakima River.
Manastash	From the Wenatchee National Forest Creek south boundary downstream to mouth on Manastash Creek.
Swauk Creek	From the Wenatchee National Forest boundary downstream to mouth on Yakima River.
Taneum Creek	From the Wenatchee National Forest boundary downstream to mouth on Yakima River.
Teanaway River	From the confluence of the Middle Fork and the West Fork Teanaway River downstream to Yakima River.
Teanaway River	From the Wenatchee National Forest (Middle Fork) boundary downstream to mouth on Teanaway River.
Teanaway River	From the Wenatchee National Forest (North Fork) boundary downstream to the Teanaway River.
Teanaway River	From the Wenatchee National Forest (West Fork) boundary downstream to the Teanaway River.
Wilson Creek	From mouth at Naneum Creek downstream to mouth on Yakima River.
Yakima River	From the Wenatchee National Forest boundary downstream to the Yakima County line.
Little Nachess River	From the confluence of the North Fork and Middle Fork of Little Nachess River downstream left bank to mouth of Nachess River.

Lakes
Manastash Lake
Easton Lake
Lost Lake
Cooper Lake
Tucquala Lake

2. Additional streams or lakes may be added to this section by the director, for the protection of critical areas based upon the following criteria:
   a. History of flood damage;
   b. Stream channel instability and susceptibility to erosion;
   c. Floodplain width.
   Floodplain storage shall be maintained on each parcel subject to this chapter. Insignificant loss of floodplain storage associated with residential developments and associated buildings on these parcels should not exceed ten cubic yards. If parcel conditions are such that compliance with the section is unreasonable, the director may determine the extent to which a development must comply. (Ord. 94-22 (part), 1994).

Chapter 17A.06
GEOLOGICALLY HAZARDOUS AREAS

Sections
17A.06.010 Kittitas County Uniform Building Code.
17A.06.015 Areas requiring specialized engineering.
17A.06.020 Natural resource based activities.
17A.06.025 Areas of snow avalanche hazards - Snoqualmie Pass.
17A.06.030 Siting of structures on mine hazard areas.
17A.06.035 Disposal of volcanic ash fallout.

17A.06.010 Kittitas County Uniform Building Code.
The Kittitas County adopted version of the Uniform Building Code contains provisions for geologically hazardous areas and shall apply to all such areas. (Ord. 94-22 (part), 1994).

17A.06.015 Areas requiring specialized engineering.
Areas identified as high risk erosion/landslide geologic hazard areas including cliff or talus slopes, may require specialized engineering to ascertain the property is suitable for development purposes. The director is authorized to require such engineering. (Ord. 94-22 (part), 1994).

17A.06.020 Natural resource based activities.
Natural resource based activities shall not be unduly restricted or prohibited in areas of known geologic hazards. (Ord. 94-22 (part), 1994).

17A.06.025 Areas of snow avalanche hazards - Snoqualmie Pass.
In conjunction with the Uniform Building Code, Kittitas County shall enforce the policies contained within the Snoqualmie Pass Sub-Area Comprehensive Plan for avalanche hazard areas. (Ord. 94-22 (part), 1994).

17A.06.030 Siting of structures on mine hazard areas.
Siting of structures on known mine hazard areas should be avoided. (Ord. 9422 (part), 1994).

17A.06.035 Disposal of volcanic ash fallout.
Intentional disposal of volcanic ash fallout into any bodies of water shall not be allowed. (Ord. 94-22 (part), 1994).

Chapter 17A.07

HABITAT

Sections

17A.07.010 Riparian habitat.
17A.07.015 Designation of big game winter range.
17A.07.020 Priority species habitat.
17A.07.025 Habitats for species of local importance.
17A.07.030 Species of local importance.

17A.07.010 Riparian habitat.

1. Riparian Habitat Critical Areas shall constitute Type 1, 2 and 3, including portions of Type 4 and 5 waters at the intersecting points with a Type 1, 2, or 3 waters. Type 4 waters will be designated a critical area for a distance of forty to five hundred feet. Type 5 waters shall be designated a critical area where it is located within the buffers for Types 1, 2 or 3 waters, as determined by the planning manager.
2. Performance Standards Buffers.

Type 1 waters	40-200 feet from OHWM.
Type 2 waters	40-100 feet from OHWM.
Type 3 waters	20- 50 feet from OHWM.
Type 4 waters	10- 20 feet from the intersection with a Type 1, 2 or 3 water for a distance of 40 to 500 feet. From the point at which the buffer ends (40 - 500 feet upstream from the confluence), there shall be a 15-foot structural setback from the ordinary high water mark.
Type 5 waters	None required (buffering will be provided by the Type 1, 2 or 3 waters' buffers). Note: Building setbacks from a Type 5 water will be 15 feet, unless a buffer greater than or equal to the 15-foot setback is in place.

Additional buffers may be approved by ordinance for habitats for species of local importance.

3. Criteria for Buffer Ranges. The riparian habitat buffer ranges above have been established to reflect the impact of certain intense land uses on riparian habitat functions and values. The director shall base a buffer size on the following criteria and shall establish the least restrictive width of buffer necessary to accommodate the following considerations:
   a. Overall intensity of the proposed use;
   b. The presence of a threatened, endangered or sensitive species or anadromous fish;
   c. The shoreline's historical and current susceptibility to severe erosion, channel instability, or aggrading;
   d. The presence of multiple channels or islands;
   e. Use by the applicant of a buffer enhancement plan;
   f. The width of a stream or river and the surface area and depth of a lake.
4. Criteria for Buffer Averaging. The director may average buffer widths on riparian habitat buffers. Buffer width averaging shall be allowed only where the applicant demonstrates the following exist:
   a. That averaging is necessary to avoid an extraordinary hardship to the applicant caused by circumstances peculiar to the property;
   b. That the riparian habitat contains variations in sensitivity due to existing physical characteristics;
   c. That the proposed use would be located adjacent to areas where buffer width is reduced, and that such land uses will not have a significant adverse impact to the habitat and its buffer;
   d. That buffer width averaging will not adversely impact riparian habitat functions and values.
5. Natural Condition of Riparian Habitat Buffer. Riparian habitat buffer areas shall be retained in their natural condition or may be improved to enhance buffer functions and values. Where buffer disturbance has occurred during construction, revegetation with native vegetation may be required. The Kittitas County noxious weed ordinance shall be adhered to.
6. Allowed Uses. Allowed uses are exempt activities and activities deemed by the administrator to be consistent with the purpose and function of the habitat buffer and which do not cause a significant adverse impact to the habitat and its buffer based on sensitivity of the habitat including but not limited to stock watering, utilization of water rights, trails, recreational uses, hunting, and fishing. (Ord. 96-14 (part), 1996; Ord. 95-15 (part), 1995; Ord. 94-22 (part), 1994).

17A.07.015 Designation of big game winter range.

Big game winter range constitutes all federal land and all land owned or leased by the Washington State Department of Fish and Wildlife. The existing range conservation and management program of the State Department of Fish and Wildlife is long established and relies upon voluntary agreements with landowners together with state purchase of appropriate lands.

Land use activities subject to this critical ordinance continue to be subject to input from the Department of Fish and Wildlife, including SEPA comment. County administrative practices will be revised to solicit comment from the Fish and Wildlife Department concerning short plats and replats, for which comment is currently not requested. The existing comment process and SEPA review will complement the existing efforts to protect winter range and wildlife habitat, without creating a duplicate level of regulatory review. (Ord. 94-22 (part), 1994).

17A.07.020 Priority species habitat.

1. Designation of habitat under this section will only occur if the threatened, endangered, or sensitive priority species is not located in a riparian habitat, floodplain, or wetland, which is dealt with elsewhere in this chapter. To the extent not otherwise protected under this chapter, the area designated shall be the mapped location of a threatened, endangered, or sensitive priority species.
2. Performance Standards. Protective measures for the designated area shall be determined by reference to applicable state and federal law for the protection of threatened, endangered, or sensitive priority species. (Ord. 94-22 (part), 1994).

17A.07.025 Habitats for species of local importance.

1. These habitats may be identified from time to time, resulting in amendment of this chapter. Residents of the county may from time to time identify and nominate for consideration such habitats, and shall have the burden of presenting evidence concerning the criteria set forth below. The nomination shall be forwarded by the planning department for consideration to the Kittitas planning commission, which shall make a recommendation to the Kittitas County board of commissioners.
   Nomination and consideration of habitats for species of local importance shall consider the following:
   a. A seasonal range or habitat element which if altered may reduce the likelihood that the species will maintain or reproduce over the long term;
   b. Areas of high relative density or species richness, breeding habitat, winter range, and movement corridors;
   c. Habitat with limited availability or high vulnerability to alteration;
   d. Whether these habitats are already identified and protected under the provisions of this or other county ordinances or state or federal law.
2. At the time of amendment adoption designating habitat for species of local importance, the county shall also adopt performance standards based upon recommendations from county residents and appropriate government agencies. (Ord. 94-22 (part), 1994).

17A.07.030 Species of local importance.

1. These species may be identified from time to time, resulting in amendment of this chapter. Residents of the county may from time to time identify and nominate for consideration such species, and shall have the burden of presenting evidence concerning the criteria set forth below. The nomination shall be forwarded by the planning

department for consideration to the Kittitas County planning commission, which shall make a recommendation to the Kittitas County board of commissioners.
The nomination and the decision shall consider:
a. Concern due to population status; or
b. Sensitivity to habitat manipulation.

2. At the time of adoption of a species of local importance, the Kittitas County board shall also adopt performance standards based upon recommendations from county residents and appropriate government agencies. (Ord. 9422 (part), 1994).

Chapter 17A.08
AQUIFER RECHARGE AREAS

Sections

17A.08.010 Designation of aquifer recharge areas.
17A.08.015 Hazardous materials.
17A.08.020 On-site sewage disposal regulations.
17A.08.025 Wellhead protection areas.

17A.08.010 Designation of aquifer recharge areas.

No critical aquifer recharge locations have been identified in Kittitas County. If highly vulnerable recharge areas are identified, studies will be initiated to determine if ground water contamination has occurred. Future classification of these areas will include consideration of the degree to which the aquifer is used as a potable water source, feasibility of protective measures to preclude further degradation, availability of treatment measures to maintain potability, and availability of alternative potable water sources.

Current county regulations are incorporated by reference and will adequately protect aquifer recharge areas until such time as additional information indicates the need for further studies. (Ord. 94-22 (part), 1994).

17A.08.015 Hazardous materials.

Proposals falling under the provisions of Section 17A.03.015 and which deal with hazardous materials which may contaminate ground or surface water shall comply with all applicable federal and state laws and regulations, and shall demonstrate said compliance to the planning director. To the extent such proposals are not otherwise regulated under state and federal law, the applicant shall submit a hazardous materials plan, developed in consultation with the Kittitas County environmental health department. At a minimum, the hazardous materials plan shall include:

1. A description of operations and identify hazardous materials which may be used with the proposal;
2. Description of how hazardous materials will be handled on site;
3. Description of containment for hazardous material;
4. A site map showing the location of the facility, property boundaries, locations of hazardous materials, and other features of the site;
5. Secondary containment for wastewater, fuels, and other materials deemed by the Kittitas County environmental health and solid waste departments to pose a significant adverse impact on ground or surface water;
6. The use of monitoring to ensure that the hazardous materials do not leak or contaminate ground or surface water;
7. The use of settling ponds, restrictions on off-site discharge, biofiltration or other methods deemed by the Kittitas County planning department and/or Kittitas County environmental health and solid waste departments necessary to prevent a significant adverse impact on ground or surface water;
8. Setbacks for materials considered by the Kittitas County planning department, Kittitas County environmental health and solid waste departments, or the Kittitas County fire marshal to pose a significant adverse impact on ground or surface water. (Ord. 94-22 (part), 1994).

17A.08.020 On-site sewage disposal regulations.

On-site sewage disposal regulations. The Kittitas County on-site sewage disposal regulations (December 1978) are hereby adopted by reference as the development regulations for all uses defined in this chapter. (Ord. 94-22 (part), 1994).

17A.08.025 Wellhead protection areas.

Wellhead protection areas. All noncommunity wells must be placed a minimum of fifty feet from property lines. (Ord. 9422 (part), 1994).

Chapter 17A.55
CAZ COMMERCIAL AGRICULTURAL ZONE AND CAZO COMMERCIAL AGRICULTURAL ZONE OVERLAY

(Repealed by Ord. 98-13)

Title 18 | CODE ENFORCEMENT

Chapters

18.01 General Provisions
18.02 Infraction Corrective Orders
18.04 Infraction Hearings
18.05 Penalties
18.06 Legal Provisions

Chapter 18.01
GENERAL PROVISIONS

Sections

18.01.010 Applicability.
18.01.020 Enforcement.
18.01.040 Infractions designated.
18.01.050 Crimes designated.
18.01.060 Inspection.

18.01.010 Applicability.

1. This Title shall apply to the enforcement of Kittitas County ordinances and codes, related to building, zoning, fire, and environmental health and safety, the violation of which either injures or endangers the comfort, repose, health, or safety of others are hereby declared a public nuisance:
   a. Title 5 Kittitas County Code (KCC), Business Licenses And Regulations;
   b. Title 8 KCC, Health, Welfare, and Sanitation;
   c. Title 12 KCC, Roads and Bridges;

d. Title 13 KCC, Water and Sewers;
e. Title 14 KCC, Buildings and Construction;
f. Title 15 KCC, Environmental Policy;
g. Title 16 KCC, Subdivisions;
h. Title 17 KCC, Zoning; and WAC 173-19-270, Kittitas County Shoreline Master Program;
i. Title 17A KCC, Critical Areas;
j. Title 20 KCC, Fire and Life Safety; and
k. All Kittitas County Health Ordinances and Codes, including but not limited to, Solid Waste Ordinance(s).

2. This Title shall also apply to the following additional public nuisances:
   a. Any public nuisance as defined by Washington State Statute or set forth in Washington case law;
   b. Any attractive nuisance whether in a building, on the premises of a building, or on an unoccupied lot. This includes any abandoned wells, shafts, basements, or excavations; abandoned refrigerators and junk vehicles, as defined in this chapter; or any structurally unsound fences or structures; or any lumber, trash, fences, debris or vegetation which may prove a hazard;
   c. The existence of any dead, diseased, infested, or dying trees which may constitute a danger to property or persons;
   d. The existence of any tree, shrub or foliage, unless by consent of the county, which is apt to destroy, impair, interfere or restrict:
      i. Roads, sidewalks, sewers, utilities or other public improvements, or
      ii. Visibility, or free use of, or access to such improvements.
   e. The existence of any vines or climbing plants growing into or over any road, public hydrant, pole or street light, or the existing of any shrub, vine or plant growing on, around, or in front of any hydrant, stand pipe, sprinkler system connection or any other appliance or facility provided for fire protection purposes in such a way as to obscure the view thereof, or impair the access thereto;
   f. The existence of a sidewalk or portion of a sidewalk adjacent to any premises which sidewalk is out of repair, and in a condition to endanger persons or property, or in a condition to interfere with the public convenience and the use of such sidewalk;
   g. The existence of any obstruction (including snow or ice that has been plowed into or across a road, alley, crossing or sidewalk) to a road, alley, crossing or sidewalk, which is by ordinance prohibited, or which is made without lawful permission, or which having been made by lawful permission, is kept and maintained after the purpose therefore has been accomplished, and for an unreasonable length of time;
   h. The erecting, maintaining, using, placing, depositing, leaving or permitting to be or remain in or upon any private lot, building, structure, or premises, or in or upon any road, alley, sidewalk, park, parkway, or other public or private place in the county, any one or more of the following: disorderly, disturbing, unsanitary, fly-producing, rat-harboring, disease-causing places, conditions, or objects;
   i. Any bottles, cans, glass, ashes, small pieces of scrap iron, wire, metal, tires, articles, broken stone or cement, broken crockery, broken glass, broken plaster and all such trash, or abandoned material, unless it is kept in approved covered bins or receptacles;
   j. Any trash, litter, rags, accumulations, or empty barrels, boxes, crates, packing cases, mattresses, bedding, straw or other packing materials, lumber not neatly piled, scrap iron, tin or other metal not neatly piled, or anything whatsoever in which flies or rats may breed or multiply, or which may be a fire hazard;
   k. The depositing or burning or causing to be deposited or burned in any road, alley, sidewalk, park, parkway, or other public place which is open to travel, any hay, straw, paper, wood, boards, boxes, leaves, manure, or other rubbish or materials;
   l. The existence of any pits, potholes, or holes which would endanger safety;
   m. The existence of any conditions that would produce dust or noxious odors; provided, that nothing herein shall be prohibited when done in conjunction with a construction project for which a building permit has been issued and is being prosecuted diligently to completion, and the contractor or owner shall be responsible for dust control throughout the development area;
   n. The existence of any fence or other structure or thing on private property abutting or fronting upon any public road, sidewalk, or place which is in a sagging, leaning, falling, decaying, or other dilapidated or unsafe condition;
   o. Unlawful disposal sites. It is unlawful for anyone to deliver and/or deposit any garbage or rubbish generated within the county or without the county at any disposal site other than a refuse disposal, processing, transfer or recovery site provided and/or designated by the director or public works pursuant to chapter 13.12 KCC;
   p. Buildings found substandard pursuant to chapter 14.04 KCC;
   q. Vehicles, boats and trailers, on property for sale. The placing or parking along street and road rights-of-way or in direct and plain view thereof any vehicle, licensed or unlicensed, boat, trailer, motor-home, mobilized equipment or machinery, recreational vehicle and equipment placed or parked on property that is owned by someone that is other than the owner of the vehicle, trailer, motor-home, etc. for the purpose of selling the same. The placing or parking of any vehicle, etc. on property owned by another includes business and commercial property so long as the business is not regularly engaged and licensed pursuant to chapter 46.70 RCW, in selling the particular vehicle, equipment, etc.
   r. Any "Junk Vehicle." The definition of "junk vehicle" is a vehicle intended to be self-propelled and used for the transport of people, goods, and/or services.
      i. In addition to the above definition, a vehicle must meet at least three of the following to be a "junk vehicle" under 18.01.010(r) KCC
         1. Is three years old or older;
         2. Is extensively damaged, such damage including, but not limited to, any of the following:
            a. A broken window or windshield;
            b. Missing wheels or tires; or
            c. Missing motor, or transmission;
         3. Is without a valid, current license plate or certificate of registration;
         4. Is apparently inoperable;
         5. Has an approximate fair market value equal only to the approximate value of the scrap in it.
      ii. This definition of a "junk vehicle" shall not apply to:
         1. A vehicle or part thereof that is completely enclosed within a building in a lawful manner where it is not visible from the road or other public or private property; or
         2. A vehicle or part thereof that is stored or parked in a lawful manner on private property in connection with the business of a licensed dismantler or licensed vehicle dealer and is fenced according to RCW 46.80.130; or
         3. A vehicle which is actively being restored, repaired, or reconditioned. A property shall only have one vehicle under this exception. If the project is not completed within two years, the vehicle must be removed as provided herein.
   s. Any existing excavation or embankment or fill that has become a hazard to life and limb, or endangers property, or adversely affects the safety, use or stability of a public way or drainage channel;
   t. All "litter" and "potentially dangerous litter" as defined in Section 70.93.030 RCW. The definition of "Potentially dangerous litter" is amended to include any litter which is disposed of in such a way as to create a fire hazard, such as any material which is still burning at the time of disposal.
3. It is unlawful and a violation of this chapter for any person, firm, or corporation found guilty of having created, or suffering to exist on premises either owned or leased by them, any nuisance defined herein. Owners remain liable for violations of duties imposed by this chapter jointly and severally of any obligation imposed on the occupants of the premises; it is irreleveant to this chapter that an owner, by agreement, imposed on the occupant the duty of complying with this chapter,
4. Successive property owners are liable for abatement of nuisances created by their predecessors in interest. No right can be acquired to continue a nuisance by virtue of its longtime existence. It shall not be necessary to show that the owner participated in, or was even aware of, the code violation in order to hold him/her liable.
5. Violations of the applicable codes shall be corrected under the provisions of this Title, in coordination with existing ordinance and code provisions. (Ord. 2013-012, 2013;Ord. 2009-22, 2009; Ord. 2009-19, 2009; Ord. 2006-37, 2006; Ord. 2005-29, 2005; Ord. 94-25 (part), 1994)

18.01.020 Enforcement.

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

1. The Kittitas County sheriff and his or her authorized representatives shall have the authority to enforce the provisions of this Title.
2. The Kittitas County prosecuting attorney shall have the authority to enforce the provisions of this Title and may institute any legal proceedings necessary to enforce the provisions of this Title.
3. The Kittitas County fire marshal and his or her authorized representatives shall have the authority to enforce the provisions of this Title as to violations of Chapter 15.08 and 20

KCC, and all other fire and life safety code and ordinances as adopted by Kittitas County.
4. The Kittitas County Planning Official and his or her authorized representatives shall have the authority to enforce the provisions of this Title as to violations of all building and zoning codes and ordinances as dopted by Kittitas County.
5. The Kittitas County Board of Health may designate other persons to administer the provisions of this Title as to violations of Titles 8 and 13 and the Kittitas County Health Code and Ordinances.
6. The Kittitas County Board of County Commissioners may designate other persons to administer the provisions of this Title. Designation of enforcement officers shall be made by resolution and may designate persons by name or position. (Ord. 2013-012, 2013; Ord. 2009-19, 2009; Ord. 2006-37, 2006; Ord. 94-25 (part), 1994)

18.01.030 Amnesty period.
Removed as part of Ord. 2005-29, 2005.

18.01.040 Infractions designated.
The violation of any provision of the applicable codes or sections or the presence of a nuisance, as set forth in KCC 18.01.010 ("violation"), shall constitute a civil infraction. Each such violation shall constitute a separate civil infraction for each and every day or portion thereof during which such violation is committed, continued, or permitted. (Ord. 2009-19, 2009; Ord. 2006-37, 2006; Ord. 2005-29, 2005; Ord. 9425 (part), 1994)

18.01.050 Crimes designated.
Any person, company, firm, corporation or other legal entity who:

1. Commits a violation as set forth in KCC 18.01.010 on two or more days within any twelve-month period shall be guilty of a misdemeanor, punishable by up to ninety days in jail and/or a fine of up to one thousand dollars.
2. Having had two or more prior code convictions and/or findings of having committed code infractions, including notices of violation and abatement, under this Title and thereafter commits a third violation as set forth in KCC 18.01.010 within ten years shall be guilty of a gross misdemeanor, punishable by up to three hundred sixty-five days in jail and/or a fine of five thousand dollars. (Ord. 2009-19, 2009; Ord. 2006-37, 2006; Ord. 2005-29, 2005)

18.01.060 Inspection.

1. The director or his/her designee may make inspection from public roads or alleys, or may enter upon private property with the consent of the owner or occupant thereof to make inspections and also to abate conditions as provided in sections 18.01.010 and/or 18.05.030. If entry to property is refused and the same is necessary to be had the county may use any lawful means necessary to obtain entry.
2. Upon written notice of intent to seek a search warrant, when a tenant/occupant or landlord/owner denies the director or his/her designee the right to search a premises, the county may immediately seek a search warrant, upon a showing of probable cause specific to the premises sought to be searched that code and/or statutory violations exist upon the premises chargeable as a criminal violation pursuant to KCC section 18.01.050, a court of competent jurisdiction shall issue a warrant allowing a search of such premises.
   a. Probable cause that a multi-day violation exists that would be chargeable as a misdemeanor pursuant to KCC 18.01.050 requires that the inspecting county employee, on at least two separate days, either observed conditions constituting a violation under this chapter or was refused entry upon premises to inspect for such a violation after receiving information reasonably leading him/her to believe such violations existed.
   b. Either the observation of multi-day violations or the multi-day denial of entry after receipt of information as to suspicious conduct shall be attested to by sworn affidavit.
3. The Superior Court and courts of limited jurisdiction organized under Titles 3, 35, and 35A RCW have jurisdiction to issue such search warrant. Evidence obtained pursuant to any such search may be used in a criminal, civil, or administrative enforcement action. (Ord. 2009-19, 2009; Ord. 2006-37, 2006)

Chapter 18.02
INFRACTION CORRECTIVE ORDERS

Sections
18.02.010 Violations - Enforcement.
18.02.020 Order to correct violation.
18.02.030 Notice of violation and abatement.
18.02.040 Notice of infraction.
18.02.050 Failure to comply.

18.02.010 Violations - Enforcement.
1. Except as provided in this Title, any authorized official under 18.01.020 KCC may investigate alleged or apparent violations of this Title.
2. If an authorized official makes a determination that a violation has occurred or is occurring, that official may:
   a. Pursue reasonable attempts to secure voluntary correction by issuing an order to correct violation;
   b. Issue a Notice of Violation and Abatement to the landowner(s); or
   c. Issue a notice of infraction if that official reasonably believes a violation has occurred.
3. Nothing in this Chapter shall limit the ability of the authorized official to pursue other corrective actions as allowed by law. (Ord. 2013-012, 2013; Ord. 2009-19, 2009; Ord. 2006-37, 2006; Ord. 2005-29, 2005; Ord. 94-25 (part), 1994)

18.02.020 Order to correct violation.
1. Purpose. An order to correct violation may be issued in an effort to secure voluntary correction within a reasonable amount of time as determined by the authorized official.
2. Order to correct violation - Content. The order to correct violation should contain:
   a. The name and address of the landowner or the other person(s) to whom the order to correct violation is directed; and
   b. The street address or description sufficient for identification of the building, structure, premises, or land upon or within which the violation has occurred or is occurring; and
   c. A description of the violation and a reference to that provision of the ordinance or code which is alleged to have been violated; and
   d. A statement of the action required to be taken to correct the violation and a date or time by which correction is to be completed; and
   e. A statement that failure to respond to the order to correct violation, within a defined and listed amount of time assessed as reasonable by the authorized official, may result in the issuing of a notice of infraction, Notice of Violation and Abatement or possible criminal charges and the commencement of a monetary penalty in an amount per day for each violation, assessed against the person(s) in the case of violations of 18.01.010(1) KCC, and against the land in the case of violations under 18.01.010(2) KCC or 18.01.010(3) KCC, to whom the order to correct violation is directed for each and every day, or portion thereof, on which the violation continues following the date set for correction; and
   f. Notice that multi-day violations are chargeable as crimes under 18.01.050 KCC; and
   g. The signature of the authorized official who issues the order to correct violation.
3. Order to correct violation - Service.
   a. The order to correct violation is issued to the landowner or to any person causing, allowing, or participating in the alleged violation. The order to correct violation shall be served upon the person to whom it is directed by either:
      i. personal service of an authorized official pursuant to 18.01.020 KCC; or
      ii. by mailing a copy of the order by certified mail, postage prepaid, return receipt requested, to such person at his/her last known address.
   b. Where practical, a copy of the notice should be posted on the affected property or structure. Failure to post a copy of the notice is not, however, a requirement of proper service.
   c. The failure of the landowner or person causing, allowing or participating in the alleged violation to receive such Order to Correct shall not affect the validity of any proceedings taken under this Chapter. Service by certified mail in the manner provided in this section shall be effective on the third day after the date of postmark,

excluding Saturdays, Sundays and holidays.

4. Order to correct violation - Extension of Time. Upon written agreement between an authorized official and the party allegedly in violation, the parties may agree to an extension of time to correct the violation.
   a. The extension of time shall include a date certain in the future upon which correction of the violation is to be complete.
   b. The extension of time shall be granted only upon a showing of good cause as demonstrated in the written agreement. Among others, factors to be considered are:
      i. Substantial completion of the necessary correction;
      ii. Unforeseeable circumstances which render completion of the necessary correction impossible by the date established;
      iii. A proposed phase removal plan that extends beyond the established correction date.
5. Order to correct violation - Repeat Offense. When an order to correct violation has been previously issued for the same offense to the same person at the same location, the authorized official is not required to issue an order to correct violation and may immediately issue a notice of infraction, a Notice of Violation and Abatement, or possible criminal charges (Ord. 2013-012, 2013; Ord. 2009-19, 2009; Ord. 2006-37, 2006; Ord. 2005-29, 2005; Ord. 94-25 (part), 1994).

18.02.030 Notice of Violation and Abatement.

1. Whenever, upon a reasonable belief, a public nuisance exists in violation of this Title, an authorized official may issue a Notice of Violation and Abatement to the landowner(s), containing the following:
   a. The street address, parcel number(s), or description of the building, structure, premises, or land in terms reasonably sufficient to identify its location;
   b. A description of the violation(s) including the day or days of the offenses;
   c. A reference to the Title, Chapter, and Section of the KCC or Kittitas County Health Department regulation or written order which has been violated, if applicable;
   d. The amount of the fine imposed and to whom and by when it must be paid;
   e. A description of the action required to abate the public nuisance which may include corrections, repairs, demolition, removal, or any other appropriate action, and a date by which voluntary abatement must be completed;
   f. A statement that the person to whom a Notice of Violation and Abatement is directed may request an administrative hearing to be conducted by the Hearing Examiner. Such request (Notice of Appeal) must be in writing, accompanied by the appeals fee and must be received by the Public Official within 10 working days after the Notice of Violation and Abatement has been served.
   g. A statement that the landowner must correct the violation and pay the civil penalty; or may appeal the Notice; and
   h. A statement that the costs and expenses of abatement incurred by the County may be assessed against the person(s) named in the Notice of Violation and Abatement and further that failure to pay said costs may result in a lien for the costs of abatement being assessed against the property.
2. Service of the Notice of Violation and Abatement
   a. The Notice of Violation and Abatement shall be served by any one or combination of the following methods:
      i. By both first-class and certified mail with a 5-day return receipt requested to the last known address of the landowner of the property; or
      ii. By posting the Notice of Violation and Abatement in a prominent location on the premises in a conspicuous manner which is reasonably likely to be discovered; or
      iii. By personal service upon the landowner.
   b. The failure of the landowner to receive such Notice of Violation and Abatement shall not affect the validity of any proceedings taken under this Chapter. Service by certified mail in the manner provided in this section shall be effective on the third day after the date of postmark, excluding Saturdays, Sundays and holidays.
3. Notice of Appeal.
   a. Within 10 working days of service of a Notice of Violation and Abatement, the landowner may submit a written Notice of Appeal to the Authorized official, to appeal the Notice of Violation and Abatement.
   b. The notice of appeal shall contain a written, concise statement identifying:
      i. The decision being appealed;
      ii. The name and address of the appellant and his interest(s) in the matter;
      iii. The specific reasons why the appellant believes the decision to be wrong. The appellant shall bear the burden of proving the decision was wrong; and
      iv. The desired outcome or changes to the decision.
4. Notice of Hearing.
   a. The authorized official shall issue and serve a Notice of Hearing to the appellants within fifteen working days after the receipt of one or more timely Notices of Appeal. Requests from multiple parties concerning the same nuisance may be consolidated.
   b. The Notice of Hearing shall be served by the same means as the Notice of Violation and Abatement.
   c. The Notice of Hearing shall contain the date, time, and location of the hearing.
5. Hearing.
   a. The appeal of a Notice of Violation and Abatement shall be heard by the Hearing Examiner.
   b. Unless otherwise provided herein, the provisions of Chapter 2.11 KCC shall govern the hearing process.
   c. Burden of proof.
      i. Except as otherwise required by law, in all cases where a license or permit is required but has not been issued, the burden shall be on the applicant to establish that the application meets all applicable criteria or that a license or permit is not required. In all other cases, the burden is on the county to prove the alleged factual basis set forth in the initiating document.
      ii. Except as otherwise required by law, the burden in all cases is a preponderance of the evidence.
      iii. The observation of a violation on different dates shall be prima facia evidence that the violation continued to exist on intervening dates.
   d. The Hearing Examiner shall determine if the property at issue constitutes a public nuisance as defined in this Chapter. The Hearing Examiner shall also determine if the appellant is the property owner and is therefore personally liable for the costs of abating the nuisance.
6. Order of the Hearing Examiner.
   a. Unless mutually agreed to by the appellant and the Hearing Examiner, the Hearing Examiner or the Hearing's Examiner's clerk shall serve upon both the county and the appelant, either personally or by mailing a copy of the order to the parties at his/her last known address as determined by the designated authorized official.
   b. The Hearing Examiner, in affirming the authorized official's Notice of Violation and Abatement, shall impose the fine consistent with the penalty provision of this Title and may assess administrative costs and/or costs related to the abatement of the nuisance.
   c. The Hearing Examiner may order the County to pay the appellant costs, and/or attorney fees only upon a finding that both the violation did not occur and intentional misconduct on the part of the authorized official.
   d. The appellant may file a request for reconsideration of the Hearing Examiner's decision within ten days of service of the Hearing Examiner's written decision, based on any of the following grounds materially affecting the substantial rights of said party or person:
      i. Errors of procedure or misinterpretation of fact, material to the party seeking the request for reconsideration;
      ii. Irregularity in the proceedings before the Hearing Examiner by which such party was prevented from having a fair hearing; or
      iii. Clerical mistakes in the official file or record transmitted to the Examiner, including errors arising from inadvertence, oversight, or omission, which may have materially affected the Board's decision on the matter.
   e. Upon receipt of a request for reconsideration, the Hearing Examiner shall review said request in light of the record and take such further action as is deemed proper; including, but not limited to, denying the request, granting the request, with or without oral argument, and may render a revised decision. The decision of the Hearing Examiner shall be subject to reconsideration only one time, even if the Hearing Examiner reverses or modifies the original decision.
   f. If no written request for reconsideration has been received by the authorized official within ten days of the service of the order of the Hearing Examiner, the order shall be considered final unless appealed to Kittitas Superior Court. All such appeals shall be governed by Rules for Appeal of Decisions of Courts of Limited Jurisdiction (RALJ).
7. Cooperative Abatement Agreements.
   The authorized official and the landowner may enter into a cooperative abatement agreement which includes a right of entry agreement and an agreement regarding the recovery of costs of the abatement.
8. Cost Recovery.
   a. In addition to the other remedies available under this chapter, an authorized official may charge the costs of abatement to the landowner(s) who received the Notice of Violation and Abatement or to the landowner(s) who were found personally liable for the costs of abating the nuisance by an order issued by the Hearing Examiner if an appeal was filed. The costs are due and payable 30 days from mailing of the invoice and if not paid by that date shall bear interest at the rate of 12 percent per annum.

The costs shall be paid to the Department to which the authorized official is assigned. In the case of persons designated by the Kittitas County fire marshal to enforce Chapter 15.08, 20 KCC costs shall be paid to the Office of the Fire Marshal.

b. If more than one landowner has been issued a Notice of Violation and Abatement or more than one appellant was found personally liable for the costs of abating the nuisance by an order issued by the Hearing Examiner, each party shall be jointly and severally liable for the costs of the abatement.

c. For purposes of this Section, "costs" shall include but are not limited to:

i. Personnel costs, both direct and indirect, including all attorney's fees and costs incurred in the investigation, documentation, and abatement of the nuisance;

ii. Repair, demolition, hauling, clean up, storage, disposal, and environmental mitigation expenses;

iii. Actual expenses and costs of the County in preparing notices, specifications, and contracts, and the costs of any required printing or mailing;

iv. Actual expenses and costs of the County in accomplishing, contracting, or inspecting the abatement work;

v. Penalties under to Chapter 18.05 KCC.

d. Any salvage value proceeds resulting from the abatement of the property shall first be applied to the costs of abatement. Any remaining such monies shall be paid to the landowner as shown on the last equalized assessment roll.

e. The County may impose a special assessment for the costs of any abatement proceedings under this chapter and all other related costs against the real property on which the nuisance was found or any of the work of abatement was performed.

9. Special Assessment.

Pursuant to RCW 36.32.120(10), all costs incurred by Kittitas County for the abatement of any nuisance defined by any statute or ordinance shall be a special assessment upon land or premises on which the nuisance is situated and this assessment and/or any penalties under this Title shall constitute a lien against the property which shall be of equal rank with state, county, and municipal taxes. An authorized official shall cause a claim of lien to be filed for record in the Auditor's Office within ninety (90) days from a final finding. (Ord. 2013-012, 2013; Ord. 2009-19, 2009)

18.02.040 Notice of infraction.

An authorized official may issue a notice of infraction where that official has probable cause believe, and does believe that a violation has occurred or is occurring.

1. Notice of Infraction - Contents. A notice of infraction shall either be:
   a. A notice of infraction ticket from a ticket book which substantially complies with IRLJ 2.1(b) and is approved by the Administrative Office of the Courts, or
   b. A notice of infraction form that shall contain the following:
      i. A statement indicating a determination has been made that the civil infraction has been committed by the person named in the notice and that the determination shall be final unless contested as provided in this Title;
      ii. A statement of the specific civil infraction(s) alleged to have been committed for which the notice of infraction was issued and a reference to the code section allegedly violated;
      iii. The date(s) the violation was observed;
      iv. Address or sufficient description of the property at which the violation allegedly occurred;
      v. A statement that the civil infraction is a noncriminal offense for which imprisonment shall not be imposed as a sanction;
      vi. A statement that a person's failure to respond to a notice of infraction as promised is a misdemeanor and may be punishable by a fine of up to one thousand dollars and/or imprisonment in jail up to ninety days;
      vii. A list of options provided in this ordinance for responding to the notice of infraction and the procedures necessary to exercise these options;
      viii. A statement that at any hearing to contest the determination of infraction, the burden is on the county to establish that the infraction was committed by preponderance of the evidence and that the person may produce witnesses and subpoena the authorized official who issued and/or served the notice of infraction;
      ix. A statement that the person alleged to have committed the infraction promises to respond to the Notice of Infraction in a manner consistent with this title, and a space for the alleged violator's signature;
      x. A statement that refusal to sign the infraction as directed in paragraph (i) of this subsection shall constitute a determination that the person to whom the notice was issued committed the infraction;
      xi. The amount of the penalty for the alleged infraction;
      xii. Statement that if the violation is a nuisance and is not corrected, that the County can abate the nuisance and that the infraction penalty, abatement costs, and all associated legal costs and fees can become a lien against the property as well as a joint and several judgment against the owners and that the County can foreclose upon that lien, also obtaining reimbursement for its foreclosure costs, against the property;
      xiii. The name, signature, address, and phone number of the authorized official issuing the notice of infraction as well as the time and place the notice was issued; and
      xiv. A statement that multi-day violations can be charged as crimes.
2. Notice of Infraction - Service. An authorized official may issue a notice of infraction if that official has probably cause to believe, and does believe, that the provisions of an applicable ordinance has been violated. A notice of infraction may be served through adherence to IRLJ 2.2(c):
3. Notice of Infraction - Filing. A notice of infraction shall be filed in District Court within forty-eight hours of issuance, excluding Saturdays, Sundays, and holidays. Kittitas County District Court shall have jurisdiction to hear and determine these matters.
4. Notice of Infraction - Determination. A notice of infraction represents a determination that the person to whom the notice was issued committed the infraction unless contested under the provisions of this Title.
5. Notice of Infraction-Notice of Lien. The Notice of Infraction shall constitute a Notice of Lien in case the matter ultimately results in abatement and a lien for such abatement costs.
6. Notice of Infraction - Procedure.
   a. A person who has been served with a notice of infraction shall respond to the notice as provided within this section within fifteen days of the date the notice was served as provided in the Infraction Rules for Courts of Limited Jurisdiction (IRLJ) 2.4.
   b. If the person fails to respond as provided in IRLJ 2.4, the court shall follow the procedure in IRLJ 2.5.
7. Notice of Infraction - Scheduling of Hearings
   a. If the person responds by requesting a contested hearing, then the court shall follow IRLJ 2.6(a) to schedule the contested hearing.
   b. If the person responds by requesting a mitigation hearing, then the court shall follow IRLJ 2.6(b) to schedule the mitigation hearing.
   c. The court may notify the county prosecuting attorney of a failure to respond to the notice of infraction if the person named on the notice fails to respond to the notice of infraction as provided in paragraph (b) of this subsection or fails to appear at a hearing requested pursuant to paragraphs (c) or (d) of this subsection. The court shall notify the respective county department of any judgment entered and the reasons therefore.

(Ord. 2013-012, 2013; Ord. 2009-19, 2009; Ord. 2006-37, 2006; Ord. 94-25 (part), 1994)

18.02.050 Failure to comply.

1. Any person willfully violating his or her written and signed promise to appear in court or his or her signed promise to respond to the notice of infraction is guilty of a misdemeanor, punishable by fine up to one thousand dollars and/or imprisonment in jail up to ninety days, regardless of the disposition of the notice of infraction.
2. A person who willfully fails to pay a monetary penalty as required by a court under this chapter may be found in civil contempt of court after notice and hearing. Further, delinquent accounts with the court may be referred to an agency for collection.
3. Any person subject to criminal proceedings under this Title may be represented by a lawyer. If the person named on the notice of infraction qualifies, he or she may be represented by court-appointed counsel. (Ord. 2009-19, 2009; Ord. 2006-37, 2006; Ord. 94-25 (part), 1994)

Chapter 18.04
INFRACTION HEARINGS

Sections

18.04.010 General Procedures.
18.04.020 Repealed.

18.04.010 Contested hearing.

1. Infraction hearings shall be governed by the Infraction Rules for Courts of Limited Jurisdiction (IRLJ) Title 3: Procedure at Hearings, unless otherwise provided in this Section.
2. If the court determines that the infraction was committed, it shall:
   a. Assess the monetary penalty per Section 18.05.010 KCC; and
   b. Order the individual to correct the violation, and enter such an order into the court's records.
3. All appeals of the court's determination shall be according to IRLJ Title 5: Appeals. (Ord. 2013-012, 2013; Ord. 2009-19, 2009; Ord. 2006-37, 2006; Ord. 2005-29, 2005; Ord. 94-25 (part), 1994).

18.04.020 Repealed.

(Ord. 2013-012, 2013; Ord. 2009-19, 2009; Ord. 2006-37, 2006; Ord. 94-25 (part), 1994).

Chapter 18.05
PENALTIES

Sections

18.05.010 Infraction Penalties.
18.05.020 Criminal Penalties.
18.05.030 Abatement.

18.05.010 Penalties.

1. A person found to have committed a civil infraction shall be assessed a monetary penalty. Except as otherwise required by law, the maximum penalty and default amount is $500 for each day of violation under this Title, not including statutory assessments, and the minimum penalty shall be $250 for each day of violation under this chapter, not including statutory assessments. The court may not reduce, waive, or suspend the monetary penalty below the stated minimum.
2. A person having been issued a Notice of Violation and Abatement shall be subject to a monetary penalty. The authorized official shall determine the penalty amount. Except as otherwise required by law, the maximum penalty and default amount shall be $500 for each day of violation under this Title, not including statutory assessments, and the minimum penalty shall be $100 for each day of violation under this chapter, not including statutory assessments. The Hearings Examiner may not reduce, waive, or suspend the monetary penalty below the amount assessed by the authorized official.
3. Each and every day of violation is a separate civil infraction subject to the above per-day penalty.
4. A person found to have committed a civil infraction shall be ordered to correct the violation. Failure to do so may result in an abatement action.
5. Whenever a monetary penalty is imposed by a court under this Title, it is immediately payable to the court. If the person is unable to pay at that time, the court may grant an extension of the period in which the penalty may be paid. If the penalty is not paid on or before the time established for payment, the court may proceed to collect the penalty in the same manner as other civil judgments and may notify the county prosecuting attorney of the failure to pay. The court shall also notify the respective county department of the failure to pay the penalty, and the respective county department shall not issue the person any future permits for any activities and/or work until the monetary penalty has been paid in full.
6. The court may also order restitution be paid to a damaged party by the person found to have committed the infraction.
7. Whenever a Notice of Violation and Abatement has been issued by an authorized official and the applicable appeals period has expired, the monetary penalty shall be immediately payable to the Department to which the authorized official is assigned. Any such penalty not paid within 30 days of the issuance of the notice or order affirming such notice shall bear interest at the rate of 12 percent per annum and may be referred to a collection agency. Nothing in this Title limits the right of the County to pursue other lawful remedies to fees, fines and costs imposed by this Title. (Ord. 2013-012, 2013; Ord. 2009-19, 2009; Ord. 2006-37, 2006; Ord. 2005-29, 2005; Ord. 94-25 (part), 1994)

18.05.020 Criminal Penalties.

1. Any misdemeanor in violation of 18.01.050 KCC shall be punishable by up to ninety days in jail and/or a fine of up to one thousand dollars.
2. Any gross misdemeanor in violation of 18.01.050 KCC shall be punishable by up to three hundred sixty-five days in jail and/or a fine of five thousand dollars.
3. A person found to have committed a misdemeanor or gross misdemeanor under 18.01.050 KCC may be ordered to correct the violation. Failure to do so may result in an abatement action. (Ord. 2013-012, 2013; Ord. 2009-19, 2009; Ord. 2006-37, 2006; Ord. 2005-29, 2005)

18.05.030 Abatement.

1. When the violation is nuisance under KCC 18.01.010 and the unsuccessful defendant has not complied
   a. with the portion of the District Court order prescribing correction and the applicable appeal period has expired; or
   b. with the portion of the Notice of Violation and Abatement prescribing correction and the applicable appeals period has expired, the County may propose a resolution to the Kittitas County Board of County Commissioners seeking (a) authority to proceed with an abatement action in the Superior Court, (b) appropriation of funding to carry out the abatement, and (c) approval of a time table within which to complete the contemplated abatement. If a Department has an abatement fund established the County need only propose the above resolution to the Board if County general funds are necessary for the abatement.
2. Upon approval of the above described resolution if required by the Kittitas County Board of County Commissioners, the County shall apply to the District Court for a warrant of abatement and a transfer to Superior Court or file an action for a warrant of abatement in Superior Court.
3. Upon receipt of such application, the District Court shall transfer the cause to the Superior Court, which shall proceed to try the issue of abatement.
4. The presence of a nuisance, as determined by the District Court or through the procedure outlined in KCC 18.02.035, shall be res judicata.
5. The Superior Court shall decide whether or not the defendant has complied with the District Court order requiring correction or the corrective measure outlined in the Notice of Violation and Abatement.
6. If not, the Superior Court shall issue a warrant of abatement authorizing the County to abate the nuisance at the expense of the party causing the nuisance and to levy a special assessment against the involved real estate to defray costs and reimburse the County for its abatement costs.
7. Such special assessment, along with any civil penalties and costs shall constitute a lien against the property upon which the violation occurred that shall be of equal rank with state, county, and municipal taxes.
8. An authorized official shall cause a claim of lien to be filed for record in the Auditor's Office within ninety (90) days from the date of completion of the abatement performed pursuant to this Title.
9. The claim of lien shall contain the following:
   a. The authority for imposing a civil penalty and/or proceeding to abate the violation;
   b. A brief description of the civil penalty imposed or the abatement work done, or both, including the violations charged and the duration thereof, including the time the work is commenced and completed and the name of the persons or organizations performing the work;
   c. A description of the property to be charged with the lien;
   d. The name of the known owner or reputed owner, and if not known the fact shall be alleged; and
   e. The amount, including lawful and reasonable costs, for which the lien is claimed.
10. No lien created by this Title binds the property subject to the lien for a period longer than ten years after the claim has been filed unless an action is commenced in the proper court within that time to enforce the lien.
11. Liens created under this Title shall bear interest at the rate of 12 percent per annum and such interest shall accrue as of the date notice of the lien is sent to the property owner. (Ord. 2013-012, 2013; Ord. 2009-19, 2009; Ord. 2006-37, 2006)

Chapter 18.06 LEGAL PROVISIONS

Sections

18.06.010 Nature of infraction proceedings.

18.06.020 Legal costs infractions.
18.06.030 Severability and Saving.
18.06.040 Conflicts.
18.06.050 Other Lawful Remedies.

18.06.010 Nature of infraction proceedings.
Any finding or order that an infraction has been committed under the provisions of this Title is civil in nature. (Ord. 2013-012, 2013; Ord. 2009-19, 2009; Ord. 2006-37, 2006; Ord. 94-25 (part), 1994)

18.06.020 Legal costs of infractions.
Except where explicitly stated in this Title, each party in a civil infraction case is responsible for attorney fees and costs incurred by that party. (Ord. 2013-012, 2013; Ord. 2009-19, 2009; Ord. 2006-37, 2006; Ord. 94-25 (part), 1994)

18.06.030 Severability and Saving.
If any provision of this chapter or its application to any person or property is held invalid, the remainder of this chapter or the application of the provision to other persons or property is not affected and if for any reason this code should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect. (Ord. 2009-19, 2009)

18.06.040 Conflicts.
If any provision of this Title or its application to any person or property is in conflict with any other provision of County Code or Court Rule, including procedural rules; then the provision contained within this Title shall control. (Ord. 2013-012, 2013; Ord. 2009-19, 2009)

18.06.050 Other Lawful Remedies.
Nothing in this code limits the right of the County to pursue other lawful criminal, civil or equitable remedies to abate, discontinue or correct violations of this Title. (Ord. 2013-012, 2013; Ord. 2009-19, 2009)

Title 19 | AIRPORTS

Chapters
19.04 Kittitas County Airport (Bowers Field)

Chapter 19.04
Kittitas County Airport (Bowers Field)

Sections

Part I. Definitions
19.04.010 Generally.
19.04.020 Aeronautical activity.
19.04.030 Aircraft.
19.04.040 Airport.
19.04.050 Airport master plan.
19.04.060 Airport manager.
19.04.070 Applicant/operator.
19.04.080 Board.
19.04.090 Director.
19.04.100 Citizen airport advisory committee.
19.04.110 Employee.
19.04.120 Federal Aviation Administration (FAA).
19.04.130 Fixed base operation (FBO).
19.04.140 Minimum standards.
19.04.150 Rules and regulations.

Part II. Exclusive Rights Prohibited - Land and Facility Use
19.04.160 Defined.

Part III. Contract Requirements
19.04.170 Defined.

Part IV. Application to Kittitas County
19.04.180 Applications.
19.04.190 Minimum application information.
19.04.200 Supporting documents.
19.04.210 Review of statements.

Part V. Kittitas County's Review of Application
19.04.220 Lease - Grounds for denial.

Part VI. Standard Requirements for All Commercial Aeronautical Activities
19.04.230 Defined.

Part VII. Lease, Operating Agreement or Airport Use Agreement
19.04.240 Lease - Preparation.

Part VIII. Minimum Standards for Specific Commercial Activities
19.04.250 Minimum requirements.

Part IX. Full Service FBO
19.04.260 Defined.
19.04.270 Minimum leasing requirements.
19.04.280 Area requirements.

19.04.290 Vehicular parking.
19.04.300 Debris and hazardous wastes.
19.04.310 Aircraft parking and storage.

Part X. Limited Service FBO
19.04.320 Defined.

Part XI. Aircraft Airframe, Engine and Accessory Repair and Maintenance
19.04.325 Defined.
19.04.330 Compliance required.

Part XII. Aircraft Sales, Leasing and Rental
19.04.340 Defined.

Part XIII. Aircraft Parts Sales and Service
19.04.350 Defined.

Part XIV. Aircraft Charter and Taxi Service
19.04.360 Defined.

Part XV. Public Aircraft Tie-Down Service
19.04.370 Defined.

Part XVI. Public Sales of Aviation Fuels and Lubricants
19.04.380 Compliance required.
19.04.390 Minimum lease requirements.
19.04.400 Additional requirements.
19.04.410 Safety requirements.
19.04.420 Fuel storage site.
19.04.430 Fuel flowage fees.
19.04.440 Certified meter reading.
19.04.450 Waiver of requirements.

Part XVII. Avionics Sales and Service
19.04.460 Defined.
19.04.470 Minimum space requirement.
19.04.480 Restroom facilities.
19.04.490 Waiver of requirements.

Part XVIII. Other Aeronautical Services Flight Training and Ground Schools
19.04.500 Flight training requirements.
19.04.510 Ground school requirements.

Part XIX. Aerial Applicators
19.04.520 Regulations.

Part XX. Aerial Advertising
19.04.530 Requirements.

Part XXI. Other Specialized Aeronautical Services
19.04.540 Generally.
19.04.550 Minimum standards.

Part XXII. Self Fueling
19.04.560 Generally.
19.04.570 Requirements.
19.04.580 Fuel co-op.

Part XXIII. Automotive Fuels
19.04.590 Defined.

Part XXIV. Employees of Operators and Lessees
19.04.600 Generally.
19.04.610 Defined.
19.04.620 Default of operator's agreement.

Part XXV. Employees of Aircraft Owners or Operators
19.04.630 Defined.
19.04.640 Owner/operators.
19.04.650 Designated areas.
19.04.660 Self-maintenance.
19.04.670 Proof of employment.

Part XXVI. Lease of Airport Land and Facilities
19.04.680 Generally.
19.04.690 Hangars constructed by FBOs on leased space.

Part XXVII. Construction of Hangars by Other Than FBOs
19.04.700 Defined.

Part XXVIII. Construction or Alterations - General
19.04.710 Approval.

Part XXIX. Amendment of Standards
19.04.720 Generally.

Part XXX. Notices
19.04.730 Generally.

Part XXXI. Severability
19.04.740 Generally.

Part I. Definitions

19.04.010 Generally.
As used in this chapter, the terms set forth in Sections 19.04.020 through 19.04.150 shall have the following definitions. (Ord. 92-24 (part), 1992).

19.04.020 Aeronautical activity.
"Aeronautical activity" shall mean any activity on airport property which involves, makes possible, or is required for the operation of aircraft; or which contributes to, or is required for, the safety of such operations, and shall include, but not be limited to: charter operations, pilot training, aircraft rental and sight-seeing, aerial photography, aerial application, flying clubs, aerial advertising and surveying, air carrier operations, aircraft sales and services, sale of aviation petroleum products, repair and maintenance of aircraft, sale of aircraft and aircraft parts, sale of navigation equipment and any other activity which, because of its direct relationship to the operation of aircraft, can appropriately be regarded as an aeronautical activity. (Ord. 92-24 (part), 1992).

19.04.030 Aircraft.
"Aircraft" shall mean any vehicle now known or hereafter invented, used or designed for navigation of or flight in the air. (Ord. 92-24 (part), 1992).

19.04.040 Airport.
"Airport" shall mean the Kittitas County Airport (Bowers Field) or future county-owned airports, located on city, county and/or state lands and operated by Kittitas County. (Ord. 92-24 (part), 1992).

19.04.050 Airport master plan.
"Airport master plan" means the currently approved development plans and scaled dimensional layout of the entire airport properties, indicating current and proposed usage for each identifiable segment as adopted by Kittitas County and approved by the Federal Aviation Administration and amended from time to time. (Ord. 9224 (part), 1992).

19.04.060 Airport manager.
"Airport manager" shall mean the director, Kittitas County department of public works or his designee. (Ord. 92-24 (part), 1992).

19.04.070 Applicant/operator.
"Applicant/operator" shall mean any person, firm, general or limited partnership, corporation, trust or association making application for, leasing or using any land or facility at the airport. (Ord. 92-24 (part), 1992).

19.04.080 Board.
"Board" shall mean the board of Kittitas County commissioners. (Ord. 92-24 (part), 1992).

19.04.090 Director.
"Director" shall mean the director of public works. (Ord. 92-24 (part), 1992).

19.04.100 Citizen airport advisory committee.
"Citizen airport advisory committee" shall mean those individuals appointed by the board of county commissioners to serve in an advisory capacity. The committee shall make recommendations to the board of county commissioners on matters relating to the Kittitas County Airport. (Ord. 92-24 (part), 1992).

19.04.110 Employee.
"Employee" shall mean any individual offering services to an operator, lessee or aircraft owner ("employer") on the airport, including service in interstate commerce, performed for wages or under contract calling for the performance of personal services, written or oral, express or implied. Said employee shall be subject to the provisions of RCW Titles 50 and 51 and shall conform to Internal Revenue Service regulations used to establish an individual's status as an employee. (Ord. 92-24 (part), 1992).

19.04.120 Federal Aviation Administration (FAA).
"Federal Aviation Administration (FAA)" shall mean that agency or any succeeding agency or administrative authority as established by the Federal Aviation Act. (Ord. 92-24 (part), 1992).

19.04.130 Fixed base operation (FBO).
"Fixed base operation (FBO)" shall mean any agent or business entity licensed to conduct business in the state for the purpose of providing any or all of the commercial aeronautical activities herein defined.

Fixed based operations shall be comprised of either of two types:

1. Full Service FBO - meets specific minimum leasing requirements as hereinafter defined and provides all of the following services:
   a. Air taxi and/or charter;
   b. Flight training;
   c. Aircraft rental and/or sales;
   d. Aircraft airframe, engine and accessory repair and maintenance;
   e. Sale of aircraft parts;
   In addition to the above, the full service FBO may provide public sales of aviation fuels and lubricants.
2. Limited Service FBO - provides one or more of the aeronautical services listed in subsections (1)(A) through (1)(E) above as a limited or specialized commercial aeronautical activity and does not meet the minimum leasing requirements for a full service FBO as herein defined. (Ord. 92-24 (part), 1992).

19.04.140 Minimum standards.
"Minimum standards" the qualifications established herein, as amended from time to time by Kittitas County upon recommendations of the director and/or airport manager and the airport advisory committee setting forth the minimum requirements to be met as a condition for the right to conduct a commercial aeronautical activity on the airport. (Ord. 92-24 (part), 1992).

19.04.150 Rules and regulations.
"Rules and regulations" means the rules and regulations as may be promulgated from time to time by Kittitas County to protect the public health, safety, interest and welfare of Kittitas County and to augment the ordinances and resolutions pertaining to the airport. (Ord. 92-24 (part), 1992).

Part II. Exclusive Rights Prohibited - Land and Facility Use

19.04.160 Defined.

1. No person or entity shall be granted an exclusive right to conduct any commercial aeronautical activity on the airport pursuant to Section 308(a) of the Federal Aviation Act of 1958. No person or entity shall be permitted use of airport land; or to conduct any commercial activity; or to solicit any business on the airport, unless such commercial aeronautical activity is conducted in compliance with the minimum standards herein established or as hereinafter amended by Kittitas County.
2. Any person or entity proposing to conduct a commercial aeronautical activity on the airport shall obtain all applicable federal, state and municipal permits, licenses and/or contracts as required for the proposed type of activity prior to entering into a lease or operating agreement with Kittitas County. (Ord. 92-24 (part), 1992).

Part III. Contract Requirements

19.04.170 Defined.

1. As required by Kittitas County resolution and applicable ordinances and resolutions as may be promulgated by Kittitas County, no person shall engage in any business or commercial activity or in the sale of any commodity or service on the airport unless specifically authorized by lease, concession or airport use agreement with Kittitas County.
2. Each commercial applicant/operator shall obtain a lease, concession or airport use agreement by applying in the manner prescribed in Part IV. Any leasing or facility requirements set forth herein must be met to conduct its business. (Ord. 92-24 (part), 1992).

Part IV. Application to Kittitas County

19.04.180 Applications.

Applications for leases of ground and/or facilities, concession agreement, airport use agreement or other operating agreement to conduct any commercial business or aeronautical activity shall be made to Kittitas County or an authorized representative. The application shall thereafter be presented to Kittitas County. The applicant shall submit all information and material necessary or requested by Kittitas County, to establish the applicant's qualifications and compliance with all rules and regulations. The application shall be signed and submitted by a party owning an interest in the business, or the individual who will be managing the business, or partner of a partnership, or a director or an officer of a corporation. (Ord. 92-24 (part), 1992).

19.04.190 Minimum application information.

Kittitas County will not accept a request to lease building space or land area or authorize a commercial activity until the applicant submits in writing a proposal which includes the following:

1. The name and address of the applicant;
2. The type and organizational structure of the applicant;
3. The proposed land use, facility and/or activity sought, including use of any hazardous materials;
4. The names and qualifications of the personnel to be involved in conducting such activity on behalf of the applicant;
5. The tools, equipment, services and inventory, if any, proposed to be used in connection with such activity;
6. The requested or proposed date for commencement of the activity and the term of conducting the same;
7. The estimated cost of any structure or facility to be furnished, the proposed specifications, site plan, and the means or methods of financing same;
8. The proof of the specific types and amounts of insurance required for the activity by Kittitas County Resolution No. 88-73, dated September 20, 1988:
    a. Aircraft based at the Kittitas County Airport (Bowers Field) obtain and provide proof of insurance coverage thereof, aircraft liability coverage in an amount not less than $100,000 - bodily injury; $300,000 - property damage; $300,000 - each occurrence.
    b. That lessees other than nonprofit corporations, leasing land and/or buildings other than T-hangars and tie-downs obtain and provide proof of insurance coverage thereof naming Kittitas County as co-insured, premises liability coverage in an amount not less than $100,000 - bodily injury; $300,000 - property damage; $300,000 - each occurrence.
    c. That lessees who are nonprofit organizations engaged in noncommercial activities leasing land and/or buildings other than T-hangars and tie-downs, obtain and provide proof of insurance coverage thereof to the satisfaction of the Kittitas County director of public works, or his designee. The director of public works, or his designee, shall take into account the kind of and degree of activity conducted by such nonprofit organizations in determining their insurance coverage. The director of public works, or his designee, is authorized to devise an insurance plan wherein Kittitas County participates to provide insurance coverage for nonprofit corporations, which plan shall adequately protect the interest of Kittitas County and minimize the cost of insurance to such nonprofit organizations.
    d. That all lessees conducting commercial operations on the airport properties obtain and provide proof of insurance coverage thereof naming Kittitas County as co-insured, premises liability coverage of not less than $1,000,000. Individuals and/or corporations conducting commercial operations involving aircraft (flight instruction, aircraft rental, flight for hire, etc.) obtain and provide proof of aircraft insurance coverage: $100,000 - bodily injury; $1,000,000 each occurrence.
    e. That all lessees leasing land for agricultural and grazing purposes obtain and provide proof of coverage thereof naming Kittitas County as co-insured, general liability coverage of not less than $1,000,000 for those parcels abutting the operational area; $100,000 - bodily injury; $300,000 - property damage; $300,000 - each occurrence, for those parcels physically separated from the operational area.
9. Disclosure of any license permit application which may have been revoked or denied by any court, any entity, the FAA, or any governmental agency having jurisdiction over said licenses, permits, etc.

Kittitas County shall be the sole judge of what constitutes adequate financial capacity and qualifications of the applicant to conduct the proposed activity. (Ord. 92-24 (part), 1992).

19.04.200 Supporting documents.

Upon request of Kittitas County, the applicant shall submit the following supporting documents and other documents and information as may be requested:

1. Financial Statement. A current financial statement;
2. Names and financial statements of proposed guarantors of the lease or operating agreement;
3. Prepare an operating statement for the first year;
4. Assets. A written listing of the assets owned or being purchased which will be used in the business on the airport;
5. Credit Report. A current credit report covering all areas in which the applicant has done business during the last five years;
6. Authorization for Release of Information. A written authorization for the FAA and all aviation or aeronautical commissions, administrators, or department of all states in which the applicant has engaged in commercial aeronautical business to supply the county with all information in their fields relating to the applicant or his operation. The applicant shall execute such forms, releases and discharges as may be requested by any of these agencies; and
7. Licenses. All applicable licenses, permits or certificates licensing applicant to conduct said activity in the state of Washington. (Ord. 92-24 (part), 1992).

19.04.210 Review of statements.

Unless specifically waived by Kittitas County, the above statements must be reviewed by a certified public accountant, licensed by the state of Washington. (Ord. 92-24 (part), 1992).

Part V. Kittitas County's Review of Application

19.04.220 Lease - Grounds for denial.

In reviewing an application, the following terms will be considered, and may form the basis for denial of the application.

1. Not Qualified. The applicant, for any reason, does not meet the qualifications, standards and requirements established by these minimum standards.
2. Safety Hazard. The applicant's proposed operations or construction will create a safety hazard on the airport.
3. Airport Expenditure. The granting of the application will require the expenditure of airport funds, labor or materials which Kittitas County believes will exceed the benefits to the airport.

4. Availability. There is no appropriate, adequate or available space or building on the airport to accommodate the activities of the applicant at the time of the application.
5. Non-Compliance with Master Plan. The proposed operation or airport development activity does not comply with the master plan of the airport.
6. Congestion. The development or activity or use of the area requested by the applicant may result in an unreasonable deprivation or restriction of public access of competitive locations.
7. Misrepresentation. Any applicant who submits false information, misrepresentation, or fails to make full disclosure on his application or supporting documents.
8. History of Revocation or Denial. Any applicant who has previously had a permit revoked by an airport for noncompliance with similar contractual agreement(s) requested.
9. Defaulted Performance. Any applicant who has materially defaulted in the performance of any lease or other agreements with Kittitas County.
10. Lack of Finances. Lack of finances means that the applicant does not have the financial ability to conduct the proposed operation for a minimum period of six months.
11. Conviction of Crime. Any applicant who has been convicted of any crime or violation of any ordinance indicating that the applicant would not be considered a desirable operator on the airport.
12. Ecological Considerations. If Kittitas County determines that an applicant's proposed activity shall cause a hazard to the health, safety and welfare of the citizens of Kittitas County.
13. Surety. Inability of applicant to post performance bond or prepaid rents equal to six months' rental. (Ord. 92-24 (part), 1992).

Part VI. Standard Requirements for All Commercial Aeronautical Activities

19.04.230 Defined.

1. Kittitas County may require every applicant desiring to conduct commercial activities at the airport to demonstrate the following requirements:
    a. That such applicant has a history of management and personnel capacity in conducting the same or comparable type of service or activity in a manner satisfactory to Kittitas County;
    b. That the applicant has demonstrated a financial ability to finance facilities and service proposed;
    c. That the applicant has or can secure necessary certificates, permits and licenses from the FAA or other authority for the activity proposed.
2. In considering every application for establishing commercial aeronautical activities, Kittitas County shall give due consideration to whether or not such proposed activity would serve the public interest. (Ord. 92-24 (part), 1992).

Part VII. Lease, Operating Agreement or Airport Use Agreement

19.04.240 Lease - Preparation.

1. Upon the approval of the application as submitted or modified, the airport staff shall prepare a written lease, contract or agreement setting forth terms and conditions assuring, when appropriate:
    a. That the minimum standards be incorporated into said lease, contract or agreement by specific reference;
    b. That the applicant must comply with the minimum standards for each particular activity approved;
    c. That any structure or facility constructed or placed on the airport shall conform to all safety regulations, building codes and fire regulations of any applicable federal, state and local agency;
    d. That Kittitas County shall reserve the right to amend the "Minimum Standards for Commercial Aeronautical Activities at the Airport", or rules and regulations promulgated therefor;
    e. That the performance of said lease, contract or agreement is guaranteed;
    f. That a fuel flowage fee shall be paid directly or through the fuel supplying company for aircraft fuels delivered to the applicant;
    g. That the controlling interests in the operation shall not be transferred by stock purchase or other sale or assignment of business or corporation to which the lease, contract or agreement is granted without the prior written consent of Kittitas County; and
    h. Any lease, contract or agreement entered into with the applicant shall be terminated if the applicant fails to comply with the minimum standards as modified, after due notice has been given.
2. In addition to the above provisions, all contract agreements for conduct of commercial activities at the airport shall have the following minimum requirements:
    a. Term. Each agreement shall have a specified term and may consist of month-to-month, year-to-year or a specified number of months and/or years, with a termination date. Length of term of lease agreements shall be negotiated in accordance with the provisions of RCW 14.08.120 or as amended thereafter.
    b. Premises. Shall specify as applicable, leased premises on the airport.
    c. Use of Premises. Specifies authorized use of lease premises.
    d. Rights Granted. Specifies each commercial aeronautical activity authorized by the agreement in accordance with the minimum standards contained herein.
    e. Rentals and Fees. Specifies the rents and/or fees paid to Kittitas County for conduct of business at the airport. Rates charged shall be on fair and reasonable terms and without unjust discrimination. Airport users will be charged for facilities and/or services under a fee and rental structure which allows the airport to be self-sustaining.
    f. Adjustment of Rents and Fees. Shall specify a date at which rents and fees will be subject to readjustment. See the section below.
    g. Failure to Pay Rents and Fees. Provides for Kittitas County's legal rights in the event operator or lessee fails to pay rents or fees required by the agreement.
    h. Financial Conditions. Contains Kittitas County's authority to inspect operator's or lessee's financial records as they pertain to the agreement with Kittitas County. Also specifies the requirement for all commercial operators to maintain a payment/performance bond equivalent to a total of six months revenue to Kittitas County during the term of the agreement. This provision may be waived at the sole discretion of Kittitas County.
    i. Indemnification and Insurance. These sections provide that the applicant/operator furnish suitable indemnity, insurance or bond to protect and hold Kittitas County, their elected and appointed agents, officials and employees free and harmless from claims arising from the operator's or lessee's actions or from damages resulting from the operations of aircraft, or any liability arising in connection with the conduct of the activity proposed at the airport. Prior to commencing operations or occupying airport premises, every operator or lessee at the airport shall obtain and keep in full force and effect throughout the term of the agreement, a policy of comprehensive general liability insurance in a minimum amount of $1,000,000 combined single limit coverage for personal injury, death or property damage in any one occurrence. Kittitas County retains the right to set the specific limits of coverage of such insurance.
        i. Said minimum liability insurance requirements may be reviewed and amended by Kittitas County from time to time.
        ii. Additional minimum requirements for insurance shall be determined by Kittitas County depending on the nature of the proposed activity.
    j. Taxes. Provides for the lessee's/operator's obligation to be responsible for the payment of all applicable federal, state and local taxes. (Ord. 92-24 (part), 1992).

Part VIII. Minimum Standards for Specific Commercial Activities

19.04.250 Minimum requirements.

1. In addition to meeting the requirements mentioned above in Section 19.04.240, every applicant conducting those specific commercial aeronautical activities described shall meet the additional minimum requirements as described for each activity.
2. The land or facilities requirements for the lessee/operator as set forth herein shall be located on the airport at which lessee/operator's authorized business facility is conducted as set forth in the agreement with Kittitas County. (Ord. 92-24 (part), 1992).

Part IX. Full Service FBO

19.04.260 Defined.

1. A full service FBO shall provide the services and meet the minimum standards requirements for the services as listed in:
    a. Aircraft airframe, engine and accessory repair and maintenance;
    b. Aircraft rental and sales;
    c. Aircraft parts, sales and service;
    d. Aircraft charter and taxi service;
    e. Flight training.
2. In addition to the services required above, the full service FBO may provide public sales of aviation fuels and lubricants after meeting the minimum leasing requirements as

listed in Part XVI, Public Sales of Aviation Fuels and Lubricants. (Ord. 96-3 (part), 1996: Ord. 92-24 (part), 1992).

19.04.270 Minimum leasing requirements.
Minimum leasing requirements for a full service FBO shall be:

1. A ground lease to adequately provide space for the following facilities:
   a. Aircraft maintenance hangar;
   b. Aircraft storage hangar;
   c. Paved apron;
   d. Office space adequate to house office, pilot's lounge, restrooms, and appropriate shop.
2. If the full service FBO provides public sales of aviation fuel there shall be constructed a fuel storage site which shall conform to all local, state and federal regulations. The fuel storage site shall be within, or contiguous with, the FBO's leased premises or at a Kittitas County designated fuel farm leased site on the airport. (Ord. 96-3 (part), 1996: Ord. 92-24 (part), 1992).

19.04.280 Area requirements.
FBO shall rent all land to a line of at least thirty-five feet outward from each of the T-hangar walls or to a point half-way between adjacent leaseholder. (Ord. 96-3 (part), 1996: Ord. 92-24 (part), 1992).

19.04.290 Vehicular parking.
Vehicular parking sites for employees and customers shall be evaluated on a case-by-case basis, in order to provide adequate parking to meet the public demand. (Ord. 96-3 (part), 1996: Ord. 92-24 (part), 1992).

19.04.300 Debris and hazardous wastes.
Every FBO shall provide for the adequate collection and safe disposal of all trash, waste and other materials, including, but not limited to, used oil, solvents and other wastes. The piling or storage of crates, boxes, barrels and other containers will not be permitted. Storage of hazardous waste materials on the airport shall be prohibited. (Ord. 96-3 (part), 1996: Ord. 92-24 (part), 1992).

19.04.310 Aircraft parking and storage.
Every FBO shall provide paved aircraft parking and storage facilities in connection with the operation. (Ord. 96-3 (part), 1996: Ord. 92-24 (part), 1992).

Part X. Limited Service FBO

19.04.320 Defined.
A limited service FBO provides one or more of the commercial aeronautical services described above. Specific minimum requirements are listed in the sections below. (Ord. 92-24 (part), 1992).

Part XI. Aircraft Airframe, Engine and Accessory Repair and Maintenance

19.04.325 Defined.
All operators of aircraft engine, airframe and accessory repair and maintenance facilities for public hire shall provide:

1. Sufficient hangar space on the airport to store any aircraft being serviced. Such hangar space may be subleased from others provided such hangar space is used exclusively for operator's repair business;
2. Suitable inside and outside storage space, on the airport, including adequate amount of pavement for tie-downs, for aircraft awaiting repair or maintenance or delivery after repair and maintenance lasting more than twenty-four hours duration. Such paved area may be subleased from others provided it is subleased for the operator's exclusive use and is adjacent to the hangar space as herein required;
3. Adequate shop space on the airport to house equipment and machine tools, jacks, lifts and testing equipment to perform overhauls as required for FAA certification and repair of parts not needing replacement on all single engine land and light multi-engine land general aviation aircraft;
4. At least one FAA-certified airframe and power plant mechanic available during eight hours of the day, five days per week;
5. Facilities for washing and cleaning of aircraft if operator engages in said business; and
6. Proof of insurance as described in Section 19.04.190(8), hereinbefore stated. (Ord. 96-3 (part), 1996: Ord. 92-24 (part), 1992).

19.04.330 Compliance required.
The operator must comply with all federal, state and local laws, rules, regulations and building codes as they may apply to the operator's activities. (Ord. 92-24 (part), 1992).

Part XII. Aircraft Sales, Leasing and Rental

19.04.340 Defined.
Aircraft sales, leasing and rental service shall only be conducted by an operator having an agreement with Kittitas County for the commercial activity on the airport listed in this document. Operators conducting an aircraft sale, leasing and rental activity shall provide:

1. Suitable office space on the airport for conducting sales, leasing and/or rentals and the maintaining of proper records in connection therewith;
2. Hangar space on the airport and adequate tie-down area to accommodate aircraft to be used for sales, leasing or rental;
3. For rental and/or leasing, at least one certified airworthy aircraft; Kittitas County shall have the right to require the operator to produce any documentation in the opinion of Kittitas County it deems necessary to document compliance with these regulations set forth under this section of the airport standards;
4. For sales and/or leasing of new aircraft, a sales or distributorship franchise from a recognized aircraft manufacturer of new aircraft and have access to at least one demonstrator model within twenty-four hours;
5. A properly certificated pilot, available for at least eight hours of the working day, who is capable of demonstrating aircraft for sale and/or lease, or for checking out rental aircraft.

(Ord. 96-3 (part), 1996: Ord. 92-24 (part), 1992).

Part XIII. Aircraft Parts Sales and Service

19.04.350 Defined.
Aircraft parts sales and service may only be provided by an operator having a contract agreement with Kittitas County to conduct the activities described in:

1. Aircraft airframe, engine and accessory repair and maintenance; and
2. Aircraft sales, leasing and rental. (Ord. 92-24 (part), 1992).

Part XIV. Aircraft Charter and Taxi Service

19.04.360 Defined.
Operators conducting an aircraft charter/air taxi service shall be required to provide:

1. Passenger lounge, restrooms and telephone facilities on the airport;

2. Adequate amount of leased paved aircraft parking space for loading and unloading of passengers. Such space may be rented or subleased from others with prior approval from Kittitas County; provided such space is for the operator's exclusive use;
3. Adequate table, desk or counter for checking in of passengers, handling ticketing, collecting fares, and handling of luggage;
4. Suitable, certified aircraft with certificated and qualified operating crew available on call within two hours' notice; and
5. In addition to the minimum combined single limit liability coverage as required in the section above, operator shall provide passenger liability insurance coverage of at least one hundred thousand dollars per passenger seat, naming Kittitas County and their elected and appointed officials, agents and employees as additional insureds, and include a certificate of insurance with no less than a thirty-day notice of cancellation to the airport. (Ord. 96-3 (part), 1996: Ord. 92-24 (part), 1992).

Part XV. Public Aircraft Tie-Down Service

19.04.370 Defined.
Use existing tie-down/parking structure. (Ord. 92-24 (part), 1992).

Part XVI. Public Sales of Aviation Fuels and Lubricants

19.04.380 Compliance required.
An applicant/operator desiring to provide public sales of aviation fuels and lubricants must meet the minimum leasing requirements. (Ord. 92-24 (part), 1992).

19.04.390 Minimum lease requirements.
Minimum leasing requirements for public sales of aviation fuels and lubricants shall be no less than the following:

1. The minimum overall dimensions for ground leased shall be 10,000 square feet (approximately 100 feet x 100 feet).
2. The minimum dimensions or requirements of facilities construction shall be as follows:

   Fuel storage site - 5,000 square feet (approximately 70 feet x 70 feet).

   The fuel storage site shall be within, or contiguous with, the operator's leased premises. (Ord. 92-24 (part), 1992).

19.04.400 Additional requirements.
In addition to meeting the requirements as set forth above, the operator shall provide for the following:

1. At least two grades of aircraft fuels if available from aircraft fuel supplier and a full line of lubricants to serve the public interest;
2. Approved fixed or mobile fuel dispensing equipment to service all types of aircraft normally using the airport;
3. Properly trained line personnel on duty at least eight hours of every calendar day, seven days per week, and on call by readily accessible means at other hours during the day or night, or at such hours as specified by Kittitas County to meet the public need;
4. Minimum fuel storage capacity of 12,000 gallons for each grade of fuel to be sold for aviation uses by the operator;
5. Honor at least one major credit card and the approved fuel supplier's own credit card for purchase of aviation fuels. (Ord. 92-24 (part), 1992).

19.04.410 Safety requirements.
In conducting refueling operations, every operator shall ensure that all safety precautions are taken and shall install and use approved grounding devices, in accordance with all local fire codes and the National Fire Code at fuel storage and dispensing locations to eliminate the hazards of static electricity. Every operator shall provide approved types of fire extinguishers or other approved safety equipment commensurate with the hazard involved in refueling and servicing aircraft. The operator shall comply with all federal, state and local laws, rules and regulations, including the rules and regulations of Kittitas County that may apply to the particular activity conducted, including, but not limited to, requirements of NFPA Standard 407, applicable standards as set forth by the American Petroleum Institute, Department of Transportation requirements and guidelines as set forth in FAA Advisory Circular 150/5230, Aircraft Fuel Storage Handling and Dispensing on Airports, as may be amended. The operator shall be responsible for prohibiting smoking within 100 feet of an aircraft during refueling operations. (Ord. 92-24 (part), 1992).

19.04.420 Fuel storage site.
The operator shall construct a fuel storage site within the operator's leased premises on the airport consisting of a minimum of 5,000 square feet (approximately 70 feet x 70 feet). Such site may be within the operator's leased site. (Ord. 92-24 (part), 1992).

19.04.430 Fuel flowage fees.
Kittitas County requires the payment of fuel flowage fees from general aviation aircraft operators using the airport. Nothing herein shall be construed as waiving the fuel flowage fees to be paid to Kittitas County. The operator's fuel supplier shall have a concession agreement with Kittitas County to deliver fuel onto the airport. (Ord. 92-24 (part), 1992).

19.04.440 Certified meter reading.
All flowage fees shall be based on certifiable fuel flowage meter reading. (Ord. 92-24 (part), 1992).

19.04.450 Waiver of requirements.
Kittitas County, at its sole discretion, may waive any of the requirements if it determines that such waiver shall be in the public interest. (Ord. 9224 (part), 1992).

Part XVII. Avionics Sales and Service

19.04.460 Defined.
All persons providing avionics sales and services shall provide:

1. Suitable inside and outside storage space, on the airport, including a minimum of 10,000 square feet of land with tie-downs, for aircraft awaiting repair or delivery after repair;
2. Properly trained and qualified technicians available and on duty five days a week, eight hours per day; and
3. Capability to repair or replace current state-of-the-art avionics equipment. (Ord. 92-24 (part), 1992).

19.04.470 Minimum space requirement.
Minimum space required above may be leased from Kittitas County or subleased or rented from others on the airport, provided such sublease or rental has been approved by Kittitas County and the subleased or rented space is used exclusively for the operator's avionics business. (Ord. 92-24 (part), 1992).

19.04.480 Restroom facilities.
Restroom facilities shall be available on the premises as required by local code. (Ord. 92-24 (part), 1992).

19.04.490 Waiver of requirements.
Kittitas County, at its sole discretion, may waive any of the requirements if it determines that such waiver shall be in the public interest. (Ord. 9224 (part), 1992).

Part XVIII. Other Aeronautical Services Flight Training and Ground Schools

19.04.500 Flight training requirements.
All operators including flight training activities shall provide:

1. At least one full-time eight hours per day, six days per week properly certificated flight instructor for single engine land airplanes;

2. At least one dual-equipped single engine land aircraft properly equipped and maintained for flight instruction and such additional types of aircraft as may be required to give flight instruction of the kind advertised;
3. Adequate office and classroom space on the airport for at least five students, with restroom and seating facilities;
4. Certificated ground school instructor providing ground school instructions sufficient to enable students to pass the FAA written examinations for private pilot and commercial ratings;
5. Ability to meet certification requirements of the FAA for the flight training proposed;
6. In addition to requirements set forth above, except as herein provided, continuing insurance coverage of at least $100,000 per passenger seat for personal injury or death to any one person, for flight training; $300,000 - property damage; $1,000,000 combined single limit for any single occurrence, naming Kittitas County and their elected and appointed officials, agents and employees as an additional insured; and must provide a certificate of insurance with a ten-day cancellation notification to the airport; and
7. Adequate facilities for storing, parking, servicing and repairing of all its aircraft, including 5,000 square feet of pavement with tiedowns or satisfactory arrangements with other operators' licenses or otherwise permitted by Kittitas County for such services. (Ord. 92-24 (part), 1992).

19.04.510 Ground school requirements.
All operators conducting ground school only training activities shall meet:

1. All provisions set forth under Section 19.04.500 above with the exception of subsections (1), (2), (6) and (7).
2. Continuing insurance coverage is required above. (Ord. 92-24 (part), 1992).

Part XIX. Aerial Applicators

19.04.520 Regulations.
Operators seeking to conduct aerial application of agricultural chemicals shall be required to satisfy Kittitas County that operator shall comply with applicable safety, hazardous materials and environmental regulations and:

1. Arrangements have been provided for the safe storage and containment of hazardous or dangerous chemical materials; poisonous or flammable materials shall be kept or stored securely within the operator's leased or subleased or rented building at the airport;
2. Operator has available, currently certificated aircraft suitably equipped for the agricultural operation;
3. Operator has made arrangements for servicing, repairing, storing and parking of its aircraft with approved safeguard against spillage of toxic material on the airport or pollution or dispersal of chemicals by wind to other areas on the airport; and
4. Operator has minimum public liability insurance as required above to protect the operator and Kittitas County, their elected and appointed agents, officials and employees free and harmless from liability arising in connection with such operations as specified by Kittitas County. Kittitas County shall be named as additional insured to such insurance policy. Kittitas County retains the right to set the specific limits of coverage of such insurance. (Ord. 9224 (part), 1992).

Part XX. Aerial Advertising

19.04.530 Requirements.
All operators conducting aerial advertising, including but not limited to, banner towing, night illuminated signs, photography survey and traffic advisory flights shall be required to satisfy Kittitas County that:

1. Operator has properly certificated aircraft available which has FAA-approved equipment for the operation undertaken; and
2. Operator has minimum public liability insurance as required above to protect the operator and hold Kittitas County, their elected and appointed agents, officials and employees, free and harmless from any liability arising in connection with such operations, as may be set forth specifically in the agreement with Kittitas County. (Ord. 92-24 (part), 1992).

Part XXI. Other Specialized Aeronautical Services

19.04.540 Generally.
Other specialized types of commercial aeronautical services are too varied to reasonably permit the establishment of published minimum standards for each. (Ord. 92-24 (part), 1992).

19.04.550 Minimum standards.
When specific commercial aeronautical services are proposed for conduct at the airport, under the control of Kittitas County which do not fall within the specific categories heretofore enumerated, minimum standards will be developed on an individualized basis, taking into consideration the desires and capability of the applicant and the public demand for such services. In every case where the operator is proposing to use the airport, or is found using the airport for commercial aeronautical activity, whether on a regular or irregular basis, whether based or not based on the airport, such operator must meet the public liability insurance requirement of $1,000,000 to protect the operator and Kittitas County, their elected and appointed agents, officials and employees free and harmless from any liability arising in connection with such operations. The limits of such liability coverage will be set forth in any subsequent agreement with Kittitas County pertinent to the aeronautical services provided by the operator. (Ord. 92-24 (part), 1992).

Part XXII. Self Fueling

19.04.560 Generally.
In compliance with Section 208 (a) of the Federal Aviation Act of 1958, it is clearly not the intent of Kittitas County to impose unreasonable restrictions on owners and operators of aircraft desiring to fuel their own aircraft. It is the policy of Kittitas County to demand assurances that all possible safety precautions are taken concerning fueling operations. In the interest of public safety, convenience and necessity, Kittitas County establishes certain minimum standards for self-fueling operations. (Ord. 92-24 (part), 1992).

19.04.570 Requirements.
Aircraft owners other than FBOs conducting the fueling services on their privately owned aircraft on the airport shall be required to:

1. Provide airport-approved, adequate storage of fuel and oil on the airport, meeting all applicable fire codes, federal, state, and local laws, statutes, ordinances, rules and regulations;
2. Provide suitable and adequate fuel dispensing and fire extinguishing equipment, meeting all local fire codes and national fire code criteria to service aircraft;
3. Provide for the fueling of aircraft only in the areas specifically designated by Kittitas County. Such areas shall consist of at least 5,000 square feet of paved apron on the aircraft owner's leased premises or in a designated self-fueling area.
4. Have an agreement with Kittitas County for such activity, and provide liability insurance of at least $1,000,000 combined single limit per accident for bodily injury or death and property damage, which shall name Kittitas County as an additional insured. (Ord. 92-24 (part), 1992).

19.04.580 Fuel co-op.
More than one owner may organize into a cooperative organization (co-op) for the purpose of providing fuel to individual member's own aircraft. In the interest of safety, preservation of airport facilities, and protection of the public interest, the maximum membership of each cooperative shall be limited to twenty-five persons. Such coop group shall be required to meet all standards set forth above. (Ord. 92-24 (part), 1992).

Part XXIII. Automotive Fuels

19.04.590 Defined.
FAA policy permits use of specified automotive gasolines in certain aircraft engines and aircraft through the issuance of supplemental type certificates (STCs).

1. Noncommercial users of automotive gasolines in aircraft on the airport shall comply with all provisions of this document and shall be exempt from applicable fuel flowage fees provided herein.
2. Automotive gasolines placed in aircraft on the airport shall meet American Society for Testing Materials Specification (ASTM) No. D439, or as amended.
3. Fuel storage equipment used for storing automotive gasolines on the airport for aviation use, shall meet the same standards as required for storage of aviation fuels on the airport.
    a. Storage of fuel in motor vehicles is specifically prohibited.
    b. Users storing automotive fuel for use in aircraft on the airport shall ensure that all possible measures have been taken for maximum safety in conjunction with such activity.
4. Fuel dispensing equipment used for placing automotive gasolines into aircraft on the airport shall meet the same standards as required for dispensing of aviation fuels into aircraft.
    a. Dispensing of fuel from portable containers is specifically prohibited.
    b. Users dispensing fuel for use in aircraft on the airport shall ensure that all possible measures have been taken for maximum safety in conjunction with such activity.
    c. Fueling shall take place in the permitted areas only. (Ord. 92-24 (part), 1992).

Part XXIV. Employees of Operators and Lessees

19.04.600 Generally.
Only bona fide employees of operators holding a contract agreement with Kittitas County for conducting commercial aeronautical services on the airport shall be permitted to perform aeronautical services within an operator's leased or subleased space. (Ord. 92-24 (part), 1992).

19.04.610 Defined.
A bona fide employee is defined as any individual offering services to an operator/lessee or aircraft owner ("employer") on the airport, including service in interstate commerce, performed for wages or under contract calling for the performance of personal services, written or oral, express or implied. Said employee shall be subject to the provisions of RCW Titles 50 and 51 and shall conform to Internal Revenue Service regulations used to establish an individual's status as an employee. (Ord. 92-24 (part), 1992).

19.04.620 Default of operator's agreement.
An individual performing commercial aeronautical services for public hire within an operator's leased or subleased area on the airport who is not a bona fide employee of the commercial aeronautical activities on the airport shall be in violation of the law as referenced above. Any operator permitting other than the operator's bona fide employee or Kittitas County approved sublessee to perform commercial aeronautical services within the operator's leased or subleased premises shall be considered in default of the operator's agreement with Kittitas County. (Ord. 92-24 (part), 1992).

Part XXV. Employees of Aircraft Owners or Operators

19.04.630 Defined.
Consistent with Section 308 (a) of the Federal Aviation Act of 1958, an owner or operator of an aircraft shall be permitted to fuel, wash, repair and otherwise service his own aircraft as long as said services are not offered to others. (Ord. 92-24 (part), 1992).

19.04.640 Owner/operators.
Owners or operators of aircraft shall be permitted to personally perform maintenance on or service their own aircraft as provided by applicable Federal Aviation Regulations. (Ord. 92-24 (part), 1992).

19.04.650 Designated areas.
Maintenance or servicing of aircraft shall be performed only in areas as may be designated by Kittitas County. (Ord. 92-24 (part), 1992).

19.04.660 Self-maintenance.
Aircraft owners or operators may utilize their own employees as defined herein to perform maintenance or service on their aircraft only provided that said employees are qualified to perform such maintenance or service in accordance with applicable Federal Aviation Regulations. Such maintenance or service shall not be offered to others. (Ord. 92-24 (part), 1992).

19.04.670 Proof of employment.
Aircraft owners or operators employing any individuals to perform maintenance or service on their aircraft shall, at Kittitas County's request, provide proper evidence that said individuals are duly employed by said owners or operators for the purpose of conducting said aircraft maintenance or service and are receiving full pay and benefits afforded to all other employees of said aircraft owners or operators as provided in the section above. (Ord. 92-24 (part), 1992).

Part XXVI. Lease of Airport Land and Facilities

19.04.680 Generally.
These guidelines pertain to the leasing of airport land or other airport-owned facilities not otherwise provided for herein. (Ord. 92-24 (part), 1992).

19.04.690 Hangars constructed by FBOs on leased space.
It is the intent of Kittitas County that all land or facility lease agreements be "net" agreements. That is, that total costs for amortizing the investment and maintenance costs be borne by the operator. Hangars may be constructed by FBOs or other operators on their leased space provided that they meet the minimum requirements as set by Kittitas County.

1. Landscaping of facilities shall be required. Each operator will be required to provide a plan for landscaping the leased area and the area must be maintained by the operator in a neat, clean and aesthetically pleasing manner, all as approved by Kittitas County.
2. Ground rent shall be renegotiated every five years, unless otherwise set forth at a shorter term in the agreement. Rent for airport-owned buildings may be subject to annual renegotiation. Such leased areas and buildings shall not be assigned or sublet without prior written approval from Kittitas County. Operator shall continue to demonstrate a need and use for airport-owned facilities in accordance with the airport agreement.
3. All utilities are to be paid directly by the lessee or operator.
4. All building maintenance and repairs, except as may be set forth specifically by written agreement, on county owned or financed facilities is borne by the operator. All building maintenance and repairs on individually owned facilities shall be borne by the owner or operator.
5. All paving shall be permanent and shall be compatible with the design, material and landscaping on the airport.
6. All building construction shall be permanent and fire resistant and shall be compatible with the design and landscaping of other structures on the airport.
7. Detailed plans and specifications of all construction and architectural design shall require the written approval of Kittitas County before any construction takes place.
8. Any improvements, other than new building(s) and fuel tanks, and fuel delivery systems made to the leased premises become the property of Kittitas County upon completion of construction, but must be maintained by the operator.
9. Maintenance of the leased area shall be the responsibility of the operator.
10. Pavements on exclusive leased premises constructed by Kittitas County shall be maintained by the operator.
11. All sublease agreements or assignments must receive prior written approval from Kittitas County.
12. It shall be the lessee's responsibility for control of noxious weeds on the leased premises. (Ord. 92-24 (part), 1992).

Part XXVII. Construction of Hangars by Other Than FBOs

19.04.700 Defined.
Kittitas County recognizes the need for individual commercial hangars that would be constructed by persons other than FBOs. Such buildings will be permitted in specific areas

designated by Kittitas County. The following conditions must be met:

1. Facilities must be constructed in accordance with plans and specifications as approved by Kittitas County.
2. The hangar shall be constructed to provide for a minimum of six aircraft bays per hangar, per lessee.
3. Cost of construction and maintenance of taxiway improvements to the site shall be borne by the lessee.
4. Fuel facilities, if installed, will be in accordance with the section on fuel in this document as applicable.
5. The section on lease of airport land and facilities in this document shall apply. (See Section 19.04.680.) (Ord. 92-24 (part), 1992).

Part XXVIII. Construction or Alterations - General

19.04.710 Approval.
All plans and specifications for new construction or alteration shall be approved in writing prior to construction as to architectural conformity, location of building lines, obstruction, clearance, and other specifications that apply to airport standards.

1. Improvements or alterations to the leased buildings or premises, become the property of Kittitas County upon completion, but the operator is responsible for all maintenance costs.
2. Within thirty days of completion of construction or alteration, the lessee shall submit a complete set of "as-built" plans.
3. All buildings and construction shall meet all applicable city and county building and fire codes, FAA, state and city inspection, and any other specific requirements set by Kittitas County.
4. All plans and specifications for construction of utilities, including electrical, telephone, gas lines or regulators, shall require prior written approval of Kittitas County including those constructed by public utilities companies. (Ord. 92-24 (part), 1992).

Part XXIX. Amendment of Standards

19.04.720 Generally.
Kittitas County shall review the Minimum Standards for Commercial Aeronautical Activities at the Kittitas County Airport (Bowers Field) from time to time and shall promulgate revisions or amendments deemed necessary under the circumstances to properly protect the health, safety and interest of the airport and the public. Upon publication of any such amendments, the operators of aeronautical activities authorized hereunder shall be required to conform to such amended standards except as hereinafter provided. Revisions to the minimum standards for Specific Commercial Activities shall not apply to an operator or lessee possessing a valid agreement with Kittitas County which permitted said operator to conduct commercial activities under previously adopted minimum standards. Such operator may continue to conduct said activities under previously approved Minimum standards as long as its agreement remains valid. Any subsequent amendment of an agreement authorizing a change in commercial aeronautical activities must comply with the minimum standards in effect at the time of the approval of said amendment. (Ord. 92-24 (part), 1992).

Part XXX. Notices

19.04.730 Generally.
Notices of intent to amend the standards as established in this chapter shall be sent by first-class mail, to all fixed base operators and others who have agreements with Kittitas County to conduct commercial aeronautical activity in the airport. (Ord. 92-24 (part), 1992).

Part XXXI. Severability

19.04.740 Generally.
In the event that any section or part of a section of the minimum standards be declared void by any court of competent jurisdiction, the remaining sections or parts of sections shall remain in full force and effect. (Ord. 92-24 (part), 1992).

Title 20 | FIRE AND LIFE SAFETY

Chapters
20.01 General Authority and Responsibilities
20.02 Fire Apparatus Access
20.03 Gates
20.04 Key Boxes
20.05 Fire and Life Safety Inspections
20.06 Generators
20.07 Fire Hazards
20.08 Burn Ban
20.09 Amendments
20.10 Wildland Urban Interface Code

Chapter 20.01
General Authority and Responsibilities

Sections
20.01.010 Fire district.
20.01.020 Fire Marshal.
20.01.030 Stop work order.
20.01.040 Limited commission.
20.01.050 Violations--penalties.

20.01.010 Fire district.
The Chief of the Fire District, or his/her authorized designee, is authorized to implement a burn permit system and take such lawful action, including the writing and issuance of citations for civil infractions, as may be required to enforce the provisions of the outdoor burning ordinance codified in this title. (Ord. 2010-005, 2010)

20.01.020 Fire Marshal.
The Fire Marshal is authorized to render interpretations of the codes, as mandated by state law and adopted by Kittitas County, and make and enforce such rules and regulations for the prevention and control of fires and fire hazards necessary to carry out the application and intent of this code. (Ord. 2010-005, 2010)

20.01.030 Stop work order.
Whenever any work is being done contrary to the provisions of the International Fire Code, International Building Code, International Property Maintenance Code, International Mechanical Code or the Kittitas County Code, which pertain to fire and life safety, the Fire Marshal may order the work stopped by notice in writing served on any person engaged in the doing or causing such work to be done, or by posting such notice in a conspicuous place on the premises where the violation is occurring, and any such person shall stop

such work until authorized by the Fire Marshal to proceed with the work.

Whenever any work is being done contrary to the provisions of this code, the Fire Marshal may order the violations corrected without ordering all work stopped by issuing a correction notice which identifies the violation. The correction notice may require re-inspection prior to further construction. The correction notice shall be served or posted in the same manner as the Stop Work Order. (Ord. 2010-005, 2010)

20.01.040 Limited commission.
The County Sheriff or his/her designee may appoint deputies from the Fire Marshal's Office. Such officers shall have the power of citation as may be appropriate and necessary for the proper performance of the duties of their office. Upon such appointment being made, the County Sheriff shall issue to the appointee a limited commission card. The appointment shall continue until the appointee is permanently terminated from county employment, but may be revoked at any time by the County Sheriff. (Ord. 2010-005, 2010)

20.01.050 Violations--penalties.
All violations of this Title shall be through Title 18. Penalties shall be as defined in Title 18. (Ord. 2010-005, 2010)

Chapter 20.02
Fire Apparatus Access

Sections
20.02.010 Definitions.
20.02.020 Grade.
20.02.030 Driveways.
20.02.040 Fire lanes.
20.02.050 Bridges.

20.02.010 Definitions.
Fire apparatus access road--An approved route that is always available for use by fire trucks and emergency services apparatus, and is designed to meet fire equipment load and access requirements. (Ord. 2010-005, 2010)

20.02.020 Grade.
No fire apparatus access road hereafter created shall have a grade or slope greater than 12%, unless a variance has been granted through the County variance process. Any variance which allows a grade greater than 12% shall have the following condition attached:

1. Any road with a slope or grade greater than 12% shall have an increase in width of 50%.
2. Other conditions may be required by the Fire Marshal.

Fire apparatus access roadways shall not be required where there are not more than two Group R, Division 3 or Group U occupancies as defined in the International Fire Code. Any commercial operation shall have an approved fire apparatus access. (Ord. 2010-005, 2010)

20.02.030 Driveways.
A driveway shall serve no more than two residences. Any County driveway hereafter created longer than 150' in length shall have a width of no less than 16 feet. County driveways less than 150' in length shall have a width of no less than 12 feet. (Ord. 2010-005, 2010)

20.02.040 Fire lanes.
Fire lanes shall remain clear from obstructions, including snow accumulations, vehicles, and any other impediment to emergency services response. (Ord. 2010-005, 2010)

20.02.050 Bridges.
Any bridge or box culvert hereafter erected, modified, altered or repaired shall meet a live load bearing of no less than 75,000 lbs. All box culvert, bridge designs, and load ratings shall be stamped by a registered professional engineer in the State of Washington. An approved sign with the load rating shall be posted on the ingress side of the bridge.

Exception: Repairs of less than one fourth of the bridge, with no structural elements included in the repair. (Ord. 2010-005, 2010)

Chapter 20.03
Gates

Sections
20.03.010 Definitions.
20.03.020 Gates.

20.03.010 Definitions.
Private Road--An access road serving 3 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). (Ord. 2010-005, 2010)

20.03.020 Gates.
Any gate hereafter installed on any private road within Kittitas County shall meet the following conditions:

1. The width of the gate shall be no less than 16 feet,
2. Any locking mechanism must be approved by the Fire Marshal,
3. The locking mechanism shall be electronic or key operated, with a Fire Marshal approved key box located at the gate,
4. Any electronic codes for the gate shall be given to the fire district and left in the approved key box. Upon any change to the code, the fire district shall be notified immediately as to the new code, and the key box shall be updated.
5. A permit shall be issued by the Fire Marshal prior to the commencement of any work. (Ord. 2010-005, 2010)

Chapter 20.04
Key Boxes

Sections
20.04.010 Key boxes.

20.04.010 Key boxes.
A Key Box shall be installed on all buildings, occupancies or premises that are equipped with a fire protection system, and all other buildings or appurtenances where immediate access may be necessary, including gates to private communities, private roads, etc. The key box shall be an approved type and installed in a location recommended by the Fire Marshal and shall contain keys or codes to gain necessary access.

Exception: Single family residences not used as a bed and breakfast, duplexes, and other type R-2 occupancies which do not meet the minimum requirements as listed above, are exempt. (Ord. 2010-005, 2010)

Chapter 20.05
Fire and Life Safety Inspections

Sections

20.05.010 Authority.
20.05.020 Process.
20.05.030 Operational permits.
20.05.031 Temporary business permits.
20.05.040 Construction permits.
20.05.050 Assembly/special event permits.
20.05.060 Fees.

20.05.010 Authority.

The Fire Marshal, or his/her designee, is authorized to inspect the following nonresidential occupancies in unincorporated Kittitas County;

1. Hospitals;
2. Nursing homes;
3. Assisted living facilities;
4. Medical Centers;
5. Schools;
6. Daycare facilities;
7. Any other recreational and/or educational centers, including but not limited to camps, riding arenas, etc.;
8. Retail stores;
9. Business offices;
10. Dining and entertainment establishments;
11. Industrial and manufacturing facilities;
12. Special events located in nonresidential occupancies;
13. Special events located in residential occupancies where a special event permit has been issued;
14. Repair garages and automotive maintenance garages;
15. Places of assembly;
16. Spray booth facilities; and
17. All other nonresidential occupancies which may pose a fire or life safety hazard to the public or employees, or as listed in the International Fire Code, as adopted in Title 14.

The Fire Marshal, or his/her designee, is also authorized to inspect the following residential occupancies in unincorporated Kittitas County;

1. The common areas of apartments and condominiums;
2. Commercial Vacation rentals;
3. Lodges, hotels and motels;
4. Mobile home parks; and
5. Recreational Vehicle parks

Exceptions:

1. The Fire Marshal or Deputy Fire Marshal will not make entrance into the individual apartment or condominium units unless a specific request is made by the occupant or owner of the property. A landlord may not grant permission to enter a premise that has a tenant.
2. Single family residences and duplexes shall not be regulated under this code. (Ord. 2010-005, 2010)

20.05.020 Process.

Any public or private business, including any building or property associated with such business to which the public or employees may make entrance into or upon, shall be required to have an annual fire and life safety inspection. Fire and life safety inspections shall occur during business hours of the business or Monday through Friday, at the discretion of the Fire Marshal. Inspections may or may not be scheduled prior to inspection of the premises.

Each business is responsible for payment of the fees assessed for the annual Fire and Life Safety inspection. Failure to pay the fee set by the County for an annual inspection may result in enforcement action as adopted by Title 18 of the Kittitas County Code. Nothing in this title shall limit the remedies available to the County as set forth in the International Fire Code, International Property Maintenance Code or other County Ordinance or state law. (Ord. 2010-005, 2010)

20.05.030 Operational permits.

Any business or person engaging in any type of operation as defined in Section 105.6 of the International Fire Code shall first apply for and receive an Operational Permit from the Fire Marshal. Inspections of the type of operation shall be required on an annual basis. The permit is valid for a prescribed time period, or until such time as it is revoked by the Fire Marshal. (Ord. 2010-005, 2010)

20.05.031 Permits for temporary businesses.

Any temporary or seasonal business shall be required to apply for and receive a Temporary Operational Permit prior to opening for business. Applications shall be received by the Fire Marshal's Office no later than 14 days prior to the date the business is to begin operations. A fire and life safety inspection shall be conducted prior to the business opening to the public. (Ord. 2010-005, 2010)

20.05.040 Construction permits.

A construction permit is required when a safety related system or hazardous material storage is installed or an existing system or facility is modified, as stated in Section 105.7 of the International Fire Code. A plan review of the installation shall be approved prior to the installation of the system. An inspection of the system shall be conducted by the fire inspector prior to system initiation. (Ord. 2010-005, 2010)

20.05.050 Assembly/special event permits.

Public assembly/special event permits are required for events held inside a structure or outdoors where people may be confined by fences, walls, buildings, trees, or are located in any area where egress may not be adequate. Assembly/Special Event Permits are required for events including but not limited to trade shows, exhibits, conventions, meetings, food festivals, farmer's markets, street fairs, art festivals, music festivals, or similar functions. The following criteria apply when determining whether an Assembly/Special Event Permit is required:

1. The calculated load is 50 people or greater,
2. These gatherings are not physically laid out in accordance with floor plans approved as part of the annual fire and life safety inspections.

Exceptions:

1. An Assembly/Special Event permit is not required for events at public assemblages which conform to seating plans approved under the annual fire and life safety permit. If the seating plan is altered for the gathering, a permit is required.

Inspections for these events shall occur prior to the event opening, and may, by nature of the event, need to be conducted on weekends or after normal business hours. (Ord. 2010-005, 2010)

20.05.060 Fees.
Fees shall be set by resolution of the Board of County Commissioners. Failure to pay the fee set by the County or receive a passing inspection shall be grounds for revocation of a permit granted under sections KCC 20.05.030 and 20.05.031, or enforcement as adopted by Title 18 of the Kittitas County Code. (Ord. 2010-005, 2010)

Chapter 20.06
Generators

Sections
20.06.010 Definitions.
20.06.020 Authority.
20.06.030 Permits.

20.06.010 Definitions.

Portable generator--a generator which can be moved at any time, is hooked up to a fuel line, has to be manually started and hooked up to the building loads.

Whole-house generator--also known as a stationary or standby generator is permanently set in one location, can start immediately either by push of a button or automatically because it is already hooked into the house wiring and to the fuel source. (Ord. 2010-005, 2010)

20.06.020 Authority.
The Fire Marshal or his/her designee is authorized to permit and inspect the installation of stationary, whole-house generators placed within the unincorporated areas of Kittitas County. (Ord. 2010-005, 2010)

20.06.030 Permits.
A permit shall be required prior to the installation of a whole-house generator. The installation shall comply with the National Electrical Code (NEC), NFPA 54 and NFPA Gas codes, ICC/IRC/IFC and other provisions affecting life safety.

Exception: A permit is not required for the placement or use of a portable generator.

A separate permit is required for any placement of, or modification to a natural gas or LPG system. (Ord. 2010-005, 2010)

Chapter 20.07
Fire Hazards

Sections
20.07.010 Definitions.
20.07.020 Authority.
20.07.030 Piles of natural vegetation for burning.
20.07.040 Recreational fires.
20.07.050 Sky Lanterns.

20.07.010 Definitions.

Fire Hazard - Any arrangement of materials and/or heat sources that presents the potential for harm, such as personal injury or ignition of combustibles.

Sky Lanterns - Miniature, unmanned air balloon that relies on an open flame as a heat source to heat the air inside the lantern with the intention of causing it to lift into the atmosphere. Typically made of rice paper or flame resistant paper, it has a fuel cell in the opening.

(Ord. 2012-004, 2012)

20.07.020 Authority.
The Fire Marshal or his/her designee may deem a property or condition on a property as a fire hazard. (Ord. 2010-005, 2010)

20.07.030 Piles of natural vegetation for burning.
Piles of natural vegetation for burning shall be no greater than 10' in diameter, and no more than 10' in height. If prior approval is obtained by the Fire Marshal and local fire district, pile sizes may be increased. It shall be the responsibility of the property owner to contact the local fire district to determine if a permit will be required, as well as to notify the fire district upon commencement of burning.

The following rules shall apply to all Outdoor Burning at all times:

1. The burning of garbage, trash, rubbish, or utilization of burn barrels, etc. is illegal;
2. No open burning within 50 feet of any structure or combustible material;
3. Pile size shall be no greater than 10' in diameter, unless prior approval to increase pile size is obtained from the Fire Marshal and fire district;
4. No more than one pile may be burned on any property at the same time;
5. Piles may be stored on a property no longer than twelve months;
6. Conditions that may cause the fire to spread shall be eliminated prior to ignition;
7. No open burning shall occur when wind speeds or gusts exceed 10 mph, unless prior approval is obtained by the Fire Marshal and local fire district:
8. A person capable of utilizing fire extinguishing equipment such as buckets, shovels, garden hoses connected to a water supply, fire extinguishers, heavy equipment, etc., shall be on site at all times; and
9. Fire extinguishing equipment such as buckets, shovels, garden hoses connected to a water supply, fire extinguishers, heavy equipment or any equipment that will provide suppression of the proposed fire, shall be on site at all times while the fire is burning. (Ord. 2010-005, 2010)

20.07.040 Recreational fires.
Recreational fires are allowed in unincorporated areas of Kittitas County, provided that no restrictions or burn bans are in effect.

The following rules for Recreational Fires shall apply at all times:

1. Recreational fires, camp fires, cook fires, etc. shall be no greater than 3' x 3' in diameter and no more than 2' in height;
2. No recreational fires shall be located within 25 feet of any structure;

3. A person capable of utilizing fire extinguishing equipment such as buckets, shovels, garden hoses connected to a water supply, fire extinguishers, heavy equipment, etc., shall be on site at all times; and
4. Fire extinguishing equipment such as buckets, shovels, garden hoses connected to a water supply, fire extinguishers, heavy equipment or any equipment that will provide suppression of the proposed fire, shall be on site at all times while the fire is burning. (Ord. 2010-005, 2010)

20.07.050 Sky Lanterns.
The lighting and/or release of sky lanterns or like materials shall be prohibited in Kittitas County. (Ord. 2012-004, 2012)

Chapter 20.08
Burn Bans

Sections
20.08.010 Established when.
20.08.020 Fire district zones established.
20.08.030 Open burning prohibited.

20.08.010 Established when.
1. When the Fire Marshal determines it is the public interest, the Fire Marshal may establish a prohibition against burning in incinerators, open burning and recreational fires as defined in the 2009 International Fire Code adopted in Title 14. The Fire Marshal shall notify the Board upon implementation of the burn ban, and provide the Board with a Resolution implementing the burn ban within 14 days. In the event that the Fire Districts in a particular zone as set in KCC 20.08.020, believe that a burn ban is warranted they may submit a written recommendation to the Fire Marshal, which the Fire Marshal shall forward to the Board of County Commissioners with his or her own recommendation.
2. The Kittitas County Fire Marshal may rescind the establishment of a burn ban or modify the condition of a burn ban when necessary. The Fire Marshal shall present to the Board the recommendations as to such action.
3. The Kittitas County Fire Marshal may grant campgrounds or special events an exemption to a burn ban upon application to the county Fire Marshal and the payment of a processing fee in the amount of sixty-five dollars per hour with a minimum of one hour. Any exemption shall contain such conditions as the Fire Marshal and Fire District deems necessary to mitigate the concerns for extreme fire hazard. Such exemptions and conditions shall be in writing and included in the Exemption permit issued by the Fire Marshal's Office. A copy of the permit shall be prominently posted at the burning site. An Exemption Permit issued by the Fire Marshal shall satisfy the requirements for the Fire District where the property is located. (Ord. 2010-005, 2010)

20.08.020 Fire district zones established.
The following zones are hereby established for burn ban initiation and implementation.

1. Zone 1--Kittitas Valley Fire and Rescue and Fire District 4
2. Zone 2--Fire District 1
3. Zone 3--Fire District 3, Fire District 6 and Fire District 7
4. Zone 4--Fire District 8 and Fire District 51

These zones are established for ease in the implementation of a burn ban and are not a limit on the Board's authority to specify different boundaries in imposing such bans. (Ord. 2010-005, 2010)

20.08.030 Open burning prohibited.
It is unlawful to engage in burning in any unincorporated area in Kittitas County in an incinerator, open fire or recreational fire after the Kittitas County Fire Marshal has established a burn ban and prior to the ban being lifted unless such burning is conducted in accordance with a written the Exemption Permit pursuant to Section 20.02.020.

If the land or property is outside of a fire district, no recreational fires shall be allowed during burn bans.

Exception: The Department of Natural Resources may allow recreational fires in designated campgrounds with approved fire pits on DNR protected lands located outside of a fire district. (Ord. 2010-005, 2010)

Chapter 20.09
Amendments

Sections
20.09.010 Amendments to the International Fire Code 2009 Edition.
20.09.020 Fire protection systems - standards - amendments.

20.09.010 Amendments to the International Fire Code 2009 Edition.
The following amendments to the International Fire Code, as adopted in Washington State RCW 19.27 and Kittitas County Code Title 14 are hereby adopted. To the extent allowed by RCW 19.27.040, if a conflict exists between the provisions of the International Fire Code adopted and amended by the Washington State Building Code Council and the Kittitas County Code, the Kittitas County Code provisions shall govern. (Ord. 2010-005, 2010)

20.09.020 Fire protection systems - standards - amendments.
International Fire Code Section 901.6.1 is amended as follows:

901.6.1 Standards. Fire Protection Systems shall be inspected, tested and maintained in accordance with the referenced standards listed in Table 901.6.1. Additionally, personnel shall have the following certifications if servicing a system in the unincorporated areas of Kittitas County:

System Type	Certification Required
Restaurant Hood and Duct Extinguishing Systems	IKECA
Water -based fire protection systems	NICET II

(Ord. 2010-005, 2010)

Chapter 20.10
Wildland Urban Interface Code

Kittitas County hereby adopts the following code for the purpose of establishing rules and regulations for all areas designated as Wildland Urban Interface areas within Kittitas County.

1. The International Wildland-Urban Interface Code (IWUIC) the most current adoption edition, as published by the Internation Code Council; with the following adopted appendices and amendments:
   a. Appendices

i. Appendix B: Vegetation Management Plan

b. Amendments

1. The following amendments shall be made:

Section 302.1 Wildland Urban Interface Area Declaration of Designations. All unincorporated areas within Kittitas County are designated as Wildland Urban Interface areas and shall be identified per the most current edition of the WUI map.

Section 403.2.1 Dimensions. Not adopted. See KCC Code Titles 12 and 20.

Section 403.2.2 Length. Not adopted. See KCC Code Titles 12 and 20.

Section 403.2.3 Service Limitations. Not adopted. See KCC Title 12.

403.4.1 Sign Construction. All road identification signs shall meet Kittitas County Road Standards and Public Works requirements.

Section 404.2 Water sources. The distance from proposed structures or property lines at which a water source is available for use shall be approved by the fire code official.

Water sources shall comply with the following:

1. Man-made water sources shall have a minimum usable water volume as determined by the adequate water supply needs in accordance with the Kittitas County Code Amendment to Section 404.5. This water source shall be equipped with an approved hydrant. The water level of the water source shall be maintained at all times. The design, construction, location, water level maintenance, access and access maintenance of man-made water source shall be approved by the fire code official.

Section 404.3 Draft Sites. Not adopted

501.1 Scope. Buildings and structures shall be constructed in accordance with the International Building and Residential Codes, as well as this code.

Exceptions:

1. Accessory structures note exceeding 200 square feet in floor area when lcoated at least 50 feet from buildings containing habitable spaces. Commercial structures of any size shall be required to be permitted.
2. Agricultural buildings at least 50 feet from buildings containing habitable spaces.

Table 503.1 Ignition Resistant Construction [a]

FIRE HAZARD SEVERITY						
	Moderate Hazard		High Hazard		Extreme Hazard	
	Water Supply (b)		Water Supply (b)		Water Supply (b)	
Defensible Space (c)	Conforming (d)	Nonconforming (e)	Conforming (d)	Nonconforming (e)	Conforming Conforming (d)	Nonconforming (e)
Nonconforming	IR2	IR1	IR1	IR1 N.C.	IR1 N.C.	Not Permitt
Conforming	IR3	IR2	IR2	IR1	IR1	IR1 N.C.
1.5 x Conforming	IR3	IR3	IR3	IR2	IR2	IR1
2.5 x Conforming	IR3	IR3	IR3	IR2	IR2	IR2

A. Access shall be provided in accordance with section 402.
B. Subdivisions shall have a conforming water supply in accordance with Section 402.1.
   a. IR1 = Ignitions-resistant construction in accordance with Section 504.
   b. IR2 = Ignition-resistant construction in accordance with Section 505.
   c. IR3 = Ignition-resistant construction in accordance with Section 506.
   d. N.C. = Exterior walls shall have a fire-resistance rating of not less than 1-hour and the exterior surfaces of such walls shall be noncombustible. Usage of log wall construction is allowed.
C. Conformance based on Section 603.
D. Conformance based on Section 404.
E. A nonconforming water supply is any water system or source that does not comply with Section 404, including situations where there is no water supply for structure protection or fire suppression.

504.7 Appendages and projections. Unenclosed accessory structures attached to building with habitable spaces and projections, such as decks, shall be a minimum of 1-hour fire resistance-rated construction, heavy timber construction or constructed of one of the following:

1. Approved noncombustible materials,
2. Fire-retardant treated wood identified for exterior use and meeting the requirements of Section 2303.2 of the International Building Code,
3. Ignition resistant building materials in accordance with section 503.2 or
4. Meet the requirements in the schematics as shown in the WUI Application Packet.

505.7 Appendages and projections. Unenclosed accessory structures attached to building with habitable spaces and projections, such as decks, shall be a minimum of 1-hour fire resistance-rated construction, heavy timber construction or constructed of one of the following:

1. Approved noncombustible materials,
2. Fire-retardant treated wood identified for exterior use and meeting the requirements of Section 2303.2 of the International Building Code,
3. Ignition resistant building materials in accordance with section 503.2 or
4. Meet the requirements in the schematics as shown in the IWUIC Application Packet.

Volume G

83, 84	4/7/1919	Poolroom licensing ordinance (Repealed by 99-06)

Volume J

589	6/23/1947	County road installation permits (12.80)

Volume K

177	2/28/1949	Formation of single county road district (12.04)
220	7/5/1949	Mileage allowance for county officials (2.24)
235	8/29/1949	Participation in state employees' retirement system (Repealed by 99-03)
439, 440	7/23/1951	County office hours (2.20)

Volume L

3, 4	8/10/1953	Designation of official meeting time (2.04)
95	4/10/1954	Adoption of state standard traffic-control devices (10.04)
498, 499	8/28/1957	Plan regarding Social Security provisions (Repealed by 99-03)
547	2/3/1958	Dogs in courthouse (Repealed by 99-07)
559-561	2/24/1958	Sales of goods and merchandise at auctions (5.04)
572	4/14/1958	Fixing minimum sales prices on tax title real estate (Repealed by 99-04)
576-578	4/21/1958	Food handling establishments (8.08)
594	6/16/1958	Minimum pricing scale for sale of tax title lots (Repealed by 99-04)
600	7/21/1958	Planning commission (2.12)
612, 613	8/25/1958	Curfew (Repealed by 99-09)

Volume M

1	10/14/1958	Granting planning commission certain powers (Repealed by 99-03)
27	1/12/1959	Regarding size, weight and load of vehicles on county road (10.16)
48-51	3/16/1959	Civil defense ordinance (2.48)
208-210	8/8/1960	Special permits for overweight vehicles (Repealed by R-85-48)
213-216	9/6/1960	Voting precincts (1.08)
220-222	9/26/1960	House moving permits (5.16)
O-60-1	10/17/1960	House moving ordinance (5.16)
RD-61-11	8/28/1961	Fees and procedures for the issuing of over legal permits for movements on county roads (10.16)
R-62-9	5/19/1962	Voting precinct changes (1.08)
R-62-16	5/28/1962	Voting precinct changes (1.08)
426	5/28/1962	Amending house moving resolution (5.16)
O-63-1	4/15/1963	Regulation of use of motor boats on Cooper Lake (9.16)
O-63-4	12/30/1963	Boating ordinance (9.12)
R-64-6	3/9/1964	Division of county precincts (1.08)

Volume N

R-64-13	6/15/1964	Changes in county precinct boundaries (1.08)
R-64-14	6/15/1964	Changes in county precinct boundaries (1.08)
R-64-15	6/29/1964	Changes in county precinct boundaries (1.08)
R-64-19	7/27/1964	Amendment to food establishment ordinance (8.08)
RD-15-65	7/6/1965	Adoption by reference of uniform standards for installation of buried cables (12.16)
252A, 252B	4/11/1966	Report regarding justice court districting committee (2.08)\
R-66-13	4/18/1966	Commissioners districts (1.08)
267, 268	5/23/1966	Mutual aid agreement regarding civil defense (2.52)
R-66-22	6/18/1966	Adoption of justice court districting plan (2.08)
RD-36-66	9/26/1966	Revising uniform standards for installation of buried cables (12.16)
O-67-2	3/13/1967	Board of health regulations adopted (Repealed by 99-08)
O-67-3	4/3/1967	Regarding food handler's permits (8.08)
R-67-54	12/11/1967	Regarding establishment of a plan of group life, accident, hospital and surgical, insurance for county employees (Repealed by 99-03)
O-68-12	4/22/1968	Real estate excise tax (3.08)
R-68-15	6/24/1968	Mental retardation committee (2.16)

Volume O

R-69-4	2/10/1969	Policy regulation No. 1 (Repealed by 99-03)
O-69-11	11/17/1969	Outdoor music festivals (5.20)
O-70-3	3/9/1970	County sales tax (3.04)

R-70-5	3/27/1970	County housing authority (2.14)
179, 180	4/6/1970	Implementation of work release program in county jail (1.12)
O-70-12	9/8/1970	Litter and garbage on public and private property (Repealed by O-9421)
RD-2-71		County road employees (2.44)
RD-41-70	9/8/1970	Standard specifications for road and bridge construction (Repealed by O-94-32)
O-70-13	9/21/1970	Subdivisions (Title 16)
RD-55-70	12/7/1970	Utility accommodation policy adoption (12.12)
RD-16-71	3/1/1971	Pit reclamation policy (12.24)
O-71-3	4/19/1971	Building code and plumbing code adoption (14.04)
O-71-11	6/21/1971	Definitions and word construction (1.04)
O-71-8	7/19/1971	Amends §§ 16.12.020, 16.20.040, 16.24.090 and 16.40.050, subdivisions (Title 16)
RD-47-71	8/16/1971	Stop street adoption (10.12)
R-71-15	8/16/1971	Amends § 14.04.060, building fees (14.04)
RD-49-71	9/20/1971	Stop sign on No. Lake Cabins Road at S. Lake Cabins Road (10.12)
R-71-6	9/27/1971	Mobile home inspection fee (14.04)
O-71-7	9/27/1971	Amends Ord. 68-16 B, sewage disposal (13.04)
O-71-16	10/12/1971	Code adoption (1.04)
RD-46-71	11/8/1971	Restricted speed limits (10.08)
RD-75-71	12/13/1971	Utility accommodation policy adopted (12.12)
R-72-11	3/20/1972	Civil defense name change (2.48)
O-72-30	4/10/1972	Shoreline management (2.04)
RD-36-72	6/5/1972	Stop street (10.12)
R-72-33	6/26/1972	Ellensburg voting precincts (1.08)
R-72-69	12/18/1972	Private sewage disposal systems (13.08)
RD-4-73	1/8/1973	Reduces speed limit on Thorp Highway (10.08)
O-73-1	1/22/1973	Prohibits areas for discharging high-powered rifles; repeals Ord. 68-15 (9.20)
O-73-2	1/22/1973	Amends § 5 of Ord. 70-13, subdivisions (Title 16)
O-73-5	5/29/1973	Solid waste handling and facilities (Repealed by 78-10)
R-73-10	1/29/1973	Flood and mudslide control regulations (8.12)
RD-27-73	5/21/1973	Policy on road intersection illumination (12.28)
R-73-33	6/4/1973	Fees for recording and duplicating public records (2.56)
O-73-8	11/12/1973	Amends § 1 of subdivision ordinance (Title 16)
O-73-10	11/19/1973	Amends § 8.07(3) of subdivision ordinance (Title 16)
RD-71-73	10/29/1973	Reduces speed limit in Vantage (10.08)
RD-77-73	11/12/1973	Reduces speed on county roads (10.08)
RD-82-73	12/27/1973	Stop and yield signs installed (10.12)
O-74-1	4/15/1974	Amends § 16 of subdivision ordinance (Title 16)
RD-20-74	3/21/1974	Reduces speed within platted grasslands (10.08)
RD-30-74	5/20/1974	Stop sign at St. Ballard Hill intersection (10.12)
RD-36-74	7/1/1974	Stop sign at Hanson and Ward Roads intersection (10.12)
RD-37-74	7/1/1974	Stop sign at Wilson Creek Road and Willowdale Road (10.12)
RD-40-74	8/5/1974	Stop sign at Upper Peoh Point and Lower Peoh Point Roads (10.12)
R-74-36	8/12/1974	Mileage rate for cars on county business (Repealed by 99-03)
RD-45-74	9/3/1974	Stop sign at Casassa and Upper Peoh Point Roads (10.12)
RD-47-74	9/16/1974	Stop signs at various intersections (10.12)
RD-59-74	10/4/1974	Stop signs at various intersections (10.12)
RD-68-74	12/16/1974	Reduces speed limit in Broadview Acres (10.08)
RD-8-75	1/13/1975	Road sanding policy (12.05)
RD-11-75	1/20/1975	Stop sign at J. Schnebly and Fairview Roads (10.12)
RD-12-75	1/20/1975	Yield sign at Badger Pocket and Boch Road (10.12)
O-75-1	3/10/1975	Topless waitresses or entertainers (Repealed by 99-09)
O-75-3	4/14/1975	Amends § 3 of Ord. 70-13, subdivisions (Title 16)
RD-32-75	4/28/1975	Reduces speed in Valley View Estates (10.08)
Unnumbered	5/16/1975	Department of emergency services (2.48)
O-75-4	6/16/1975	Amends § 2 of Ord. 70-13, subdivisions (Title 16)
RD-39-75	6/16/1975	Restricted speed limit on Orchard Road (10.08)
R-75-38	6/23/1975	Commercial signs within county road right-of-way (12.50)
R-75-48	7/25/1975	Roslyn precinct boundaries (1.08)
RD-48-75	8/4/1975	Stop intersection designated (10.12)

RD-50-75	8/4/1975	Stop intersection designated (10.12)
Unnumbered (Vol. 1, page 575)	8/11/1975	Waiver of bond for work within county right-of-way by municipal corporations (12.06)
RD-52-75	8/18/1975	Stop intersection designated (10.12)
RD-53-75	8/18/1975	Stop intersection designated (10.12)
RD-54-75	8/18/1975	Stop intersection designated (10.12)
RD-55-75	8/18/1975	Stop intersection designated (10.12)
RD-56-75	8/18/1975	Stop intersection designated (10.12)
RD-57-75	8/18/1975	Stop intersection designated (10.12)
RD-61-75	8/25/1975	Restricted speed limit on Wilson Creek Road (10.08)
R-75-69	9/2/1975	Juvenile department's and prosecuting attorney's vehicles exemption from government vehicle marking requirements (Repealed by 99-03)
RD-84-75	10/27/1975	Restricted speed limit on South Lake Cabins Road (10.08)
RD-85-75	10/27/1975	Restricted speed limit on North Lake Cabins Road (10.08)
R-75-67	10/27/1975	Adopts All-Terrain Vehicle Action Plan (10.24)
O-75-13	11/10/1975	Amends § 8.07 of Ord. 70-13, subdivisions (Title 16)
O-75-15	11/10/1975	Adds Ch. 5.09, dancing and dance halls; repeals Ch. 5.08 (Repealed by 99-06)
O-75-12	11/24/1975	Adds § 23.03 to Ord. 70-13, subdivisions (Title 16)
Unnumbered (Vol. 1, page 747)	11/24/1975	County travel policy (Repealed by 99-03)
R-75-90	12/8/1975	Prescribes material for records of survey (2.56)
R-75-91	12/22/1975	Procedure for shorelines permit applications (2.04)
RD-23-76	3/8/1976	Right-of-way maintenance and acquisition policies (Repealed by Res. RD-40-76)
RD-24-76	3/8/1976	Right-of-way acquisition policy (12.44)
Unnumbered (Vol. 2, page 135)	3/29/1976	Leasehold excise tax (3.16)
R-76-44	5/3/1976	Meetings of board of health (2.10)
O-76-3	5/17/1976	Amends §§ 7 and 8 of Ord. 70-13, subdivisions (Title 16)
O-76-4	6/14/1976	Amends § 5.09.030, dance halls (Repealed by 99-06)
RD-40-76	7/6/1976	Revised right-of-way policy and acquisition procedures (12.44)
O-76-5	7/6/1976	Amends subdivision ordinance §§ 23.01 and 23.04, preparation and survey requirements (Title 16)
O-76-82		Establishes sheriff's department advance travel expense revolving fund (3.28)
RD-47-75	8/23/1976	Amends RD-46-71, restricted speed limits (10.08)
RD-48-76	8/30/1976	Establishes stop intersection (10.12)
RD-50-76	8/30/1976	Establishes yield intersection (10.12)
RD-57-76	10/4/1976	Establishes yield intersection (10.12)
RD-58-76	10/4/1976	Replaces yield intersection with stop intersection (10.12)
RD-59-76	10/4/1976	Establishes stop intersection (10.12)
RD-60-76	10/4/1976	Establishes stop intersection (10.12)
R-76-133	12/20/1976	Adds §§ 2.28.320 and 2.28.330; amends §§ 2.28.030, 2.28.080, 2.28.090, 2.28.130, 2.28.200, 2.28.210, 2.28.230, 2.28.250 and 2.28.280, employee leave policies (Repealed by 99-03)
R-77-6	1/17/1977	Health department fee schedule adopted by reference (Special)
O-77-1	1/24/1977	Adopts by reference certain sections of the RCW and WAC (Not codified)
R-77-44	1/31/1977	Establishes new voting precincts and boundaries (1.08)
RD-27-77	2/23/1977	Replaces stop intersection with yield intersection (10.12)
R-77-45	2/28/1977	Kittitas County travel policy (Repealed by 99-03)
RD-32-77	3/21/1977	Amends RD-46-71, restricted speed limit (10.08)
RD-48-77	5/23/1977	Amends RD-46-71, restricted speed limit (10.08)
O-77-2	6/11/1977	Amends §§ 3, 6, 7, 8 of Ord. 70-13, subdivisions (Title 16)
RD-60-77	7/25/1977	Establishes stop intersection (10.12)
RD-61-77	7/25/1977	Establishes stop intersection (10.12)
RD-62-77	8/1/1977	Establishes stop intersection (10.12)
RD-63-77	8/8/1977	Establishes stop intersection (10.12)
RD-71-77	8/22/1977	Establishes stop intersection (10.12)
RD-79-77	8/29/1977	Amends RD-46-71, restricted speed limit (10.08)
RD-82-77	8/29/1977	Amends RD-46-71, restricted speed limit (10.08)
O-77-3	10/10/1977	Irrigation easements; repeals § 8.10 (3) of Ord. 70-13, subdivisions (Title 16)
O-77-4	10/10/1977	Sprinkler irrigation systems (Title 16)
RD-88-77	10/10/1977	Establishes yield intersection (10.12)

RD-108-77	11/21/1977	Establishes stop intersection (10.12)
RD-110-77	11/21/1977	Establishes stop intersection (10.12)
RD-111-77	11/21/1977	Establishes stop intersection (10.12)
R-77-116	12/27/1977	Creates department of building inspector and fire marshal (2.68)
O-77-5	12/27/1977	Amends Ord. 68-1, sales tax (3.08)
RD-6-78		Right-of-way grazing permits (12.48)
78-1	1/3/1978	Repeals § 17.04.030 (Repealer)
Unnumbered (Vol. 3, page 373)	1/16/1978	Solid waste transfer stations (13.12)
78-10	1/30/1978	Repeals Ord. 73-5 (Repealer)
RD-51-78	7/17/1978	Establishes stop intersections (10.12)
RD-55-78	8/21/1978	Restricted speed limit on Pfenning Road (10.08)
RD-56-78	8/21/1978	Establishes temporary stop intersection (Special)
O-78-1	8/28/1978	Amends § 7.105 of the Uniform Fire Code (Repealed by 98-23)
RD-58-78	8/28/1978	Restricted speed limit on Anderson Road (10.08)
RD-60-78	9/5/1978	Establishes stop intersection (10.12)
R-78-55	9/18/1978	Election workers' wages (Special)
RD-59-78	9/25/1978	Restricted speed limit on Camas Lane Road (10.08)
O-78-2	10/9/1978	Transient occupancy tax (3.20)
RD-70-78	11/6/1978	Establishes yield intersection (10.12)
RD-71-78	11/6/1978	Restricted speed limit on New East Depot Road (10.08)
R-78-59	11/27/1978	Special election results (Special)
Unnumbered (Vol. 6, p. 697)	12/4/1978	On-site sewage disposal systems; repeals regulations passed 12/1/1975 (13.04)
RD-83-78	12/4/1978	Changes yield intersection to stop intersection (10.12)
R-78-62	12/18/1978	County employee wage policy (Repealed by 99-03)
R-78-64	12/26/1978	Capital projects cumulative reserve fund (Closed by R-84-96)
R-78-65	12/26/1978	Unemployment compensation tax cumulative reserve fund (Repealed by 99-04)
R-78-66	12/26/1978	Vacation and sick leave cumulative reserve fund (Repealed by 99-04)
R-78-67	12/26/1978	Federal anti-recession cumulative reserve fund (Repealed by 99-04)
RD-87-78	12/26/1978	Eliminates road from snow maintenance program (Special)
RD-88-78	12/26/1978	Eliminates road from snow maintenance program (Special)
RD-89-78	12/26/1978	Eliminates road from snow maintenance program (Special)
RD-90-78	12/26/1978	Eliminates road from snow maintenance program (Special)
RD-3-79	1/2/1979	Vehicle weight restrictions (10.28)
RD-25-79	2/26/1979	Establishes stop intersection (10.12)
RD-26-79	2/26/1979	Permits for overweight vehicles (10.16)
O-79-1	3/5/1979	Real estate sales tax (3.08)
R-79-6	3/19/1979	Board of health meetings (2.10)
RD-29-79	3/26/1979	Establishes stop intersection (10.12)
RD-31-79	3/26/1979	Changes yield intersection to stop intersection (10.12)
R-79-9	4/2/1979	Health permit fee schedule (8.08)
RD-32-79	4/2/1979	Changes yield intersection to stop intersection (10.12)
RD-33-79	4/2/1979	Changes yield intersection to stop intersection (10.12)
RD-34-79	4/2/1979	Changes yield intersection to stop intersection (10.12)
RD-40-79	4/16/1979	Establishes stop intersection (10.12)
RD-41-79	4/16/1979	Establishes stop intersection (10.12)
RD-39-79	4/23/1979	Restricted speed limits on Elmview, Beech, Cessna and Industrial Roads (10.08)
RD-48-79	4/30/1979	Establishes stop intersection (10.12)
RD-49-79	4/30/1979	Establishes stop intersection (10.12)
RD-50-79	4/30/1979	Establishes stop intersection (10.12)
RD-51-79	4/30/1979	Permits for overweight vehicles (10.16)
O-79-2	5/7/1979	Amends § 5 of subdivision ordinance (Title 16)
O-79-3	5/21/1979	Amends § 5 of subdivision ordinance (Title 16)
Unnumbered (Vol. 6, page 510)	6/4/1979	County travel policy (Repealed by 99-03)
R-79-23	6/6/1979	Shoreline designation change (Special)
R-79-21	6/11/1979	Election workers' wages (Special)

RD-58-79	6/25/1979	Establishes department of public works (2.50)
R-79-15	5/21/1979	Shoreline development permit fee (2.04)
RD-60-79	7/16/1979	Public works director permit issuance (2.50)
R-79-30	7/16/1979	Jury fees (Special)
R-79-31	7/16/1979	District court judge salaries (Special)
RD-68-79	8/6/1979	Restricts speed limit on Cooke Canyon Road (10.08)
O-79-4	9/24/1979	Flood damage prevention (14.08)
R-79-46	11/13/1979	Adds §§ 2.28.025 and 2.28.340; amends §§ 2.28.010, 2.28.030, 2.28.080, 2.28.090, 2.28.100 and 2.28.230; repeals §§ 2.28.110 and 2.28.150; employee leaves (Repealed by 99-03)
RD-83-79-A	11/19/1979	Right-of-way acquisition (Special)
RD-82-79	11/26/1979	Changes yield intersections to stop intersections (10.12)
RD-87-79	11/26/1979	Eliminates road from snow maintenance program (Special)
RD-88-79	11/26/1979	Eliminates road from snow maintenance program (Special)
RD-94-79	12/3/1979	Changes yield intersection to stop intersection (10.12)
RD-95-79	12/3/1979	Eliminates road from snow maintenance program (Special)
RD-96-79	12/3/1979	Eliminates road from snow maintenance program (Special)
RD-97-79	12/3/1979	Eliminates road from snow maintenance program (Special)
RD-98-79	12/3/1979	Eliminates road from snow maintenance program (Special)
RD-99-79	12/3/1979	Eliminates road from snow maintenance program (Special)
RD-100-79	12/3/1979	Eliminates road from snow maintenance program (Special)
RD-101-79	12/3/1979	Eliminates road from snow maintenance program (Special)
RD-105-79	12/17/1979	Restricts speed on Game Farm Road (10.08)
R-79-49	12/31/1979	Effective date of salaries under negotiation (Special)

DPW-3-80	1/21/1980	Property acquisition for federally funded projects (12.48)
O-80-1	1/21/1980	Amends subsection 22 of § 3 of subdivision ordinance (Title 16)
R-80-7	2/4/1980	Agreement with Housing Authority (Special)
R-80-9	3/17/1980	Solid waste disposal fees (13.12)
R-80-11	3/24/1980	Elected official salaries (Special)
R-80-12	3/24/1980	Employee wage policy (Repealed by 99-03)
R-80-14	4/14/1980	Election worker pay (Special)
DPW-37-80	5/27/1980	Adds to log tolerance routes (Repealed by R-85-48)
R-80-19	6/16/1980	Airport regulations (19.04)
O-80-2	6/30/1980	Amends §§ 14.04.040, 14.04.045 and 14.04.070; repeals §§ 14.04.010, 14.04.020 and 14.04.030; building code (14.04)
RD-50-80	8/25/1980	Establishes stop intersection (10.12)
RD-51-80	8/25/1980	Establishes stop intersection (10.12)
R-80-25	9/8/1980	Short plat requirements (Title 16)
R-80-27	9/22/1980	Parking lot debt service fund (Not codified)
R-80-28	9/22/1980	Fairgrounds' debt service fund (Not codified)
R-80-29	9/22/1980	Capital projects cumulative reserve fund (Not codified)
DPW-66-80	10/6/1980	Prohibits parking (Repealed by O-83-1)
DPW-67-80	10/6/1980	Prohibits parking (10.07)
DPW-71-80	11/17/1980	Restricted speed limits (10.08)
DPW-75-80	11/17/1980	Restricted speed limits (10.08)
DPW-76-80	12/1/1980	Eliminates road from snow maintenance program (Special)
DPW-77-80	12/1/1980	Eliminates road from snow maintenance program (Special)
DPW-78-80	12/1/1980	Eliminates road from snow maintenance program (Special)
DPW-79-80	12/1/1980	Eliminates road from snow maintenance program (Special)
DPW-80-80	12/1/1980	Eliminates road from snow maintenance program (Special)
DPW-81-80	12/1/1980	Eliminates road from snow maintenance program (Special)
DPW-82-80	12/1/1980	Eliminates road from snow maintenance program (Special)
DPW-83-80	12/1/1980	Eliminates road from snow maintenance program (Special)
DPW-84-80	12/1/1980	Eliminates road from snow maintenance program (Special)
DPW-91-80	12/8/1980	Prohibits parking (Repealed by O-82-13)
DPW 96-80	12/15/1980	Prohibits parking (Repealed by O-83-1)
R-80-43	12/22/1980	Wages for nonunion employees (Repealed by 99-03)
DPW-95-80	12/22/1980	Standards for mailbox locations (Repealed by O-94-32)
DPW-99-80	12/29/1980	Water rates (Not codified)
DPW-100-80	12/29/1980	Solid waste division transfer (Not codified)
R-81-2	1/19/1981	Amends § 2.04.010, county commissioner meetings (2.04)

DPW-8-81	1/26/1981	Establishes stop intersection (10.12)
R-81-3	1/26/1981	Fire protection district No. 8 (Special)
R-81-4	2/3/1981	Wage policy (Repealed by 99-03)
DPW-9-81	2/3/1981	Parking fees at county airport (Not codified)
DPW-10-81	2/3/1981	Rental fee schedule at county airport (Repealed by DPW-16-82)
R-81-5	2/10/1981	Amends § 14.04.060, mobile home permits (14.04)
DPW-11-81	2/10/1981	Transfer of solid waste equipment (Repealed by DPW-93-81)
DPW-16-81	2/10/1981	Designates primitive roads (Special)
O-81-2	3/24/1981	Amends floodplain regulations (14.08)
DPW-34-81	3/24/1981	Water utility fees (Not codified)
DPW-37-81	4/7/1981	Log tolerance permit routes (Repealed by R-85-48)
DPW-51-81	4/14/1981	Establishes stop intersection (10.12)
R-81-8	4/21/1981	Budget transfers (3.02)
R-81-10	5/5/1981	Timber tax refund fund (Special)
DPW-59-81	5/12/1981	Restricted speed limits (10.08)
O-81-3	5/12/1981	Amends § 3.1.7 of flood damage prevention ordinance (14.08)
R-81-16	6/2/1981	Transfer of funds (Special)
R-81-17	6/2/1981	Noxious weed control board (Not codified)
R-81-20	6/16/1981	Stock restricted area (Special)
R-81-21	6/9/1981	Transfer of funds (Special)
R-81-22	6/9/1981	Deferred compensation plan (Repealed by 99-03)
R-81-25	6/23/1981	Transfer of funds (Special)
DPW-66-81	7/14/1981	Reduces speed limit on portion of Liberty Road (10.08)
DPW-68-81	7/28/1981	Replaces yield with stop sign on Graham Road at Mohar Road (10.12)
R-81-31	7/28/1981	Precinct lines (1.08)
R-81-32	7/28/1981	Establishes jail construction and courthouse remodeling fund (Not codified)
DPW-69-81	8/11/1981	Replaces yield with stop sign on Reuse Road at Lower Peoh Point Road (10.12)
R-81-33	8/18/1981	Amends Res. 81-31, precincts (1.08)
R-81-34	8/18/1981	Approves Liberty Subdivision plat (Special)
DPW-72-81	8/25/1981	Raises fuel-assessment rate at airport (Repealed by Res. 83-47)
R-81-35	9/2/1981	Franchise to King Videocable Co. (Special)
DPW-74-81	9/15/1981	Prohibits parking on portion of Pfenning Road (10.07)
DPW-75-81	9/15/1981	Prohibits parking on portion of Vantage Highway (10.07)
DPW-77-81	9/15/1981	Reduces speed limit on portion of Hidden Valley Road (10.08)
DPW-78-81	9/15/1981	Reduces speed limit on Emerick Road (10.08)
DPW-80-81	9/22/1981	Reduces speed limit on portion of Hungry Junction Road (10.08)
DPW-81-81	9/29/1981	Establishes stop intersection on Pacific Avenue at 3rd St. (10.12)
R-81-37	10/13/1981	Bank account for jail-construction liability retainage (Special)
DWP-89-81	11/24/1981	Eliminates certain roads from 1981-82 road maintenance program (Special)
R-81-41	12/1/1981	Raises dumping fee at waste disposal facilities (13.12)
R-81-42	12/1/1981	Directs central acquisition and rental of new vehicles (Repealed by R-84-54)
DPW-90-81	12/1/1981	Closes Yellowstone Trail Road Bridge (Repealed by Res. DPW § 74-82)
DPW-92-81	12/1/1981	Payment from solid waste fund to equipment rental and revolving fund for certain equipment (Special)
DPW-93-81	12/1/1981	Restores former solid waste fund equipment to that fund; repeals Res. DPW-11-81 (Special)
O-81-4	12/15/1981	Amends § 5 of subdivision ordinance, filing and plat-check fees (Title 16)
R-81-44	12/15/1981	Amends § 38(1) of shoreline program, fees (2.04)
R-81-43	12/29/1981	Repair and maintenance of county vehicles (Repealed by R-83-104)
DPW-1-82	1/5/1982	Sets over-the-counter fees and establishes overweight truck permit procedure (10.16, Title 16)
DPW-2-82	1/5/1982	Prohibits parking on portion of Lake Cle Elum Dam Road (10.07)
Unnumbered (Vol. 11, p. 246)	1/5/1982	County travel policy (Repealed by 99-03)
DPW-7-82	1/12/1982	Amends Res. DPW-1-82, fees (Not codified)
DPW-8-82	1/12/1982	Transfers fueling facility from courthouse and jail fund to equipment rental and revolving fund (Special)
DPW-9-82	1/12/1982	Directs health department to rent radios from equipment rental and revolving fund (Special)
DPW-16-82	2/2/1982	Sets airport "T" hangar rentals; repeals Res. DPW-10-81 (Repealed by R-83-33)
R-82-4	2/9/1982	Amends § 3.20.060, transient occupancy tax (3.20)
DPW-24-82	2/16/1982	Equipment rental rates for 1982 (Not codified)
DPW-34-82	3/23/1982	Solid waste disposal site hours (Not codified)
R-82-7	3/30/1982	Amends weed-control assessment motion of Nov. 3, 1981 to remove incorporated areas (Special)

R-82-8	3/30/1982	Amends Res. 80-19 Ch. IV § 2, airport use standards (19.04)
DPW-35-82	3/30/1982	Establishes airport commercial-operations fee (19.04)
R-82-10	4/13/1982	Establishes prosecuting attorney's victim/witness fund (3.32)
O-82-1	4/20/1982	Prohibits gasoline-powered motor boats on Gladmar Pond (9.17)
R-82-12	4/20/1982	Establishes rental health center liability retainage account (Special)
R-82-13	4/20/1982	Repeals motion on weed-control assessments adopted Nov. 3, 1981 (Special)
DPW-44-82	5/4/1982	Amends § 12.08.010, highway standard specifications (Repealed by O-94-32)
Unnumbered (Vol. 11, p. 700)	5/4/1982	Airport minimum standards (19.04)
R-82-16	5/11/1982	Establishes computer debt service fund (Repealed by 99-04)
O-82-3	5/18/1982	Amends § 3(22) and (23) and § 7.02 of subdivision ordinance (Title 16)
R-82-18	-	Affirmative action plan (Repealed by 99-03)
O-82-4	6/8/1982	Adds § 1(3), definition to § 2 and § 5.71(8) to flood damage prevention ordinance (14.08)
O-82-5	6/29/1982	Regulates speed of motor boats on Little Kachess Lake (9.18)
O-82-6	7/13/1982	Reduces speed limit on portion of Zrebiec Road (10.08)
R-82-24	7/20/1982	Wages of nonunion employees (Repealed by 99-03)
O-82-7	7/27/1982	Regulates franchisee use of county roads and other properties (12.56)
DPW-62-82	7/27/1982	Grants franchise to Kittitas County Water District No. 2 for Ronald water system (Special)
Unnumbered (Vol. 12, p. 509-514)	8/16/1982	Mental health, mental retardation, drug abuse board (2.16)
O-82-8	8/17/1982	Changes yield intersections to stop intersections (10.12)
O-82-9	8/24/1982	Establishes speed limit on Westside Road (10.08)
O-82-10	8/24/1982	Changes yield intersection to stop intersection on Westside Road (10.12)
DPW-74-82	9/14/1982	Reopens Bridge No. 4091; repeals Res. DPW-90-81 (Special)
Unnumbered (Vol. 12 p. 403)	10/1/1982	Emergency services operations plan for fixed nuclear facility emergency (Special)
DPW-75-82	10/12/1982	Transfers capital assets from sheriff's office to equipment rental and revolving fund (Special)
O-82-11	11/9/1982	Amends §§ 10.08.010 and 10.08.020, speed limits (10.08)
O-82-22	11/16/1982	Amends § 4 of county zoning Ordinance 68-1 (Not codified)
DPW-82-82	9/16/1982	Adopts emergency fuel usage plan (Special)
O-82-12	12/7/1982	Operation of snowmobiles (10.32)
O-82-13	12/7/1982	Prohibited parking; repeals Res. DPW § 91-80 (10.07)
DPW-88-82	12/7/1982	Opens certain county roads for snowmobile use (Special)
R-83-8	1/18/1983	Prohibits parking of private vehicles by county employees in Courthouse parking lot (10.06)
R-83-10	1/18/1983	Repeals county zoning Ordinance 68-1, and adopts Title 17 of county code as official zoning instrument (Title 17)
R-83-9	2/15/1983	Temporary fee schedule for mobile home inspection and enforcement costs (Special)
R-83-13	2/1/1983	Adopts revised organizational chart for department of public works (Repealed by 99-03)
R-83-17	2/8/1983	Establishes procedure for claims against the county (2.72)
R-83-19	2/22/1983	Snow load requirements for mobile homes (Special)
R-83-20	2/22/1983	Recording of county commissioners meetings (2.04)
R-83-33	3/29/1983	"T" hangar rental fee schedule; repeals Res. DPW § 16-82 (Not codified)
R-83-34	3/29/1983	Appointment of equal employment opportunity officer (Special)
O-83-1	5/3/1983	Establishes no parking zones on Via Kachess Road; repeals Res. DPW § 66-80 and DPW 96-80 (10.07)
O-83-2	5/17/1983	Regulates gathering and transportation of firewood (Repealed by 99-09)
R-83-47	5/24/1983	Airport fuel flowage fee schedule; repeals Res. DPW § 72-81 (Not codified)
O-83-3	6/14/1983	Sets speed limit on Cove Road (Repealed by 83-5)
O-83-4	6/21/1983	Amends §§ 10.08.010 and 10.08.020, speed limits (10.08)
R-83-59	6/21/1983	Adds new section to Ch. 1.08; amends §§ 1.08.090 and 1.08.120, precincts (1.08)
R-83-60	6/21/1983	Adds new section to Ch. 1.08; amends §§ 1.08.110 and 1.08.265, precincts (1.08)
R-83-61	6/21/1983	Amends §§ 1.08.010, 1.08.030, 1.08.040, 1.08.080 and 1.08.220, precincts; repeals § 1.08.230 (1.08)
O-83-5	7/12/1983	Amends § 10.08.020, speed limits; repeals Ord. 83-3 (10.08)
O-83-6	7/26/1983	Amends §§ 10.08.010 and 10.08.020, speed limits (10.08)
O-83-6-A	8/30/1983	Amends § 10.08.010, speed limits (10.08)
O-83-7	10/25/1983	Establishes no parking zones (10.07)
R-83-96	11/22/1983	Posts "no winter maintenance" signs on certain roads (Special)
R-83-104	12/13/1983	Repeals Res. 81-43 (Repealer)
R-83-113	12/27/1983	Amends Res. 82-25 (Special)
O-84-1	2/28/1984	Establishes no parking zone (10.07)
R-84-2	1/3/1984	Safety and health policy (Repealed by 99-03)
R-84-11	2/14/1984	Amends § 1.08.100, commissioners district (1.08)

R-84-12	2/14/1984	Approves consolidation of county sewer district no. 1 and Summit sewer district (Special)
R-84-14	3/6/1984	Policy on handicapped hiring and building access (Repealed by 99-03)
O-84-Z-I	4/10/1984	Zoning
R-84-22	4/10/1984	Adds § 1.08.140 and amends § 1.08.010, commissioner districts (1.08)
R-84-23	4/10/1984	Amends §§ 1.08.220 and 1.08.265, commissioners district (1.08)
R-84-24	4/17/1984	Increases drug abuse revolving fund (Special)
R-84-29	4/17/1984	Amends § 14.04.010, building code (14.04)
R-84-31	4/24/1984	Establishes drug enforcement cumulative reserve fund (3.24)
Unnumbered	5/15/1984	Handicapped grievance procedure (Repealed by 99-03)
R-84-2	6/12/1984	Board of health meeting time (2.10)
R-84-49	6/12/1984	Equipment rental rates (Special)
R-84-53	6/12/1984	Funds transfer (Special)
R-84-54	6/12/1984	Repeals Res. 81-42 and authorizes use of funds (Repealer)
O-84-3	8/21/1984	Excise tax on harvesters of timber (3.14)
O-84-4	11/30/1984	Adds § 10.08.025, speed limits (10.08)
O-84-5	12/18/1984	State environmental policy act (SEPA) (15.04)
O-84-6		Subdivision code (Title 16)
R-84-96	10/25/1984	Closes capital projects cumulative reserve fund (3.24)
O-85-1	7/30/1985	Sales or use tax (3.04)
O-85-2	8/20/1985	Amends § § 10.08.020 and 10.08.030, speed limits (10.08)
R-85-48	6/4/1985	Repeals Ch. 10.20, Res. RD § 29-75, DPW 37-80, and DPW 37-81 (Repealer)
R-85-75	10/1/1985	Changes effective date of Ord. 85-1 (3.04)
O-85-3	11/12/1985	Amends §§ 10.08.010 and 10.08.020, parking restrictions (10.08)
R-87-35	3/3/1986	Funds transfer (Special)
R-86-87	6/17/1986	Sheriff's fees for work release, for antabuse monitoring, and for out of county jail term costs (4.12)
O-86-1	6/24/1986	Amends § 10.12.010(1), stop intersections (10.12)
O-86-2	6/24/1986	Amends §§ 10.08.020 and 10.08.030, speed limits (10.08)
O-86-3	7/1/1986	No parking (10.07)
O-86-4	7/22/1986	Amends § 10.12.010(1), stop intersections (10.12)
O-86-5	7/22/1986	No parking (10.07)
O-86-6	8/1/1986	Real estate excise tax (3.09)
O-87-1	5/12/1987	Zoning
O-87-2	6/2/1987	No parking (10.07)
R-87-76	6/2/1987	Public hearing for revising speed limit on Kittitas Highway (Special)
O-87-3	6/30/1987	Speed limits (10.08)
O-87-4	7/6/1987	Rezone
O-87-5	8/4/1987	Amends §§ 16.04.010, 16.04.020, 16.16.010; adds Ch. 16.36 and 16.08.138, subdivisions (16.04, 16.08, 16.16, 16.36)
O-87-6	8/18/1987	Amends § 10.08.010, speed limits (10.08)
O-87-7	9/1/1987	Clarifies code adoption (1.04)
O-87-8	9/15/1987	Amends § 10.12.010(1), stop intersection (10.12)
O-87-9	9/22/1987	Zoning
O-87-10	11/10/1987	Rezone
O-87-11	11/10/1987	Zoning
R-87-128	12/8/1987	Adds Ch. 12.10, functional classification for roads (Repealed by O-94-18)
O-88-1	2/16/1988	Rezone
R-88-38	5/10/1988	Advertises for surplus property sale at public auction (Special)
O-88-2	6/21/1988	Zoning
O-88-3	2/16/1988	Amends § 10.08.020, speed limits (10.08)
O-88-4	3/8/1988	Zoning
O-88-5	5/10/1988	Zoning
R-88-7	12/28/1988	Comprehensive environmental health fee schedule (4.04)
R-89-2	1/10/1989	Fund classification change (Special)
R-89-3	1/17/1989	Closes Salmon La Sac Road for dogsled racing (Special)
R-89-4	1/17/1989	Snowmobile use of Salmon La Sac Road (Special)
R-89-19	2/28/1989	Increases county road fund petty cash (Special)
R-89-26	3/15/1989	Approves amendment to water district 3 comprehensive plan (Special)
R-89-34	4/4/1989	Closes Nelson Dairy Road (Special)
O-89-1	4/11/1989	Regulates parking on county properties (10.06)
O-89-2	4/25/1989	Adopts Ch. 2.77, smoking policy (2.77)

R-89-44	4/25/1989	Alcohol and drug abuse policy (Repealed by 99-03)
R-89-51	5/16/1989	Increases mental health, developmental disabilities, drug abuse revolving fund (Special)
R-89-56	5/23/1989	Road vacation (Special)
R-89-52	5/16/1989	Changes custodian of civil service petty cash (Special)
R-89-58	5/23/1989	Regulates employee and public parking on certain county properties (10.06)
O-89-3	5/30/1989	Amends § 16.04.020, subdivisions (16.04)
R-89-65	6/20/1989	Establishes revenue account for traffic enforcement purposes (Special)
R-89-67	6/27/1989	Adopts six-year transportation improvement program (Special)
R-89-79	8/1/1989	Fairground debt service fund No. 2 (Special)
O-89-4	8/15/1989	Floodplain damage prevention code (14.08)
O-89-5	8/22/1989	Road improvement district No. 1 (Special)
O-89-Z1	9/12/1989	Rezone
O-89-6	9/26/1989	Admissions tax (3.22)
O-89-7	10/17/1989	Property tax refunds (3.40)
O-89-8	10/17/1989	Amends § 10.12.010, yield signs (10.12)
O-89-11	10/17/1989	Rezone
O-89-12	12/12/1989	Processing fees for current use land classification applications (4.08)
R-89-133	12/26/1989	Closes alcoholism fund (Special)

O-90-1	1/9/1990	Amends § § 2 and 3 of Ord. 89-6, admissions tax (3.22)
R-90-9	1/23/1990	Establishes revenue account for traffic enforcement (Special)
O-90-2	1/30/1990	Amends § 10.12.010, stop intersections (10.12)
O-90-3	1/30/1990	Rezone
O-90-4	2/20/1990	Amends § 10.12.010, stop intersections (10.12)
O-90-4A	2/27/1990	Amends § 10.08.010, speed limits (10.08)
O-90-5	3/20/1990	Amends § 16.04.010, subdivisions (16.04)
O-90-6	3/20/1990	Zoning
O-90-7	5/15/1990	Amends § 1.08.010, commissioner districts (1.08)
O-90-8	5/15/1990	Off-road vehicles (10.36)
O-90-9	6/12/1990	Rezone
O-90-10	8/7/1990	Zoning
O-90-11	8/7/1990	Zoning
R-90-71	7/17/1990	Adopts six-year transportation improvement program (Special)
O-90-12	8/7/1990	Rezone
O-90-13	8/7/1990	Rezone
O-90-14	8/14/1990	Amends § 14 of Ord. 89-6, admissions tax (3.22)
O-90-15	8/14/1990	Zoning
O-90-16	8/21/1990	Fire resistant/retardant standards for roof coverings (14.12)
O-90-17	10/9/1990	Number not used
R-90-90	10/9/1990	Approves preliminary plat (Special)
O-90-18	10/16/1990	Amends § 3 of comprehensive plan (17.74)
O-90-19	10/16/1990	Right to farm for protection of agricultural activities (17.74)
O-90-20	10/23/1990	Rezone
O-90-21	10/23/1990	Rezone
R-90-113	11/13/1990	Washington Governmental Entity Pool Membership (Repealed by 99-03)
O-91-1	4/30/1991	Amends § 10.08.010, speed limits (10.08)
O-91-2	5/7/1991	Amends § 10.07.010, no parking (10.07)
O-91-3	8/6/1991	Rezone
O-91-4	8/6/1991	Zoning
O-91-5	10/29/1991	Amends § 10.08.010, speed limits (10.08)
O-91-6	11/19/1991	Hot spot hunts under supervision of Department of Wildlife (9.21)
R-91-103	8/6/1991	Fee schedule for changes in zoning classification (Not codified)
R-91-104	8/6/1991	Fee schedule for subdividing land and filing plats (Not codified)
O-91-7	12/31/1991	Amends § 12.10.060, removes Shale Pit Road from Class O (Repealed by O-94-18)
O-92-1	2/4/1992	Zoning
O-92-2	2/11/1992	Rezone
O-92-3	2/11/1992	Amends §§ 16.04.010, 16.04.020, and 16.08.185, subdivisions (16.04, 16.08)
O-92-4	3/3/1992	Zoning
O-92-5	3/3/1992	Rezone

O-92-6	3/3/1992	Zoning
O-92-7	3/3/1992	Weight restriction on Bullfrog Bridge (Special)
O-92-8	3/31/1992	Enhanced 911 excise tax (3.44)
O-92-9	4/21/1992	Adopts 1993 assessment rates for noxious weed control board (Special)
O-92-10	4/28/1992	Amends Ch. 10.28, seasonal weight restrictions on county roads (10.28)
O-92-11	5/5/1992	Amends § § 16.04.010 and 16.04.020, subdivisions (16.04)
O-92-12	6/9/1992	Amends § 10.12.010(1) and (2), stop and yield intersections (10.12)
O-92-13	6/30/1992	Adds Ch. 9.30, discharge of fireworks (9.30)
O-92-14	6/30/1992	Adds Ch. 10.37, off-road and nonhighway vehicles (10.37)
O-92-15	8/11/1992	Amends §§ 10.08.010 and 10.08.020, speed limits (10.08)
O-92-16	8/18/1992	Restrictions against shooting in gravel pit sites (Repealed by 99-09)
O-92-17	8/18/1992	Amends Ch. 5.20, outdoor music festivals (5.20)
O-92-18	9/1/1992	Regulating and licensing activities on the county fairgrounds (5.28)
O-92-19	9/29/1992	Amends §§ 10.08.010 and 10.08.020, speed limits (10.08)
O-92-20	10/20/1992	(Number not used)
O-92-21	10/20/1992	Amends § 10.08.020, speed limits (10.08)
O-92-22	10/27/1992	Amends § 10.07.010, deletes § 10.07.030(b) and adds § 10.07.040, parking restrictions (10.07)
O-92-23	11/24/1992	Amends § 10.07.020, parking restrictions (10.07)
O-92-24	12/1/1992	Amends Title 19, airport standards (19.04)
O-92-25	12/1/1992	Amends §§ 10.36.010, 10.36.020, 10.36.030, 10.36.040, off-road vehicles (10.36)
O-92-26	12/1/1992	Amends §§ 12.10.030 and 12.10.060, road classifications (Repealed by O-94-18)
O-92-27	12/15/1992	(Number not used)
O-92-28	12/15/1992	(Number not used)
O-92-29	12/15/1992	Amends § 14.04.010, building codes (14.04)
O-92-30	12/29/1992	Amends Ch. 12.20, utilities on county road right-of-way (12.80)
O-92-31	12/29/1992	Amends § 10.07.020, parking restrictions (10.07)
O-93-1	1/12/1993	Zoning
O-93-2	1/19/1993	Rezone
O-93-3	1/19/1993	Rezone
O-93-4	3/23/1993	Amends Ch. 14.04, building code (14.04)
O-93-5	4/13/1993	Boating safety (9.10)
O-93-6	5/4/1993	Zoning
R-93-70	5/25/1993	Amends preliminary plat (Special)
O-93-7	5/25/1993	Amends § 10.12.010(1) and (2), stop and yield intersections (10.12)
O-93-8	5/25/1993	Rezone
O-93-9	6/1/1993	Amends § 10.12.010(1) and (2), stop and yield intersections (10.12)
O-93-10	6/29/1993	Rezone
O-93-11	6/29/1993	Amends §§ 10.08.010 and 10.08.020, speed limits (10.08)
O-93-12	7/13/1993	Changes public road names (Not codified)
O-93-13	8/31/1993	Amends § 10.08.010, speed limits (10.08)
O-93-14	9/14/1993	Amends § 10.08.020, speed limits (10.08)
O-93-15	9/28/1993	Rezone
O-93-16	12/7/1993	Amends §§ 10.07.030 and 10.12.010, stop and yield intersections (10.07, 10.12)
O-93-17	12/7/1993	Adds §§ 4.16 and 12.60, vacation of county roads (4.16, 12.08)
O-93-18	12/7/1993	Amends Ch. 14.08, flood damage prevention (14.08)
O-93-19	12/14/1993	Amends Ch. 15.04, SEPA regulations (15.04)
O-93-20	12/21/1993	Changes names of public roads (Not codified)
O-93-21	12/28/1993	Zoning
O-93-22	12/28/1993	Amends §§ 1.08.010, 1.08.047 and 1.08.130, commissioner districts (1.08)
O-94-1	1/4/1994	Adds Ch. 17.57, commercial forest zoning district (17.57)
O-94-2	1/18/1994	Rezone
O-94-3	1/25/1994	Rezone
O-94-4	3/15/1994	Amends Ord. 93-20, changes names of public roads (Not codified)
O-94-5	3/22/1994	Amends § 10.07.020, no parking (10.07)
O-94-6	3/29/1994	Amends § 10.08.020, speed limits (10.08)
O-94-7	3/29/1994	Amends § 10.12.010, stop and yield intersections (10.12)
O-94-8	4/4/1994	Repeals and replaces Ch. 5.16, house and building moves (5.16)
O-94-9	4/26/1994	Rezone
O-94-10	5/3/1994	Excise tax on radio access lines (3.44)

O-94-11	5/10/1994	Amends § 10.07.010, no parking areas (10.07)
O-94-12	5/10/1994	Repeals §§ 9.30.010 and 9.30.020; renumbers § 9.30.030 to 9.30.060; adds new §§ 9.30.010, 9.30.020, 9.30.030, 9.30.040, and 9.30.050, fireworks (9.30)
O-94-13	5/10/1994	Rezone
O-94-14	5/17/1994	Amends §§ 14.04.060 and 14.04.070, fee rates (14.04)
O-94-15	6/13/1994	Rezone
O-94-16	7/5/1994	Exempts county from prohibitions of RCW 9.41.050(4) (9.40)
O-94-17	8/2/1994	Burn bans (15.08)
O-94-18	8/2/1994	Repeals and replaces Ch. 12.10; renumbers Ch. 12.20 to be 12.80 and adds new Ch. 12.20; renumbers Ch. 12.40 to be 12.50 and adds new Ch. 12.40, road standards (12.10, 12.20, 12.40, 12.50, 12.80)
O-94-19	8/9/1994	Adds new section to Ch. 10.08, speed limits (10.08)
O-94-20	8/9/1994	Amends §§ 10.08.010 and 10.08.020, speed limits (10.08)
O-94-21	8/9/1994	Adds Ch. 8.20, depositing garbage in designated places; and repeals Ch. 9.08 (8.20)
O-94-22	8/12/1994	Critical areas (17A.01, 17A.02, 17A.03, 17A.04, 17A.05, 17A.06, 17A.07, 17A.08)
O-94-23	8/30/1994	Amends § 10.07.020, no parking areas (10.07)
O-94-24	9/13/1994	Rezone
O-94-25	9/13/1994	Adds Title 18, code enforcement (18.01, 18.02, 18.03, 18.04, 18.05, 18.06)
O-94-26	9/27/1994	Amends § 10.12.010, stop and yield intersections (10.12)
O-94-27	10/4/1994	Renumbers §§ 12.32 and 12.36 to be 12.05 and 12.06; adds new §§ 12.30 and 12.90, road standards (12.05, 12.06, 12.30, 12.90)
O-94-28	10/18/1994	Rezone
O-94-29	10/25/1994	Amends § 10.32.010, snowmobiles (10.32)
O-94-30	10/25/1994	Amends § 10.07.020, no parking areas (10.07)
O-94-31	10/25/1994	Amends § 10.08.010, speed limits (10.08)
O-94-32	11/15/1994	Repeals §§ 12.08 and 12.52; adds new Ch. 12.50 [12.51]; renumbers Ch. 12.60 to be 12.08 and adds new Ch. 12.60, road standards (12.08, 12.51, 12.60)
O-94-33	11/22/1994	Number not used
O-94-34	11/22/1994	Amends § 10.08.020, speed limits (10.08)
O-94-35	12/13/1994	Rezone
O-94-36	12/13/1994	Amends § 10.32.010, snowmobiles (10.32)
O-94-37	12/20/1994	Amends §§ 10.08.010 and 10.08.020, speed limits (10.08)
O-95-1	1/4/1995	Adds § 10.07.050, no parking areas (10.07)
O-95-2	1/24/1995	Adds Ch. 12.70, storm water management standards and guidelines (12.70)
O-95-3	2/7/1995	Amends § 10.08.020, speed limits (10.08)
O-95-4	5/30/1995	Adds Ch. 9.50, parks (9.50)
O-95-5	6/13/1995	Amends § 13.12.105, solid waste disposal sites (13.12)
O-95-6	6/27/1995	Amends Ch. 9.30, fireworks (9.30)
O-95-7	7/18/1995	Amends § 14.04.010, building code (14.04)
O-95-8	7/25/1995	Zoning
O-95-9	8/1/1995	Adds § 9.30.090, fireworks (9.30)
O-95-10	8/15/1995	Rezone
O-95-11(A)	9/12/1995	Amends §§ 10.08.020 and 10.08.030, speed limits (10.08)
O-95-11(B)	9/12/1995	Amends § 10.12.010(1) and (2), stop and yield intersections (10.12)
O-95-12	9/12/1995	Amends §§ 10.08.010 and 10.08.020, speed limits (10.08)
O-95-13	9/15/1995	Adds Ch. 17A.55, agricultural zones, amends § 17.29.040 and repeals § 17.29.100 (17.29)
O-95-14	10/10/1995	Adds Ch. 9.45, noise (9.45)
O-95-15	10/10/1995	Amends §§ 17A.02.250, 17A.02.300, 17A.02.310, 17A.03.015, 17A.03.020, 17A.03.025, 17A.04.010, 17A.04.020, 17A.04.040, 17A.04.050 and 17A.07.010, critical areas (17A.02, 17A.03, 17A.04, 17A.07)
O-95-16	11/28/1995	Adds § 3.04.060, sales or use tax - detention and jail (3.04)
O-95-17	11/28/1995	Adds § 3.04.070, sales or use tax - criminal justice (3.04)
O-96-1	3/5/1996	Zoning
O-96-2	4/2/1996	Amends § 2.08.050, justice court (2.08)
O-96-3	4/16/1996	Amends §§ 19.04.260, 19.04.270, 19.04.280, 19.04.290, 19.04.300, 19.04.310, 19.04.325, 19.04.340, and 19.04.360, airports (19.04)
O-96-4	5/21/1996	Rezone
O-96-5	5/21/1996	Zoning
O-96-6	5/21/1996	Zoning
O-96-7	5/28/1996	Amends § 10.08.020, speed limits (10.08)
O-96-8	6/11/1996	Adds §§ 12.20.080(B)(11), 12.20.080(F) and 12.20.065; amends §§ 12.20.080(B)(1) and (8), and 12.30.010(C)(1), roadway classification and design criteria (12.20, 12.30)
O-96-9	6/17/1996	Private property taking impact analyses (1.24)
O-96-10	7/26/1996	Adopts comprehensive plan; amends §§ 17A.55.030 and 17A.55.040, critical areas (Repealed by 98-13)

O-96-11	8/20/1996	Amends § 10.08.020, speed limits (10.08)
O-96-12	8/21/1996	Private property owners' bill of rights (1.26)
O-96-13	8/21/1996	Amends § 10.08.020, speed limits (10.08)
O-96-14	9/4/1996	Amends §§ 17A.02.300, 17A.03.015, 17A.04.020, 17A.04.050 and 17A.07.010, critical areas (17A.02, 17A.03, 17A.04, 17A.07)
O-96-15	9/10/1996	Adds Ch. 17.31, commercial agriculture zone; amends §§ 17.29.040, zoning, and 17A.55.030, critical areas (17.29, 17.31)
O-96-16	10/22/1996	Adds § 10.07.060, no parking areas (10.07)
O-96-17	10/29/1996	Adds Ch. 1.28, coordinating government regulation of land and natural resources use (1.28)
O-96-18	11/19/1996	Rezone (Special)
O-96-19	12/3/1996	Adds Title 15A, project permit application process; amends §§ 15.04.060, 15.04.070, 15.04.120, 15.04.200, 15.04.210, 16.12.120, 16.12.130, 16.12.140, 16.12.180, 16.12.200, 16.12.210, 16.12.220, 16.12.230, 16.20.010, 16.32.060, 16.32.070, 17.04.020, 17.16.020, 17.18.020, 17.20.020, 17.22.020, 17.28.020, 17.28.040, 17.29.050, 17.30.020, 17.32.020, 17.36.040, 17.36.050, 17.40.020, 17.44.020, 17.48.020, 17.52.050, 17.56.020, 17.56.060, 17.57.020, 17.59.020, 17.59.030, 17.60.030, 17.60.060, 17.84.010, 17.96.070, 17.96.080, 17.96.090, 17.96.100, 17.96.110, 17.96.130, 17.96.140 and 17.98.020; repeals §§ 17.04.030, 17.20.070, 17.60.050 and 17.60.070 (15.04, Title 15A, 16.12, 16.20, 16.32, 17.04, 17.16, 17.18, 17.20, 17.22, 17.28, 17.29, 17.30, 17.32, 17.36, 17.40, 17.44, 17.48, 17.52, 17.56, 17.57, 17.59, 17.60, 17.84, 17.96, 17.98)
O-96-20	12/11/1996	Amends comprehensive plan (Special)
O-96-21	12/23/1996	Adds § 10.08.045, speed limits; amends §§ 10.07.010, no parking areas, and 10.12.010, stop and yield streets (10.07, 10.08, 10.12)
O-96-22	12/31/1996	Amends § 12.30.010, driveways, accesses, walks and trails (12.30)
O-97-01	1/14/1997	Amends § 10.07.020, winter parking areas (10.07)
O-97-02	2/18/1997	Amends comprehensive plan (Special)
O-97-03	4/1/1997	Amends Ch. 2.10, board of health (2.10)
O-97-04	4/1/1997	Adds § 10.12.011, stop or yield signs at railroad crossings (10.12)
O-97-05	4/8/1997	Amends §§ 15A.01.040, 15A.11.010, 15A.11.020 and 15A.11.030, project permit application process (Title 15A)
O-97-06	5/13/1997	Amends § 10.08.010, speed limits (10.08)
O-97-07	5/13/1997	Amends § 10.08.020, speed limits (10.08)
O-97-08	5/13/1997	Amends § 10.12.010, stop and yield signs (10.12)
O-97-09	6/10/1997	Adds Ch. 10.05, emergency routes (10.05)
O-97-10	6/23/1997	Amends § 15.04.090, SEPA regulations (15.04)
O-97-11	7/1/1997	Amends § 10.32.010, snowmobiles (10.32)
O-97-12	7/8/1997	Amends comprehensive plan (Special)
O-97-13	7/22/1997	Amends comprehensive plan (Special)
O-97-14	8/12/1997	Amends § 10.12.010, stop and yield signs (10.12)
O-97-15	11/18/1997	Amends § 10.08.020, speed limits (10.08)
O-97-16	11/18/1997	Amends § 10.12.010, stop and yield signs (10.12)
O-97-17	11/25/1997	Forest lands of long-term commercial significance (Special)
O-97-18	12/9/1997	Amends § 10.12.010, stop and yield signs (10.12)
O-97-19	12/23/1997	Amends § 10.32.010, snowmobiles (10.32)
O-97-20	12/30/1997	Amends comprehensive plan (Special)
O-97-21	12/30/1997	Amends § 12.20.040 (12.20)
O-98-01	1/6/1998	Amends § 10.12.010, stop and yield signs (10.12)
O-98-02	1/6/1998	Amends § 10.12.010, stop and yield signs (10.12)
O-98-03	1/6/1998	Amends § 10.12.010, stop and yield signs (10.12)
O-98-04	3/17/1998	Amends § 10.12.010, stop and yield signs (10.12)
O-98-05	3/17/1998	Amends § 10.08.010, speed limits (10.08)
O-98-06	4/14/1998	Amends § 10.07.010, no parking areas (10.07)
O-98-07	4/21/1998	Adds § 10.07.025, no overnight parking areas (10.07)
O-98-08	5/19/1998	Amends comprehensive plan (Special)
O-98-09	6/2/1998	Amends § 10.12.010, stop and yield signs (10.12)
O-98-10	6/23/1998	Adds Title 15B, amendments to county plans, codes and standards; amends Chapter 15.04, SEPA, and Title 15A, project permit application process (15.04, 15A.01, 15A.02, 15A.03, 15A.04, 15A.05, 15A.06, 15A.07, 15A.08, 15A.09, 15A.10, 15A.11, 15A.12, 15B.01, 15B.02, 15B.03, 15B.04, 15B.05)
O-98-11	6/30/1998	Amends § 10.12.010, stop and yield signs (10.12)
O-98-12	6/30/1998	Amends § 10.07.010, no parking areas (10.07)
O-98-13	7/2/1998	Amends comprehensive plan; repeals Ch. 17A.55, CAZ and CAZO zones (Repealer)
O-98-14	7/14/1998	Rezone (Special)
O-98-15	7/14/1998	Rezone (Special)
O-98-16	7/21/1998	Amends § 12.20.030(d), primitive road system (12.20)
O-98-17	7/28/1998	Adds Ch. 17.61, utilities (17.61)
O-98-18	8/6/1998	Amends comprehensive plan (Special)
O-98-19	8/6/1998	Amends designation of stock restricted areas (Special)
O-98-20	8/15/1998	Amends comprehensive plan (Special)
O-98-21	9/22/1998	Amends Ch. 17.61, utilities (Repealed by 99-14)
O-98-22	11/10/1998	Amends §§ 17.08.398 and 17.08.399; adds §§ 17.08.167, 17.08.196, 17.08.391, 17.08.441, 17.08.465 and 17.08.490, zoning (17.08)

O-98-23	12/8/1998	Amends § 5.16.030 and Ch. 14.04, uniform codes (5.16, 14.04)
O-98-24	12/22/1998	Amends comprehensive plan (Special)
O-99-01	1/5/1999	Rezone (Special)
O-99-02	1/19/1999	Amends §§ 10.07.010, 10.12.010 and 12.20.030, roads (10.07, 10.12, 12.20)
O-99-03	2/9/1999	Amends Title 2 (2.04, 2.08, 2.10, 2.12, 2.14, 2.16, 2.20, 2.24, 2.44, 2.48, 2.50, 2.52, 2.56, 2.68, 2.72, 2.77)
O-99-04	2/09/1999	Amends Title 3 (3.02, 3.04, 3.08, 3.09, 3.14, 3.16, 3.20, 3.24, 3.28, 3.32, 3.40, 3.44)
O-99-05	2/9/1999	Amends Title 4 (4.04, 4.08, 4.12, 4.16)
O-99-06	2/9/1999	Amends Title 5 (5.04, 5.16, 5.20, 5.28)
O-99-07	2/9/1999	Repeals Title 6 (Repealer)
O-99-08	2/9/1999	Amends Title 8 (8.04, 8.08, 8.12, 8.20)
O-99-09	2/9/1999	Amends Title 9 (9.10, 9.12, 9.16, 9.17, 9.18, 9.20, 9.21, 9.30, 9.40, 9.45, 9.50)
O-99-10	2/23/1999	Rezone (Special)
O-99-11	3/16/1999	Amends comprehensive plan (Special)
O-99-12	4/20/1999	Amends § 2.04.010, board meeting time (2.04)
O-99-13	7/6/1999	Amends zoning map (Special)
O-99-14	8/3/1999	Repeals Ord. 98-21, utilities (17.61)
O-99-15	8/31/1999	Changes names of public roads (Not codified)
O-99-16	12/28/1999	Amends comprehensive plan (Special)
O-2000-01	1/13/2000	Rezone (Special)
O-2000-02	1/18/2000	Amends Ch. 2.10, §§ 2.16.050, 2.50.050, 2.72.030 and 2.72.040, administration and personnel (2.10, 2.16, 2.50, 2.72)
O-2000-03	1/18/2000	Amends § 5.16.030, building move permit (5.16)
O-2000-04	2/15/2000	Amends § 10.32.010, snowmobiles (10.32)
O-2000-05	2/15/2000	Amends § 10.12.010, stop and yield signs (10.12)
O-2000-06	4/4/2000	Amends Ch. 17.61, utilities (17.61)
O-2000-07	4/4/2000	Amends Title 15A, project permit application process (15A.01, 15A.02, 15A.03, 15A.04, 15A.05, 15A.06, 15A.07, 15A.08, 15A.09, 15A.10, 15A.11, 15A.12)
O-2000-08	5/16/2000	Amends Ch. 2.10, board of health (2.10)
O-2000-09	6/6/2000	Amends comprehensive plan (Special)
O-2000-10	7/11/2000	Rezone (Special)
O-2000-11	7/11/2000	Rezone (Special)
O-2000-12	10/10/2000	Adds Mountain Star MPR to subarea plan (Special)
O-2000-13	10/10/2000	Adds Ch. 17.37; amends § 17.12.010; zoning (17.12, 17.37)
O-2000-14	10/10/2000	Rezone (Special)
O-2000-15	10/10/2000	Approves MPR project application (Special)
O-2000-16	10/10/2000	Development agreement (Special)
O-2000-17	10/10/2000	Mountain Star MPR (Special)
O-2000-18	10/17/2000	Amends zoning map (Special)
O-2000-19	10/17/2000	Amends zoning map (Special)
O-2000-20	10/31/2000	Amends § 10.07.010, no parking areas (10.07)
O-2001-01	1/9/2001	Amends zoning atlas (Special)
O-2001-02	1/9/2001	Amends zoning atlas (Special)
O-2001-03	3/27/2001	Amends Ch. 14.08, flood damage prevention (14.08)
O-2001-04	5/1/2001	Amends zoning atlas (Special)
O-2001-05	5/15/2001	Repeals Ch. 3.22, admissions tax (Repealer)
O-2001-06	6/5/2001	Amends zoning atlas (Special)
O-2001-07	6/19/2001	Amends comprehensive plan (Special)
O-2001-08	7/9/2001	Ag-lands remand; amends comprehensive plan and zoning map (Special)
O-2001-09	7/17/2001	Amends zoning atlas (Special)
O-2001-10	7/17/2001	Amends Ch. 17.58, airport zone (17.58)
O-2001-11	8/7/2001	Adds Ch. 9.60, weapons free areas (9.60)
O-2001-12	8/7/2001	Amends Ch. 17.61, utilities (17.61)
O-2001-13	8/7/2001	Adds § 17.08.261; amends §§ 17.29.030 and 17.56.030, firing ranges (17.08, 17.29, 17.56)
O-2001-14	9/4/2001	Amends O-2000-15 and O-2000-16 (Special)
O-2001-15	9/4/2001	Amends zoning atlas (Special)
O-2001-16	10/2/2001	Amends zoning atlas (Special)
O-2001-17	10/2/2001	Planned unit development and preliminary plat approval; amends zoning atlas (Special)
O-2001-18	10/16/2001	Rezone (Special)
O-2001-19	11/6/2001	Rezone; amends zoning atlas (Special)
O-2001-20	11/20/2001	Amends § 10.08.040, speed limits (10.08)

O-2001-21	12/4/2001	Amends zoning atlas (Special)
O-2001-22	12/28/2001	Amends comprehensive plan (Special)
O-2002-01	2/19/2002	Amends comprehensive plan (Special)
O-2002-02	2/19/2002	Amends comprehensive plan (Special)
O-2002-03	3/5/2002	Adds Ch. 17.62, public facilities permits (17.62)
O-2002-04	3/5/2002	Amends § 1.08.080, Ellensburg voting precincts (1.08)
O-2002-05	4/29/2002	Amends comprehensive plan (Special)
O-2002-06	5/7/2002	Adopts six-year capital facility program and six-year transportation improvement plan (Special)
O-2002-07	5/7/2002	Amends § 1.08.010, commissioner district boundaries (1.08)
O-2002-08	7/30/2002	Amends Ch. 15.08, burn bans (15.08)
O-2002-09	9/3/2002	Rezone (Special)
O-2002-10	9/3/2002	Amends § 10.12.010, stop signs (10.12)
O-2002-11	9/3/2002	Amends § 10.12.010, stop signs (10.12)
O-2002-12	10/8/2002	Amends § 10.08.040, school safety zone speed limits (10.08)
O-2002-13	10/8/2002	Wind farm development moratorium (Special)
O-2002-14	10/29/2002	Adds § 3.44.160; amends §§ 3.44.100 - 3.44.150, radio access line excise tax (3.44)
O-2002-15	11/5/2002	Amends § 10.32.010, snowmobiles (10.32)
O-2002-16	11/5/2002	PUD amendment (Special)
O-2002-17	11/12/2002	Building permit moratorium (Special)
O-2002-18	11/19/2002	Amends zoning atlas (Special)
O-2002-19	12/3/2002	Adds Ch. 17.61A; amends § 17.61.020(D), wind farms (17.61, 17.61A)
O-2002-20	12/3/2002	Rescinds wind farm development moratorium (Special)
O-2002-21	12/17/2002	Amends § 10.08.010, speed limits (10.08)
O-2002-22	12/17/2002	Amends § 10.32.030, snowmobiles (10.32)
O-2002-23	12/19/2002	Amends comprehensive plan (Special)
O-2003-01	1/7/2003	Rezone Z-02-02; amends zoning atlas (Special)
O-2003-02	3/18/2003	Rezone A-01-03; amends zoning atlas (Special)
O-2003-03	5/6/2003	Adopting of the 6-year Capital Facility Program (Special)
O-2003-04	5/12/2003	Building permit moratorium (Special)
O-2003-05	5/20/2003	Rezone; amends zoning atlas (Special)
O-2003-06	6/12/2003	Extension of building permit moratorium (Special)
O-2003-07	6/14/2003	Rezone; amends zoning atlas (Special)
O-2003-08	6/17/2003	Amends § 9.10.030, boating prohibition (9.10)
O-2003-09	7/15/2003	Rezone Z-03-04; amends zoning atlas (Special)
O-2003-10	8/5/2003	Rezone; amends zoning atlas (Special)
O-2003-11	8/19/2003	Amends § 10.12.010, stop signs (10.12)
O-2003-12	8/19/2003	Rezone Z-03-05; amends zoning atlas (Special)
O-2003-13	9/2/2003	Approves transfer of MountainStar to MRD (Special)
O-2003-14	9/2/2003	Changes names of public roads (not codified)
O-2003-15	9/2/2003	Changes names of public roads (not codified)
O-2003-16	9/16/2003	Rezone Z-03-07; amends zoning atlas (Special)
O-2003-17	11/4/2003	Rezone Z-03-07 correction; amends zoning atlas (Special)
O-2003-18	12/16/2003	Amends comprehensive plan (Special)
O-2003-19	12/16/2003	Amends § 10.08.020, speed limits (10.08)
O-2003-20	12/16/2003	Amends § 10.08.010, speed limits (10.08)
O-2003-21	12/16/2003	Amends § 10.12.010, stop signs (10.12)
O-2004-01	1/20/2004	Rezone; amends zoning atlas (Special)
O-2004-02	2/3/2004	Amends § 10.07.030(1), school areas, bus stops (10.07)
O-2004-03	2/3/2004	Amends § 10-32-010, roads open for snowmobile use (10.32)
O-2004-04	2/3/2004	Changes name of public road (not codified)
O-2004-05	2/3/2004	Amends § 10-12-010(1), stop signs
O-2004-06	2/3/2004	Amends § 10-08-010, speed limits (10.08)
O-2004-07	3/16/2004	Rezone; amends zoning atlas (Special)
O-2004-08	3/16/2004	Rezone; amends zoning atlas (Special)
O-2004-09	3/16/2004	Adopting of the 6-year Capital Facility Program (Special)
O-2004-10	4/20/2004	Rezone; amends zoning atlas (Special)
O-2004-11	5/4/2004	Rezone; amends zoning atlas (Special)
O-2004-12	5/4/2004	Rezone; amends zoning atlas (Special)

O-2004-13	6/1/2004	Adds §§ 12.01, 12.02, 12.08, 12.12; Renumbers §§ 12.20 to 12.03, 12.30 to 12.05, 12.05 to 12.20, 12.70 to 12.06, 12.06 to 12.21, 12.60 to 12.07, 12.08 to 12.22, 12.90 to 12.09, 12.51 to 12.11, 12.12 to 12.23, 12.16 to 12.24, 12.24 to 12.25; Deletes §§ 12.10, 12.30, 12.40 (12)
O-2004-14	6/2/2004	Rezone; amends zoning atlas (Special)
O-2004-15	6/2/2004	Rezone; amends zoning atlas (Special)
O-2004-16	6/2/2004	Rezone; amends zoning atlas (Special)
O-2004-17	3/16/2004	Amends § 10.12.010(2), yield signs (10.12)
O-2004-18	6/15/2004	Amends Ch. 14.04, building codes (14.04)
O-2004-19	6/15/2004	Amends § 10.12.010, stop and yields; amends § 12.03.030, rural major collector (10.12, 12.03)
O-2004-20	7/6/2004	Rezone; amends zoning atlas (Special)
O-2004-21	7/20/2004	Rezone; amends zoning atlas (Special)
O-2004-22	7/20/2004	Rezone; amends zoning atlas (Special)
O-2004-23	8/2/2004	Rescinds O-92-4 weight restriction on Bullfrog Bridge (Special)
O-2004-24	8/17/2004	Rezone; amends zoning atlas (Special)
O-2004-25	8/17/2004	Rezone; amends zoning atlas (Special)
O-2004-26	8/17/2004	Rezone; amends zoning atlas (Special)
O-2004-27	8/17/2004	Rezone; amends zoning atlas (Special)
O-2004-28	8/17/2004	Rezone; amends zoning atlas (Special)
O-2004-29	8/17/2004	Rezone; amends zoning atlas (Special)
O-2004-30	8/17/2004	Amends § 10.12.010, stop signs (10.12)
O-2004-31	9/7/2004	Amends § 2.04.010, Board of County Commissioner's official meeting time (2.04)
O-2004-32	9/7/2004	Rezone; amends zoning atlas (Special)
O-2004-33	9/7/2004	Rezone Z-04-18; amends zoning atlas (Special)
O-2004-34	9/7/2004	Amends § 10.08.010, speed limits (10.08)
O-2004-35	9/7/2004	Amends § 10.12.010, stop signs (10.12)
O-2004-36	9/21/2004	Amends § 10.12.010, stop signs (10.12)
O-2004-37	9/21/2004	Amends § 10.08.010, speed limits (10.08)
O-2004-38	10/19/2004	Rezone Z-04-13; amends zoning atlas (Special)
O-2004-39	10/19/2004	Amends § 10.12.010, stop and yield signs (10.12)
O-2004-40	10/19/2004	Amends § 10.12.010, stop and yield signs (10.12)
O-2004-41	11/16/2004	Rezone Z-2004-15; amends zoning atlas (Special)
O-2004-42	11/16/2004	Rezone Z-2004-16; amends zoning atlas (Special)
O-2004-43	12/21/2004	Rezone Z-2004-21; amends zoning atlas (Special)
O-2004-44	12/21/2004	Amends comprehensive plan (Special)
O-2004-45	12/21/2004	Replaces Ch. 3.14, timber harvesters excise tax (3.14)
O-2005-01	01/18/2005	Rezone; amends zoning atlas (Special)
O-2005-02	01/18/2005	Rezone; amends zoning atlas (Special)
O-2005-03	01/18/2005	Amends § 10.12.010, stop and yield signs (10.12)
O-2005-04	3/1/2005	Correction to zoning atlas (Special)
O-2005-05	3/1/2005	Adds § 17.28A, A-5 Agricultural zone; and 17.30A, R-5 Rural zone (17.28 and 17.30)
O-2005-06	3/1/2005	Rezone; amends zoning atlas (Special)
O-2005-07	3/1/2005	Amends § 10.12.010, stop and yield signs (10.12)
O-2005-08	3/4/2005	Amends comprehensive plan for Wild Horse Wind Power Project (Special)
O-2005-09	3/4/2005	Wild Horse Wind Power Project rezone; amends zoning atlas (Special)
O-2005-10	3/4/2005	Wild Horse Wind Power Project development agreement (Special)
O-2005-11	3/4/2005	Wild Horse Wind Power Project development permit (Special)
O-2005-12	3/22/2005	Formation of Kittitas County Sewer District Number 8 (Special)
O-2005-13	4/19/2005	Amends § 10.12.010, stop and yield signs (10.12)
O-2005-14	4/16/2005	Pine Loch Sun Subdivision 1-3 replat (Special)
O-2005-15	4/19/2005	Adopting of the 6-year Capital Facility Program (Special)
O-2005-16	5/3/2005	Rezone Z-05-02; amends zoning atlas (Special)
O-2005-17	5/3/2005	Plat alteration P-05-02 (Special)
O-2005-18	5/17/2005	Rezone Summit Park; amends zoning atlas (Special)
O-2005-19	5/17/2005	Amends § 10.12.010, stop and yield signs (10.12)
O-2005-20	6/7/2005	Plat alteration P-05-08 (Special)
O-2005-21	6/21/2005	Amends §§ 1.08 and 2.08.010, voting precincts (1.08 and 2.08)
O-2005-22	6/21/2005	Amends § 10.12.010, stop and yield signs (10.12)
O-2005-23	7/5/2005	Rezone Z-05-04; amends zoning atlas (Special)
O-2005-24	7/5/2005	Rezone, Schumacher; amends zoning atlas (Special)
O-2005-25	7/5/2005	Amends § 10.12.010, stop signs (10.12)

O-2005-26	7/5/2005	Amends § 2.04.010, Official meeting times of the BOCC (2.04)
O-2005-27	7/19/2005	Amends § 8.04.010 Adoption by reference, § 8.08.010 Food handling establishment defined, § 8.08.030 Permit issuance, § 8.08.040 Fees, § 8.08.060 Violation - Penalty, and § 4.04.010 Established. Adds § 8.04.020 Penalty, and 8.04.030 Savings clause. (8.04, 8.08, and 4.04)
O-2005-28	7/19/2005	Amends § 10.08.020, speed limits (10.08)
O-2005-29	9/6/2005	Amends § 18.01.010, 18.01.040, 18.01.050, 18.02.010, 18.02.020, 18.04.010, 18.05.010, 18.05.020, 18.06.030; deletes 18.01.030; code enforcement (18)
O-2005-30	9/6/2005	Replaces Title 12, Road Standards. (12)
O-2005-31	9/6/2005	Replaces Title 16, Subdivision Code (16)
O-2005-32	9/6/2005	Rezone Z-05-09; amends zoning atlas (Special)
O-2005-33	9/20/2005	Amends § 10.08.020, speed limits (10.08)
O-2005-34	10/18/2005	Amends § 10.12.010, stop signs (10.12)
O-2005-35	11/2/2005	Adds chapter 16.09, performance based cluster platting and amends Title 17, zoning (16.09, 17)
O-2005-36	11/15/2005	Rezone; amends zoning atlas (Special)
O-2005-37	11/15/2005	Rezone; amends zoning atlas (Special)
O-2005-38	11/15/2005	Rezone Z-05-12; amends zoning atlas (Special)
O-2005-39	11/15/2005	Rezone Z-05-09; amends zoning atlas (Special)
O-2005-40	12/20/2005	Amends comprehensive plan (Special)
O-2006-01	1/17/2006	Amends Title 17, Zoning: § 17.08.022, 17.08.023, 17.08.500, 17.16.020, 17.16.120, 17.18.020, 17.18.025, 17.20.020, 17.20.110, 17.22.020, 17.22.100, 17.28.020, 17.28.130, 17.28A.020, 17.28A.130, 17.30.020, 17.30.030, 17.30A.020, 17.30A.030, 17.31.020, 17.31.030
O-2006-02	1/17/2006	Rezone Z-05-20; amends zoning atlas (Special)
O-2006-03	1/17/2006	Rezone Z-85-04; amends zoning atlas (Special)
O-2006-04	2/7/2006	Rezone Z-05-17; amends zoning atlas (Special)
O-2006-05	2/7/2006	Rezone Z-05-19; amends zoning atlas (Special)
O-2006-06	2/7/2006	Rezone Z-05-15; amends zoning atlas (Special)
O-2006-07	2/7/2006	Rezone Z-05-18; amends zoning atlas (Special)
O-2006-08	2/7/2006	Amends § 10.08.010, speed limits (10.08)
O-2006-09	2/21/2006	Rezone Z-05-08; amends zoning atlas (Special)
O-2006-10	2/21/2006	Rezone Z-2004-16; amends zoning atlas (Special)
O-2006-11	3/21/2006	MountainStar Phase 1, Division 1A Plat Alteration (P-06-01) (Special)
O-2006-12	3/21/2006	Rezone Z-05-21; amends zoning atlas (Special)
O-2006-13	3/21/2006	Rezone Z-05-13; amends zoning atlas (Special)
O-2006-14	3/21/2006	Rezone Z-05-01; amends zoning atlas (Special)
O-2006-15	3/21/2006	Rezone Z-05-14; amends zoning atlas (Special)
O-2006-16	3/27/2006	Adoption of the 6-year Capital Facility Program 2006-2011 (Special)
O-2006-17	4/18/2006	Rezone Z-05-26; amends zoning atlas (Special)
O-2006-18	4/18/2006	Rezone Z-05-30; amends zoning atlas (Special)
O-2006-19	4/18/2006	Rezone Z-05-23; amends zoning atlas (Special)
O-2006-20	4/18/2006	Rezone Z-05-24; amends zoning atlas (Special)
O-2006-21	4/18/2006	Rezone Z-05-25; amends zoning atlas (Special)
O-2006-22	5/2/2006	Rezone Z-05-29; amends zoning atlas (Special)
O-2006-23	5/8/2006	Amends § 10.12.010, stop signs (10.12)
O-2006-24	5/8/2006	Amends § 10.08.020, speed limits (10.08)
O-2006-25	5/16/2006	Rezone Z-05-10; amends zoning atlas (Special)
O-2006-26	5/16/2006	Rezone Z-05-33; amends zoning atlas (Special)
O-2006-27	6/6/2006	Rezone Z-05-31; amends zoning atlas (Special)
O-2006-28	6/6/2006	Rezone Z-05-32; amends zoning atlas (Special)
O-2006-29	7/18/2006	Rezone Z-05-28; amends zoning atlas (Special)
O-2006-30	7/18/2006	Rezone Z-06-02; amends zoning atlas (Special)
O-2006-31	7/18/2006	Rezone Z-06-03; amends zoning atlas (Special)
O-2006-32	7/18/2006	Rezone Z-06-04; amends zoning atlas (Special)
O-2006-33	7/18/2006	Rezone Z-05-16; amends zoning atlas (Special)
O-2006-34	7/18/2006	Rezone Z-05-34; amends zoning atlas (Special)
O-2006-35	7/18/2006	Rezone Z-06-01; amends zoning atlas (Special)
O-2006-36	8/16/2006	Amends § 16.09, Performance Based Cluster Platting
O-2006-37	9/5/2006	Amends Title 18, Code Enforcement
O-2006-38	9/5/2006	Rezone Z-06-06; amends zoning atlas (Special)
O-2006-39	9/19/2006	Rezone Z-06-09, Lyman/Coe; amends zoning atlas (Special)
O-2006-40	9/19/2006	Rezone Z-06-14, Grove; amends zoning atlas (Special)
O-2006-41	9/19/2006	Rezone Z-06-11, Vaughn; amends zoning atlas (Special)
O-2006-42	9/19/2006	Adds § 9.17.015 Gasoline-powered motor boats - prohibited (9.17)

O-2006-43	10/5/2006	Amends § 10.08.010, speed limits (10.08)
O-2006-44	10/5/2006	Amends § 2.50.030, Public Works Director qualifications and duties (2.50)
O-2006-45	10/5/2006	Amends §§ 10.08.010, 10.08.020, and 10.08.040, speed limits (10.08)
O-2006-46	10/17/2006	Rezone Z-06-18; amends zoning atlas (Special)
O-2006-47	10/17/2006	Rezone Z-06-24; amends zoning atlas (Special)
O-2006-48	10/17/2006	Rezone Z-06-16; amends zoning atlas (Special)
O-2006-49	11/7/2006	Rezone Z-06-05; amends zoning atlas (Special)
O-2006-50	11/7/2006	Amends §§ 10.08.010 speed limits and 10.12.010(1) stop and yields (10.08, 10.12)
O-2006-51	11/7/2006	Amends §§ 10.08.010 speed limits and 10.12.010(1) stop and yields (10.08, 10.12)
O-2006-52	11/7/2006	Amends §§ 10.08.010 and 10.08.020 speed limits, and 10.12.010(1) stop and yields (10.08, 10.12)
O-2006-53	11/21/2006	Rezone Z-06-22; amends zoning atlas (Special)
O-2006-54	11/21/2006	Rezone Z-06-26; amends zoning atlas (Special)
O-2006-55	11/21/2006	Rezone Z-06-19; amends zoning atlas (Special)
O-2006-56	11/21/2006	Rezone Z-06-20; amends zoning atlas (Special)
O-2006-57	11/21/2006	Rezone Z-06-23; amends zoning atlas (Special)
O-2006-58	12/5/2006	Rezone Z-06-08; amends zoning atlas (Special)
O-2006-59	12/5/2006	Rezone Z-06-27; amends zoning atlas (Special)
O-2006-60	12/5/2006	Rezone Z-06-25; amends zoning atlas (Special)
O-2006-61	12/5/2006	Rezone Z-06-21; amends zoning atlas (Special)
O-2006-62	12/5/2006	Amends §§ 10.08.010 speed limits and 10.12.010(1) stop and yields (10.08, 10.12)
O-2006-63	12/11/2006	Amends comprehensive plan (Special)
O-2007-01	1/2/2007	Rezone Z-06-12; amends zoning atlas (Special)
O-2007-02	1/2/2007	Rezone Z-06-10; amends zoning atlas (Special)
O-2007-03	1/2/2007	Rezone Z-06-34; amends zoning atlas (Special)
O-2007-04	1/2/2007	Rezone Z-06-37; amends zoning atlas (Special)
O-2007-05	1/16/2007	Rezone Z-06-31; amends zoning atlas (Special)
O-2007-06	2/6/2007	Rezone Z-06-15; amends zoning atlas (Special)
O-2007-07	2/6/2007	Rezone Z-06-32; amends zoning atlas (Special)
O-2007-08	3/6/2007	Rezone Z-06-43; amends zoning atlas (Special)
O-2007-09	3/6/2007	Rezone Z-06-47; amends zoning atlas (Special)
O-2007-10	3/20/2007	Rezone Z-06-49; amends zoning atlas (Special)
O-2007-11	3/20/2007	Rezone Z-06-17; amends zoning atlas (Special)
O-2007-12	3/20/2007	Rezone Z-06-38; amends zoning atlas (Special)
O-2007-13	4/3/2007	Rezone Z-06-17; amends zoning atlas (Special)
O-2007-14	4/17/2007	Amends § 10.08.040, speed limits (10.08)
O-2007-15	5/15/2007	Amends § 10.08.020, speed limits (10.08)
O-2007-16	6/5/2007	Rezone Z-06-58; amends zoning atlas (Special)
O-2007-17	6/5/2007	Rezone Z-06-28; amends zoning atlas (Special)
O-2007-18	6/5/2007	Rezone Z-06-29; amends zoning atlas (Special)
O-2007-19	6/19/2007	Amends chapter 14.04 building codes (14.04)
O-2007-20	6/19/2007	Rezone Z-06-51; amends zoning atlas (Special)
O-2007-21	7/3/2007	Rezone Z-06-57; amends zoning atlas (Special)
O-2007-22	7/19/2007	Amends chapters 16.06, performance based cluster platting; and 14.08 flood damage prevention. Amends titles 15A, project permit application process; and 17, zoning code. (14.08, 15a, 16.06, 17)
O-2007-23	7/30/2007	Adds chapter 3.05, distressed county sales and use tax (3.05)
O-2007-24	8/21/2007	Amends § 10.07.010, no parking areas designated (10.07)
O-2007-25	8/21/2007	Rezone Z-06-50; amends zoning atlas (Special)
O-2007-26	8/21/2007	Rezone Z-07-01; amends zoning atlas (Special)
O-2007-27	8/21/2007	Rezone Z-06-55; amends zoning atlas (Special)
O-2007-28	9/6/2007	Rezone Z-07-06; amends zoning atlas (Special)
O-2007-29	9/18/2007	Amends Title 14, Buildings and Construction (14.04.010, 14.04.020, 14.04.030, 14.04.040, 14.04.050, 14.12.010, 14.12.020, 14.12.030, 14.12.040, 14.12.050, 14.12.060, 14.12.070, 14.12.080, 14.12.100)
O-2007-30	9/18/2007	Rezone Z-06-52; amends zoning atlas (Special)
O-2007-31	10/2/2007	Amends §§ 10.08.010, 10.08.020, 10.08.025, and 10.08.030, speed limits (10.08)
O-2007-32	10/2/2007	Amends § 10.12.010, stop signs (10.12)
O-2007-33	10/2/2007	Amends §§ 10.08.010 and 10.08.020, 10.08.025, speed limits (10.08)
O-2007-34	12/4/2007	Amends chapter 14.08 (14.08)
O-2007-35	12/4/2007	Amends chapter 2.04 (2.04)
O-2007-36	12/18/2007	Adds chapter 3.06, criminal justice and public safety sales and use tax (3.06)
O-2007-37	12/18/2007	Adds chapter 2.11, hearing examiner, and amends title 15Aproject permit application process (2.11, 15A)

O-2007-38	12/31/2007	Amends comprehensive plan (Special)
O-2008-01	1/2/2008	Fee schedule for land use applications (Not codified)
O-2008-02	1/2/2008	Amends § 10.07.010, no parking (10.07)
O-2008-03	1/15/2008	Fee schedule for land use applications (Not codified)
O-2008-04	1/15/2008	Fee schedule for appeals of administrative decisions and SEPA actions (Not codified)
O-2008-05	1/17/2008	Adds chapter 13.09, group B water systems - bonding (13.09)
O-2008-06	2/5/2008	Rezone Z-07-05; amends zoning atlas (Special)
O-2008-07	2/5/2008	Rezone Z-07-02; amends zoning atlas (Special)
O-2008-08	2/19/2008	Adoption of the 6-year Capital Facilities Plan 2008-2013 (Special)
O-2008-09	3/4/2008	Creates county road (not codified)
O-2008-10	3/4/2008	Amends §§ 10.08.010, speed limits, and 10.12.010, stop signs (10.08, 10.12)
O-2008-11	4/1/2008	Rezone Z-06-42; amends zoning atlas (Special)
O-2008-12	4/15/2008	Adds chapter 2.09, delivery of public defense services (2.09)
O-2008-13	5/14/2008	Amends Title 20, Kittitas County Comprehensive Plan, for the Purpose of Compliance with Order Number 07-1-0004c of the Eastern Washington Growth Management Hearings Board (Special)
O-2008-14	7/15/2008	Rezone Z-08-02; amends zoning atlas (Special)
O-2008-15	7/15/2008	Amends § 10.08.020, speed limits (10.08)
O-2008-16	8/5/2008	Amends § 10.12.010, stop signs (10.12)
O-2008-17	8/5/2008	Rezone Z-07-10; amends zoning atlas (Special)
O-2008-18	8/19/2008	Rezone Z-07-13; amends zoning atlas (Special)
O-2008-19	8/19/2008	Amends Title 1 adding chapter 1.10 Rules of Procedure for Proceedings Before the Kittitas County Hearing Examiner (1.10)
O-2008-20	11/6/2008	Amends Title 20, Kittitas County Comprehensive Plan, for the Purpose of Compliance with Order Number 07-1-0004c of the Eastern Washington Growth Management Hearings Board (Special)
O-2008-21	11/18/2008	Rezone Z-08-04; amends zoning atlas (Special)
O-2008-22	12/2/2008	Amends chapter 14.04, Building Code
O-2008-23	12/16/2008	Amends Title 20, Kittitas County Comprehensive Plan for the Purpose of Correcting Scrivener's Errors (Special)
O-2008-24	12/31/2008	2008 Annual Amendment to Title 20, Kittitas County Comprehensive Plan (Special)
O-2009-01	2/18/2009	Rezone Z-06-46; amends zoning atlas (Special)
O-2009-02	3/3/2009	Repeals Chapter 9.60 Weapons Free Areas in County Buildings (9.60)
O-2009-03	3/17/2009	Rezone Z-07-16; amends zoning atlas (Special)
O-2009-04	3/17/2009	Adds Chapter 2.81 Comprehensive Procedures for the Management of County Real and Personal Property (2.81)
O-2009-05	3/17/2009	Amends § 14.04.070 Permits (14.04.070)
O-2009-06	3/17/2009	Adopts a revised fee schedule for flood permit application fees collected by Community Development Services. (Special)
O-2009-07	4/7/2009	Establishing a Lodging Tax Advisory Committee and Proposing an Additional 2% Lodging Tax as Authorized under RCW 67.28.181. (Special)
O-2009-08	4/7/2009	Amends §§ 10.08.010, speed limits, and 10.12.010, stop signs (10.08, 10.12)
O-2009-09	4/21/2009	Adopts a revised fee schedule for certain land use application fees collected by Community Development Services for Community Development Services & Fire Marshal. (Special)
O-2009-10	5/19/2009	Amends chapter 3.20 Transient Occupancy Tax: adds §§ 3.20.015 Special Lodging Excise Tax Levy, and 3.20.025 Credit Against State Sales Tax, and amends §§ 3.20.20 Allowance of Credit Against Tax, 3.20.030 Collection by Seller, and 3.20.060 Proceeds to be Credited to a Special Fund-Limitation on Use-Investment. (3.20.015, 3.20.020, 3.20.025, 3.20.030, and 3.20.060)
O-2009-11	6/2/2009	Rezone Z-08-00011; amends zoning atlas (Special)
O-2009-12	6/2/2009	Rezone Z-08-00006; amends zoning atlas (Special)
O-2009-13	6/18/2009	Ordinance regarding smoking in public places (8.24)
O-2009-14	7/7/2009	Establishing a speed limit on Mt. Baldy Lane amending section 10.08.01 of the Kittitas County Code. (10.08)
O-2009-15	7/21/2009	Ordinance Regulating Professional Preparation of Building Plans. (14.04)
O-2009-16	8/4/2009	Rezone RZ-08-05 and Preliminary Short Plat (SP-08-10); amends zoning atlas (Special)
O-2009-17	8/4/2009	Placement of a stop sign and establishing a speed limit on Rampart Drive amending sections 10.12.010(1) and 10.08.045 of the Kittitas County Code
O-2009-18	9/1/2009	Adds Chapter 2.17 Number of members of the Civil Service Commission for the Sheriff's Office. (2.17)
O-2009-19	9/15/2009	The Enforcement of Kittitas County Code; amends Title 18 Code Enforcement; renumbers §§ 18.02.30 to 18.02.40 and 18.02.40 to 18.02.50; and adds §§ 18.02.30, 18.06.30, 18.06.040, and 18.06.050. (18)
O-2009-20	9/15/2009	Akehurst Rezone RZ-08-00012 and Preliminary Plat LP-08-00033; amends zoning atlas (Special)
O-2009-21	9/15/2009	Darrow Rezone RZ-08-00008 and Preliminary Plat LP-08-00025; amends zoning atlas (Special)
O-2009-22	11/3/2009	Amends Chapter 5.20, event permits and § 18.01.010, applicability; adds § 17.60a.100, revocation or modification (5.20, 18.01, 17.60A)
O-2009-23	11/3/2009	Amends § 2.04.010, official meeting time (2.04)
O-2009-24	12/15/2009	Vantage Wind Power Project Development Agreement (Special)

O-2009-25	12/22/2009	Amends Title 20 Kittitas County Comprehensive Plan for the Purpose of Compliance with Order Number 07-01-004c of the Eastern Washington Growth Management Hearings Board and as Part of the 2009 Annual Comprehensive Plan Amendment Cycle (Special. Amends §§ 14.08.295 Recreational vehicles, 14.08.310 Standards for shallow flooding areas (AO Zones), 15.04.090 Flexible thresholds for categorical exemptions, 15A.12.010 State permit coordination, 16.09.010 Purpose and Intent, 16.09.020 Uses Permitted, 16.09.030 Criteria, 16.09.080 Process for Approval, 16.09.090 Public Benefit Rating System, 16.09.100 Definitions, 17.08.261 Firing ranges, 17.14.010 Purpose and intent, 17.14.020 Uses permitted - On-site, 17.20.110 Conditional uses, 17.22.100 Conditional uses, 17.28.130 Conditional uses, 17.28A.130 Conditional uses, 17.29.030 Conditional uses, 17.29.020 Uses permitted, 17.29.030 Conditional uses, 17.29.040 Lot size required, 17.31.030 Conditional uses, 17.37.020 Definitions, 17.37.040 Applications/approvals required for new master planned resorts, 17.56.030 Conditional uses, 17.57.030 Conditional uses. Adds §§ 17.08.035 Agriculture Study Overlay Zone, 17.08.063 Amenity funds, 17.08.165 Commercial activities associated with agriculture, 17.08.183 Conservation easement, 17.08.187 Conservation or resource values, 17.08.199 Development right, 17.08.324 Interlocal agreement, 17.08.462 Receiving site, 17.08.487 Sending site, 17.08.485 Shooting range, 17.08.542 Transfer of development rights (TDR), 17.08.543 TDR certificate, 17.08.544 TDR certificate letter of intent, 17.08.545 TDR credit, 17.08.546 TDR program, 17.08.547 TDR sending site application, 17.14.030 Uses permitted - Off-site, 17.37.050 Applications/approvals required for existing resorts. Adds Chapters 15A.13 Site Plan Review, 17.13 Transfer of Development Rights.
O-2010-001	01/19/2010	Adds Chapter 2.55 Public Records Disclosure
O-2010-002	02/16/2010	Amends Ordinance 2009-25 for scrivener's errors (Amends §§ 16.12.250 Expiration, 17.13.060 TDR Documentation of Restrictions, 17.29.030 Conditional uses, 17.92.020 Building permits. Adds §§ 14.04.045 Recreational Vehicles and Park Model Trailers, 14.04.046 Other factory built dwellings. Deletes §§ 17.08.261 Firing range. Renumbered §§ 17.08.061 Animal boarding facility as 17.08.067, 17.08.323 Intervening ownership as 17.08.327. Adds Chapters 17.61B Small Wind Energy Systems.
O-2010-003	07/06/2010	Amends § 14.04 Building Code
O-2010-004	07/06/2010	Amends § 10.08.040 School Safety Zones - Twenty miles per hour
O-2010-005	08/03/2010	Adds Title 20, Fire and Life Safety
O-2010-006	09/07/2010	Amends Chapter 17.13 Transfer of Development Rights, Chapter 17.36 Planned Unit Development Zone, Chapter 17.37 Master Planned Resorts, and Chapter 17.98 Amendments
O-2010-007	09/07/2010	Rezone Z-06-39; amends zoning atlas (Special)
O-2010-008	10/05/2010	Amends § 15A.07.010 Appeal of determination or decision and § 15A.07.020 Procedures for closed record appeals, and repeals § 15A.07.030 Procedures for open record appeals.
O-2010-009	10/05/2010	Amends Chapter 3.44 Enhanced 911 Excise Tax and creates Chapter 3.45 Enhanced E911 Excise Tax to conform with recent changes in state law to enter into an agreement with WA State Department of revenue for administration of enhanced 911 excise taxes and to authorize the signing of secrecy clause affidavits required by department of revenue. Repeals Chapter 3.44 Enhanced 911 Excise Tax on 12/31/2010
O-2010-010	10/19/2010	Amends § 14.04.010(4)(b)(ii) Adoption of referenced codes.
O-2010-011	11/02/2010	Approves a development agreement related to the Teanaway Solar Reserve Project (Special)
O-2010-012	11/02/2010	Amends Chapter 15A.13 Site Plan Review, and § 17.37.050 Applications/approvals required for existing resorts.
O-2010-013	11/16/2010	Dunford Rezone Z-06-39 and subdivision LL-08-03; amends zoning atlas (Special)
O-2010-014	12/21/2010	Revisions of Title 20 Kittitas County Comprehensive Plan as Part of the 2010 Annual Comprehensive Plan Amendment Cycle. Adds §§ 15A.03.045 Permit processing time, 16.09.025 Applicability, 16.32.090 Expiration, 17.08.135 Building height, 17.56.100 Administrative uses. Amends §§ 15A.03.020 Preapplication conference, 15A.03.030 Application and accompanying data, 16.08.015 Administrative segregation, 16.09.010 Purpose and Intent, 16.09.030 Criteria, 16.09.040 Development Regulations, 16.09.080 Process for Approval, 16.09.090 Public Benefit Rating System, 16.09.100 Definitions, 16.12.020 Preliminary plat general information, 16.12.030 Existing conditions, 16.12.250 Expiration, 17.08.022 Accessory dwelling unit, 17.12.020 Official County Map, 17.14.020 Uses permitted - On-site, 17.22.065 Yard requirements at Zones Adjacent to Commercial Forest Zone, 17.22.100 Conditional uses, 17.29.040 Lot size required, 17.40.020 Uses permitted, 17.48.020 Permitted uses, 17.56.030 Conditional uses, 17.56.065 Yard requirements in Zones Adjacent to Commercial Forest Zone, 17.57.030 Conditional uses, 17.58.040B Airport overlay zoning district: Easton State, Cle Elum Municipal, and DeVere Field.
O-2011-001	02/15/2011	Amends Chapter 14.04 Building Code § 14.04.010 Adoption of referenced codes.
O-2011-002	04/19/2011	Repeals Chapter 9.12 Motor Boat Licensing - Regulation of Operation, and amends Chapters 9.10 Boating Safety, 9.16 Motor Boats Prohibited on Cooper Lake, 9.17 Boating on Gladmar Pond and Lavender Lake, and 9.18 Boating on Little Kachees Lake
O-2011-003	05/03/2011	Amends Chapter 2.81 Management of County Real and Personal Property § 2.81.080 Destruction and Disposition of Recovered, Forfeited and Surplus Firearms
O-2011-004	05/11/2011	Amends Chapter 10.32 Snowmobiles and repeals Chapters 10.36 Off-Road Vehicles and 10.37 Off-Road and Non-highway Vehicles
O-2011-005	06/07/2011	Amends Chapter 17.13 Transfer of Development Rights §§ 17.13.020 TDR Sending Sites, 17.13.030 TDR Receiving Sites, and 17.13.080 TDR Transfer Process; and amends Chapter 17.37 Master Planned Resorts § 17.37.040 Applications/approvals required for new master planned resorts
O-2011-006	07/19/2011	Removes Chapter 13.09 Group B Water Systems - Bonding § 13.09.030 Effective Date, and 13.09.040 Severability; and Renumbers Chapter 13.09 Group B Water Systems - Bonding as § 13.30.020 , and Adds Chapters 13.02 Purpose, 13.03 Definitions, 13.20 Well Construction, Reconstruction and Decommissioning Requirements, 13.25 Cistern Water System Requirements, 13.30 Group B Water System Requirements, 13.35 Adequate Water Supply Determination for Building Permits, 13.50 Severability, 13.55 Liability, 13.60 Fees, 13.65 Public Health Emergency, 13.70 Enforcement, 13.75 Health Order, 13.80 Right of Entry, 13.85 Appeals
O-2011-007	07/19/2011	Amends Chapter 10.12 Stop and Yield Streets § 10.12.010 Stops and yields designated.
O-2011-008	07/19/2011	Amends Chapter 10.08 Speed Limits on County Roads §§ 10.08.010 Twenty-five miles per hour and 10.08.020 Thirty-five miles per hour; and amends Chapter 10.12 Stop and Yield Streets § 10.12.010 Stops and yields designated
O-2011-009	09/07/2011	Rezone Z-07-17 and Short Plat SP-07-167; amends zoning atlas (Special)
O-2011-010	10/04/2011	Amends Chapter 10.08 Speed Limits on County Roads § 10.08.020 Thirty-five miles per hour
O-2011-011	11/15/2011	Amends Chapter 12.10 Transportation Concurrency Management
O-2011-012	11/30/2011	Electing to participate in the Voluntary Stewardship Program (RCW 36.70A.705) (Special)

O-2011-013	12/06/2011	Amends Chapter 17.12 Zones Designated - Map § 17.12.010 Zones designated; Chapter 17.28 A-3 - Agricultural 3 Zone § 17.28.020 Uses permitted; Chapter 15.04 SEPA Regulations § 15.04.080 Purpose and adoption by reference; Chapter 17.16 R - Residential Zone § 17.16.020 Uses permitted; Chapter 17.18 R-2 - Residential Zone § 17.18.020 Uses permitted; Chapter 17.20 R-R - Rural Residential Zone § 17.20.020 Uses permitted; Chapter 17.22 R-R - Urban Residential Zone § 17.22.020 Uses permitted; Chapter 17.24 H-T-C - Historic Trailer Court Zones § 17.24.030 Minimum requirements; Chapter 17.28 A-3 - Agricultural 3 Zone § 17.28.020 Uses permitted; Chapter 17.28A A-5 - Agricultural Zone § 17.28A.020 Uses permitted; Chapter 17.29 A-20 - Agricultural Zone § 17.29.020 Uses permitted; Chapter 17.30 R-3 - Rural-3 Zone § 17.30.020 Uses permitted; Chapter 17.30A R-5 - Rural-5 Zone § 17.30A.020 Uses permitted; Chapter 17.31 Commercial Agriculture Zone § 17.31.020 Uses permitted; Chapter 17.32 Limited Commercial Zone § 17.32.020 Uses permitted; Chapter 17.36 Planned Unit Development Zone § 17.36.020 Uses permitted; Chapter 17.37 Master Planned Resorts § 17.37.030 Uses permitted; Chapter 17.40 C-G General Commercial Zone § 17.40.020 Uses permitted; Chapter 17.44 C-H Highway Commercial Zone § 17.44.020 Uses permitted; Chapter 17.48 I-L Light Industrial Zone § 17.48.020 Uses permitted; Chapter 17.52 I-G General Industrial Zone § 17.52.020 Uses permitted; Chapter 17.56 Forest and Range Zone § 17.56.020 Uses permitted; Chapter 17.57 Commercial Forest Zone § 17.57.020 Uses permitted; Chapter 17.58 Airport Zone § 17.58.020 Uses permitted; Chapter 17.59 Liberty Historic Zone § 17.59.020 Uses permitted; Chapter 17.61 Utilities § 17.61.010 Definitions; Chapter 15.04 SEPA Regulations; Chapter 15A.03 Project Permit Application Review § 15A.03.020 Preapplication conference; Chapter 15B.01 Amendments to Development Regulations § 15B.01.020 Administration - Roles and responsibilities; Chapter 16.04 General Provisions § 16.04.020 Exemptions; Chapter 16.08 Definitions § 16.08.015 Administrative segregation; Chapter 16.05 Binding Site Plan § 16.05.020 Requirements; Chapter 16.09 Performance Based Cluster Platting § 16.09.040 Development Regulations; Chapter 16.12 Preliminary Plats §§ 16.12.150 Road, sewer, water and fire system recommendations, and 16.12.160 Facilities - Improvements; Chapter 16.32 Short Plat Requirements § 16.32.050 Short plat review; Chapter 17.13 Transfer of Development Rights §§ 17.13.020 TDR Sending Sites, and 17.13.040 Calculations of Available Development Rights on Sending Sites; and Adds Chapter 10.38 Electric Vehicle Charging Stations; Chapter 12.14 Electric Vehicle Charging Stations; Chapter 17.66 Electric Vehicle Charging Stations; Chapter 17.08 Definitions §§ 17.08.101 Battery Charging Station, 17.08.102 Battery Electric Vehicle (BEV), 17.08.103 Battery Exchange Station, 17.08.158 Charging Levels, 17.08.221 Electric Scooters and Motorcycles, 17.08.222 Electric Vehicle, 17.08.223 Electric Vehicle Charging Station, 17.08.223A Electric Vehicle Charging Station - Restricted, 17.08.223B Electric Vehicle Charging Station - Public, 17.08.224 Electric Vehicle Infrastructure, 17.08.224A Electric Vehicle Parking Space, 17.08.393 Medium-Speed Electric Vehicle, 17.08.408 Neighborhood Electric Vehicle, 17.08.412 Non-Electric Vehicle, 17.08.455A Plug-In Hybrid Electric Vehicle (PHEV), 17.08.461 Rapid Charging Station; Chapter 14.08 Flood Damage Prevention § 14.08.315 Standards for filling, grading in floodplain; Chapter 15B.03 Amendments to Comprehensive Plan § 15B.03.035 Application requirements; Chapter 15B.04 Amendments to Development Regulations § 15B.04.035 Application requirements; Chapter 16.06 Administrative Segregation; Chapter 16.32 Short Plat Requirements § 16.32.100 Alterations.
O-2011-014	12/20/2011	Amends Chapter 1.08 Commissioners Districts - Voting Precincts and Chapter 2.08 Justice Court Districting § 2.08.010 Upper - Lower justice court districts designated
O-2012-001	01/18/2012	Amends Chapter 1.08 §§ 1.08.080 Ellensburg voting precincts, 1.08.130 North Ellensburg voting precinct, 1.08.140 North central voting precinct, 1.08.200 Sanders voting precinct
O-2012-002	02/07/2012	Tamarack Valley Rezone Z-10-04 and Preliminary Plat LP-10-03; adopts the Kittitas County Land Use Hearing Examiner's Recommended Finds of Fact, Conclusions of Law, Decisions and Conditions of Approval (Special)
O-2012-003	05/15/2012	Amends Chapter 10.04 Uniform Standards for Road Signs and Traffic-Control Devices § 10.04.010 Policy, Chapter 10.07 No Parking Areas §§ 10.07.020 Winter areas designated and 10.07.030 School areas - Bus stops
O-2012-004	06/19/2012	Amends Chapter 20.07 Fire Hazards §§ 20.07.010 Definitions, 20.07.050 Sky Lanterns.
O-2012-005	07/13/2012	Development agreement (Special)
O-2012-006	09/18/2012	Amends Chapter 16.04 General Provisions § 16.04.020 Exemptions, Chapter 16.06 Administrative Segregations § 16.06.040 Expiration and Credit, and Chapter 16.08 Definitions §§ 16.08.087 Division and 16.08.118 Parcel creation; Repeals Chapter 16.06 Administrative Segregations §§ 16.06.010 Applicability, 16.06.020 Requirements, 16.06.030 Process for Appeal, 16.06.050 Recording, 16.06.060 Amendments and Rescindment, and Chapter 16.08 Definitions § 16.08.087 Administrative segregation.
O-2012-007	10/16/2012	Amends Chapter 10.12 Stop and Yield Streets § 10.12.010 Stops and Yields Designated.
O-2012-008	11/20/2012	Amends Chapter 10.08 Speed Limits on County Roads § 10.08.020 Thirty-five Miles Per Hour.
O-2012-009	12/04/2012	Amends Chapter 14.08 Flood Damage Prevention §§ 14.08.020 Definitions, 14.08.040 Basis for establishing the areas of special flood hazard, 14.08.130 Information to be obtained and maintained, 14.08.170 Conditions for variances, 14.08.260 Detached accessory buildings (garages and small storage sheds), 14.08.280 Critical facility, and 14.08.300 Floodways, Chapter 15.04 § 15.04.090 Flexible thresholds for categorical exemptions, Chapter 15A Table A, Chapter 15A § 15A.01.040 Roles and responsibilities Chapter 15A.07 § 15A.07.020 Procedures for Administrative appeals, Chapter 17.28 §§ 17.28.020 Uses permitted, and 17.28.130 Conditional uses, Chapter 17.28A § 17.28A.130 Conditional uses, Chapter 17.29 §§ 17.29.020 Uses permitted, and 17.29.030 Conditional uses, Chapter 17.30 § 17.30.020 Uses permitted, Chapter 17.30A § 17.30A.020 Uses permitted, Chapter 17.31 § 17.31.050 Yard requirements - Front yard, Chapter 17.40 § 17.40.020 Uses permitted, Chapter 17.48 §§ 17.48.020 Permitted uses, and 17.48.050 Setbacks, Chapter 17.52 §§ 17.52.020 Uses permitted, 17.52.030 Conditional uses, and 17.52.050 Setbacks, Chapter 17.56 §§ 17.56.020 Uses permitted, and 17.56.030 Conditional uses, Chapter 17.57 § 17.57.020 Uses permitted, Chapter 17.58.060 §§ 17.58.060 Permits, 17.58.090 Appeals, and 17.58.100 Judicial review, Chapter 17.59 §§ 17.59.020 Permitted uses, 17.59.030 Conditional uses, and Chapter 17.60A §§ 17.60A.010 Review criteria, 17.60A.020 Conditions, 17.60A.030 Application and accompanying data, and 17.60A.090 Expiration, Chapter 17.60B.030 §§ 17.60B.030 Administrative Authority, and 17.60B.110 Appeal of Administrator's Decision, Chapter 17.61 §§ 17.61.010 Definitions, 17.61.020 Permitted and conditional uses, and 17.61.030 Review criteria - Special utilities and associated facilities, Chapter 17.84 § 17.84.010 Granted when, Chapter 17A.03 § 17A.03.040 Processing of critical areas checklist and information; Adds Chapter 14.08 Flood Damage Prevention § 14.08.320 Standards for AE and A1-30 Zones with Base Flood Elevations but No Floodways; Reapeals Chapter 15A.02 § 15A.02.030 Closed record appeal, Chapter 17.08 § 17.08.120 Board of Adjustment, and Chapter 17.96 Board of Adjustment

O-2013-001 02/11/2013 Renumbered Chapter 17.30 R-3-Rural-3 Zone; Amends Chapter 15A.03 Project Permit Application Review §§ 15A.03.020 Pre-application conference and 15A.03.045 Permit processing time, Title 15A Table A, Chapter 16.04 General Provisions §§ 16.04.010 Applicability, 16.04.020 Exemptions, 16.04.030 Administration, and 16.04.040 Procedure - Application and fees, Chapter 16.08 Definitions §§ 16.08.040 Block, 16.08.055 Boundary line adjustment, 16.08.060> Comprehensive plan, 16.08.080 Dedication, 16.08.086 Director, 16.08.087 Division, 16.08.100 Large lot subdivision, 16.08.118 Parcel creation, 16.08.140 Plat, final, 16.08.186 Short Subdivision, 16.08.200 Subdivision, Chapter 16.09 Cluster Platting and Conservation Platting, Chapter 16.09 Cluster Platting and Conservation Platting §§ 16.09.010 Purpose and Intent, 16.09.025 Applicability, 16.09.040 Development Regulations, 16.09.60 Lot Size, 16.09.080 Process for Approval, Chapter 17.04 General Provisions and Enforcement § 17.04.020 Interpretation, Chapter 17.08 Definitions §§ 17.08.020 Accessory building or accessory use, 17.08.022 Accessory dwelling unit, 17.08.023 Accessory living quarters, 17.08.031 Adult family home, 17.08.035 Agriculture Study Overlay Zone, 17.08.050 Alteration, 17.08.067 Animal boarding, 17.08.102 Battery electric vehicle (BEV), 17.08.103 Battery exchange station, 17.08.105 Bed and breakfast, 17.08.110 Board, 17.08.135 Building height, 17.08.155 Campground, 17.08.156 Camp site, 17.08.157 Camping unit, 17.08.158 Charging levels, 17.08.170 Commission, 17.08.180 Conditional Uses, 17.08.187 Conservation or resource values, 17.08.190 County arterial road, 17.08.191 Critter pad, 17.08.195 Day care, 17.08.197 Density(ies), 17.08.198 Designated manufactured home, 17.08.210 Dwelling, multiple-family, 17.08.220 Dwelling, two-family, 17.08.221 Electric scooters and motorcycles, 17.08.230 Family, 17.08.260 Feedlot, 17.08.262 Golf course, 17.08.263 Group care facility, 17.08.265 Group home, 17.08.266 Guest house, 17.08.290 Home occupation, 17.08.321 Infill, 17.08.324 Interlocal agreement, 17.08.329 Junk, 17.08.330 Junkyard, 17.08.391 Manufactured home, 17.08.393 Medium-speed electric vehicle, 17.08.397 Mini warehouse, 17.08.398 Mobile home, 17.08.399 Module home, 17.08.408 Neighborhood electric vehicle, 17.08.410 Nonconforming use, 17.08.412 Non-electric vehicle, 17.08.420 Nursing home, 17.08.424 Off-site hazardous waste facilities, 17.08.427 On-site hazardous waste facilities, 17.08.431 Park model trailer, 17.08.450 Planned unit development, 17.08.456 Produce Stands, 17.08.465 Recreational vehicle, 17.08.480 School, public or private, 17.08.485 Shooting range, 17.08.500 Special care dwelling, 17.08.542 Transfer of development rights (TDR), 17.08.545 TDR credit, 17.08.550 Use, 17.08.561 Winery, 17.08.620 Yurt, Chapter 17.12 Zones Designated - Map §§ 17.12.010 Zones classified, 17.12.020 Official County Map, 17.12.030 Boundary Determination, Chapter 17.13 Transfer of Development Rights §§ 17.13.020 TDR Sending Sites, 17.13.030 TDR Receiving Sites, 17.13.040 Calculations of Available Development Rights on Sending Sites, 17.13.060 TDR Documentation of Restrictions, 17.13.070 TDR Sending Site Certification, 17.16.010 Purpose and intent,17.16.020 Allowed uses, 17.16.030 Minimum lot requirements, 17.16.040 Maximum lot coverage, 17.16.050 Maximum structure height, 17.16.060 Yard requirements - Front, 17.16.070 Yard requirements - Side, 17.16.080 Yard requirements - Rear, 17.16.085 Yard requirements Zones Adjacent to Commercial Forest Zone, 17.16.100 Sale or conveyance of lot portion, Chapter 17.18 R-2 - Residential 2 Zone §§ 17.18.010 Purpose and intent, 17.18.020 Allowed uses, 17.18.030 Minimum lot requirements, 17.18.040 Maximum lot coverage, 17.18.050 Maximum structure height, 17.18.060 Yard requirements - Front, 17.18.070 Yard requirements - Side, 17.18.080 Yard requirements - Rear, 17.18.085 Yard requirements - Zones Adjacent to Commercial Forest Zone, 17.19.020 Uses Permitted, 17.19.040 Lot size required, 17.19.050 Yard requirements, 17.19.055 Yard requirements - Zones Adjacent to Commercial Forest Zone, 17.19.060 Sale or conveyance of lot portion, 17.19.080 Shoreline setbacks, 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 at Zones Adjacent to Commercial Forest Zone, 17.24.020A Existing Uses, 17.24.030 Minimum requirements, 17.24.040 Yard requirements, 17.24.045 Yard requirements - Zones Adjacent to Commercial Forest Zone, 17.24.070 Off-street parking, Chapter 17.28 A-3 - Agricultural 3 Zone §§ 17.28.020 Allowed Uses, 17.28.030 Lot size required, 17.28.040 Yard requirements - Front, 17.28.050 Yard requirements - Side, 17.28.060 Yard requirements - Rear, 17.28.065 Yard requirements - Zones Adjacent to Commercial Forest Zone, 17.28.080 Sale or conveyance of lot portion, 17.28.100 Access requirement, 17.28.110 Setback lines, Chapter 17.28A A-5 - Agricultural Zone §§ 17.28A.020 Allowed uses, 17.28A.030 Lot size required, 17.28A.040 Yard requirements - Front, 17.28A.050 Yard requirements - Side, 17.28A.060 Yard requirements - Rear, 17.28A.065 Yard requirements - Zones Adjacent to Commercial Forest Zone, 17.28A.080 Sale or conveyance of lot portion, 17.28A.100 Access requirement, 17.28A.110 Setback lines, Chapter 17.29 §§ 17.29.020 Allowed uses, 17.29.040 Lot size required, 17.29.050 Yard requirements - Front, 17.29.060 Yard requirements - Side, 17.29.070 Yard requirements - Rear, 17.29.075 Yard requirements - Zones Adjacent to Commercial Forest Zone, 17.29.090 Dimensional requirements, 17.29.110 Access, 17.29.120 Special setback requirements, Chapter 17.30A R-5 - Rural-5 Zone §§ 17.30A.020 Allowed uses, 17.30A.040 Lot size required, 17.30A.050 Yard requirements, 17.30A.055 Yard requirements - Zones Adjacent to Commercial Forest Zone, 17.30A.060 Sale or conveyance of lot portion, 17.30A.080 Shoreline setbacks, Chapter 17.31 Commercial Agriculture Zone §§ 17.31.040 Lot size required, 17.31.050 Yard requirements - Front yard, 17.31.060 Yard requirements - Side yard, 17.31.070 Yard requirements - Rear yard, 17.31.075 Yard requirements - Zones Adjacent to Commercial Forest Zone, 17.31.090 Dimensional requirements, 17.31.100 Access, 17.31.110 Special setback requirements, Chapter 17.32 C-L - Limited Commercial Zone §§ 17.32.020 Allowed uses, 17.32.040 Lot size required, 17.32.040 Yard requirements - Front, 17.32.050 Yard requirements - Side, 17.32.060 Yard requirements - Rear, 17.32.065 Yard requirements - Zones Adjacent to Commercial Forest Zone, 17.32.070 Maximum structure height, 17.32.090 Access requirement, Chapter 17.36 Planned Unit Development Zone §§ 17.36.010 Purpose and intent, 17.36.020 Allowed uses, 17.36.030 Submittal requirements - Preliminary development plan, 17.36.040 Submittal requirements - Final development plan, 17.36.050 Permit issuance and conditions, 17.36.060 Required improvements, 17.36.090 Extensions and expiration, Chapter 17.37 Master Planned Resorts §§ 17.37.010 Legislative findings, purpose and intent, 17.37.020 Definitions, 17.37.030 Allowed uses, 17.37.040 Applications/approvals required for new master planned resorts, 17.37.050 Applications/approvals required for existing resorts, Chapter 17.40 C-G - General Commercial Zone §§ 17.40.020 Allowed uses, 17.40.060 Yard requirements, 17.40.090 Access requirement, Chapter 17.44 C-H Highway Commercial Zone §§ 17.44.020 Allowed uses, 17.44.050 Setback requirements, 17.44.055 Setback requirements - Zones Adjacent to Commercial Forest Zone, 17.44.060 Building height, 17.44.080 Access, Chapter 17.48 I-L Light Industrial Zone §§ 17.48.010 Purpose and intent, 17.48.020 Allowed uses, 17.48.030 Conditional uses 17.48.050 Setbacks, 17.48.070 Lot coverage, Chapter 17.52 I-G General Industrial Zone §§ 17.52.010 Purpose and intent, 17.52.020 Allowed uses, 17.52.050 Setbacks, 17.52.080 Access, Chapter 17.56 Forest and Range Zone §§ 17.56.020 Allowed uses, 17.56.040 Lot - Minimum size, 17.56.050 Lot - Width, 17.56.060 Yard requirements, 17.56.065 Yard requirements in Zones Adjacent to Commercial Forest Zone, 17.56.070 Structure height, 17.56.080 Setbacks, Chapter 17.57 Commercial Forest Zone §§ 17.57.020 Allowed uses, 17.57.040 Lot - Minimum size, 17.57.050 Yard requirements, 17.57.060 Structure height, 17.57.070 Shoreline setbacks, 17.57.090 Water supply, 17.57.100 Building location, 17.57.120 Road standards, 17.57.140 Resource activity notification, Chapter 17.59 Liberty Historic Overlay Zone §§ 17.59.010 Purpose and intent, 17.59.020 Allowed uses, 17.59.040 Lot size required, 17.59.050 Yard requirements, 17.59.060 Building height, 17.59.070 Building restrictions, 17.59.090 Interpretation, Chapter 17.60A Conditional Uses §§ 17.60A.010 Review criteria, 17.60A.020 Conditions, 17.60A.030 Application and accompanying data, 17.60A.040 Fees, 17.60A.080 Transfer of ownership, 17.60A.090 Expiration, 17.60A.100 Revocation or limitation, Chapter 17.60B Permitted Administrative Uses §§ 17.60B.030 Administrative Authority, 17.60B.040 Fees, 17.60B.060 Administrative Action, 17.60B.100 Expiration, 17.60B.110 Appeal of Administrator's Decision, Chapter 17.61 Utilities § 17.61.020 Permitted and conditional uses, Chapter 17.66 Electronic Vehicle Infrastructure § 17.66.010 Allowed uses, Chapter 17.98 Amendments §§ 17.98.010 Proposal, 17.98.020 Petitions; Adds Chapter 16.08 Definitions §§ 16.08.056 Cluster, 16.08.057 Cluster plat, 16.08.070 Conservation plat, Open space, Chapter 17.08 Definitions §§ 17.08.030A Administrative, 17.08.032 Agriculture processing, 17.08.033 Agriculture production, 17.08.035 Agriculture sales, 17.08.161 Clubhouses, fraternities and lodges, 17.08.162 Commercial recreation, indoor, 17.08.163 Commercial recreation, outdoor, 17.08.171 Common area, 17.08.188 County, 17.08.198A Develop, 17.08.198B Development, 17.08.199A Director, 17.08.211 Dwelling, single-family, 17.08.261 Forestry, 17.08.261A Forest product processing, 17.08.161B Forest product sales, 17.08.161C Freighting and trucking yard or terminal 17.08.262A Grade, 17.08.262B Grading, 17.08.262C Grazing, 17.08.361 Lot, flag, 17.08.390A Lot, through, 17.08.392 Manufacturing, 17.08.397A Mining and Excavation, 17.08.421 Office, 17.08.428 Open space, 17.08.430A Overlay zone/district 17.08.430B Ownership, 17.08.457 Public facilities, 17.08.466 Refuse disposal/recycling, 17.08.467 Religious institutions, 17.08.468 Resource based industry, 17.08.469 Restaurant, 17.08.469A Retail sales, 17.08.471 Rock Crushing, 17.08.472 Services, 17.08.560A Vehicle/equipment service and repair, 17.08.560B Watershed management facilities, Chapter 17.15 Allowed Uses §§ 17.15.010 Categories of uses established, 17.15.020 Establishment of zoning use tables, 17.15.030 Interpretation of tables, 17.15.040 Zoning use tables, 17.15.050 Allowed uses in resource lands, 17.15.060 Allowed uses in rural non-LAMIRD lands, 17.15.070 Allowed uses in rural LAMIRD lands, 17.15.080 Allowed uses in urban lands, Chapter 17.30 R-R - Rural Recreation Zone, Chapter 17.36 Planned Unit Development Zone §§ 17.36.015 Applicability, 17.36.025 Allowed density, 17.36.045 Review criteria, Chapter 17.60A Conditional Uses § 17.60A.095 Modification; Repeals Chapter 16.09 Cluster Platting and Conservation Platting §§ 16.09.020 Uses Permitted, 16.09.030 Criteria, 16.09.090 Public Benefit Rating System, 16.09.100 Definitions, Chapter 17.14 Performance Based Cluster Plat Uses, Chapter 17.20 Rural Residential Zone, Chapter 17.38 Fully Contained Communities (Reserved), Chapter 17.04 General Provisions and Enforcement § 17.04.060 Maximum acreages, Chapter 17.08 Definitions §§ 17.08.070

		Apartment house, 17.08.150 Business or commercial, 17.08.165 Commercial activities associated with agriculture, 17.08.240 Family Dwelling, 17.08.320 Hotel, 17.08.327 Intervening Ownership, 17.08.340 Kennel, 17.08.395 Mineral exploration, 17.08.396 Mini Storage Facility, 17.08.400 Motel, 17.08.445 Performance based cluster plat, 17.08.490 Single family residence, 17.08.530 Trailer, 17.08.535 Trailer home, 17.16.120 Conditional uses, 17.16.121 Administrative uses, Chapter 17.18 R-2 - Residential 2 Zone §§17.18.025 Conditional Use, 17.18.090 Administrative uses, 17.19.030 Conditional uses, 17.19.070 Nonconforming uses, 17.19.090 Administrative uses, Chapter 17.20 RR - Rural Residential Zone, Chapter 17.22 UR - Urban Residential Zone §§ 17.22.090 Grazing, 17.22.100 Conditional use, 17.22.120 Administrative use, Chapter 17.24 H-T-C - Historic Trailer Court Zone § 17.24.020B Nonconforming Uses, Chapter 17.28 A-3 - Agricultural 3 Zone §§ 17.28.130 Conditional uses, 17.28.140 Administrative uses, Chapter 17.28A A-5 - Agricultural Zone §§ 17.28A.130 Conditional uses, 17.28A.140 Administrative uses, Chapter 17.29 A-20 - Agricultural Zone §§ 17.29.030 Conditional uses, 17.29.130 Administrative uses, Chapter 17.30A R-5 - Rural-5 Zone §§ 17.30A.030 Conditional uses, 17.30A.070 Nonconforming uses, 17.30A.090 Administrative uses, Chapter 17.31 Commercial Agriculture Zone §§ 17.31.030 Conditional uses, 17.31.120 Administrative uses, Chapter 17.36 Planned Unit Development Zone § 17.36.070 Inter-jurisdiction review, Chapter 17.38 FCC - Fully Contained Communities, Chapter 17.40 C-G - General Commercial Zone §§ 17.40.080 Off-street parking and loading, 17.40.110 New residences, Chapter 17.44 C-H Highway Commercial Zone §§ 17.44.030 Conditional uses, 17.44.070 Off-street parking, Conditional uses, Chapter 17.52 I-G General Industrial Zone § 17.52.030 Conditional uses, Chapter 17.56 Forest and Range Zone §§ 17.56.030 Conditional uses, 17.56.090 Nonconforming uses, 17.56.100 Administrative uses, Chapter 17.57 Commercial Forest Zone §§ 17.57.030 Conditional uses, 17.57.130 Nonconforming uses, Chapter 17.58 Airport Zone § 17.58.100 Judicial review, Chapter 17.59 Liberty Historic Overlay Zone § 17.59.030 Conditional uses
O-2013-002	03/19/2013	Amends Chapter 2.04 Board of County Commissioners § 2.04.010 Official meeting time.
O-2013-003	04/02/2013	Amends the effective date of O-2013-001 (Special)
O-2013-004	04/02/2013	Amends Chapter 10.07 No Parking Areas § 10.07.010 Areas designated.
O-2013-005	04/16/2013	Amends the Kittitas County Conference of Government County-wide Planning Policies (Special)
O-2013-006	06/04/2013	Amends Chapter 14.04 Building Code §§ 14.04.010 Adoption of referenced codes, 14.04.020 General requirements, 14.04.030 Building relocation - Applicant, and 14.04.070 Permits.
O-2013-007	07/02/2013	Amends Chapter 10.08 Speed Limits on County Roads § 10.08.020 Thirty-five miles per hour.
O-2013-008	08/06/2013	Amends Chapter 14.08 Flood Damage Prevention §§ 14.08.130 Information to be obtained and maintained and 14.08.300 Floodways, Chapter 15A Table A, Chapter 16.09 Cluster Platting and Conservation Platting § 16.09.025 Applicability, Chapter 17.04 General Provisions and Enforcement § 17.04.020 Interpretation, Chapter 17.08 Definitions §§ 17.08.022 Accessory dwelling unit, 17.08.023 Acessory living quarters, 17.08.198B Development, Chapter 17.12 Zones Designated - Map § 17.12.010 Zones classified, Chapter 17.15 Allowed Uses §§ 17.15.050 Allowed uses in resource lands, 17.15.060 Allowed uses in rural non-LAMIRD lands, 17.15.070 Allowed uses in rural LAMIRD lands, and 17.15.080 Allowed uses in urban lands, Chapter 17.28A A-5 Agriculture Zone §§ 17.28A.010 Purpose and Intent, 17.28A.020 Allowed uses, and 17.28A.030 Lot size required, Chapter 17.29 A-20 Agriculture Zone §§ 17.29.010 Purpose and intent and 17.29.020 Allowed uses; Renames Chapter 17.28A A-5 Agricultural Zone and Chapter 17.29 A-20 Agricultural Zone
O-2013-009	10/01/2013	Rezone RZ-13-00001; amends zoning atlas (Special)
O-2013-010	10/15/2013	Adds Chapter 3.04 Sales or Use Tax § 3.04.080 Retail Car Rental sales/use tax.
O-2013-011	10/15/2013	Amends Chapter 3.06 Criminal Justice and Public Safety Sales and Use Tax § 3.06.070 Effective Date and Expiration Date.
O-2013-012	12/03/2013	Amends Chapter 15A Project Permit Application Process Table A Chapter 17.08 Definitions § 17.08.155 Campground, 17.08.550 Use, Chapter 17.15 Allowed Uses §§ 17.15.010 Categories of uses established, 17.15.020 Establishment of zoning use tables, 17.15.030 Interpretation of tables, 17.15.050 Allowed Uses in Resource Lands, 17.15.060 Allowed Uses in Rural Non-LAMIRD Lands, 17.15.070 Allowed Uses in Rural LAMIRD Lands 17.15.080 Allowed Uses in Urban Lands, Chapter 17.60A Conditional Uses §§ 17.60A.015 Review criteria, 17.60A.020 Conditions, 17.60A.095 Modification, Chapter 18.01 General Provisions §§ 18.01.010 Applicability 18.01.020 Enforcement, 18.01.050 Crimes designated, 18.01.060 Inspection, Chapter 18.02 Infraction Corrective Orders §§ 18.02.010 Violations - Enforcement, 18.02.020 Order to correct violation, 18.02.030 Notice of Violation and Abatement, 18.02.040 Notice of infraction, Chapter 18.04 Infraction Hearings § 18.04.010 General Procedures Chapter 18.05 Penalties §§ 18.05.010 Infraction Penalties, 18.05.020 Criminal Penalties, 18.05.030 Abatement, 18.06.010 Nature of infraction proceedings, 18.06.020 Legal costs of infractions, 18.06.040 Conflicts, 18.06.050 Other Lawful Remedies; Adds Chapter 17.08 Definitions §§ 17.08.445 Parks and playgrounds, 17.08.463 Recreation, indoor, 17.08.464 Recreation, outdoor, 17.08.465A Recreational vehicle park, 17.08.490 Small-scale event facility, 17.08.541 Trails, Chapter 17.60A Conditional Uses § 17.60A.010 Review Authority; Repeals Chapter 17.08 Definitions §§ 17.08.162 Commercial recreation, indoor, 17.08.163 Commercial recreation, outdoor, and 17.08.198 Designated manufacured home, Chapter 18.04 Infraction Hearings § 18.04.020 Mitigation hearing; Renumbers Chapter 17.60A Conditional Uses § 17.60A.010 Review criteria to 17.60A.015 Review criteria
O-2013-013	12/17/2013	Amends Chapter 14.04 Building Code § 14.04.010(8) Adoption of reference codes and Chapter 16.04 General Provisions § 16.04.010 Applicability; Adds Chapter 20.10 Wildland Urban Interface Code
O-2013-014	12/31/2013	Amends Chapter 3.45 Enhanced E911 Excise Tax §§ 3.45.020 Radio Access Lines Excise Tax, 3.45.040 Remittance and Deposit of Taxes, 3.45.045 Notice to Local Exchange Companies, Radio Communications Service Companies, and Interconnected Voice Over Internet Protocol Service Companies.
O-2014-001	2/4/2014	Amends Chapter 10.08 Speed Limits on County Roads § 10.08.010 Twenty-five miles per hour and Chapter 10.12 Stop and Yield Streets § 10.12.010 Stops and yields designated
O-2014-002	4/1/2014	Amends Chapter 10.08 Speed Limits on County Roads § 10.08.010 Twenty-five miles per hour and Chapter 10.12 Stop and Yield Streets § 10.12.010 Stops and yields designated
O-2014-003	4/1/2014	Amends Chapter 10.08 Speed Limits on County Roads §§ 10.08.010 Twenty-five miles per hour, 10.08.020 Thirty-five miles per hour, 10.08.030 Fifty miles per hour, 10.08.045 Twenty miles per hour and Chapter 10.12 Stop and Yield Streets § 10.12.010 Stops and yields designated
O-2014-004	5/6/2014	Adds Chapter 17.08 Definitions §§ 17.08.392A Marijuana Processing, 17.08.392B Marijuana Production, 17.08.395 Retail sales, marijuana, 17.08.469A Retail sales, marijuana, Amends Chapter 17.15 Allowed Uses §§ 17.15.050 Allowed Uses in Resource Lands, 17.15.060 Allowed Uses in Rural Non-LAMIRD Lands, 17.15.070 Allowed Uses in Rural LAMIRD Lands, 17.15.080 Allowed Uses in Urban Lands
O-2014-005	5/15/2014	Adds Chapter 17.56 Forest and Range Zone § 17.56.062 Yard requirements - Adjacent to Liberty Historic Overlay Zone, Chapter 13.35 Adequate Water Supply Determination §§ 13.35.025 Interim Measures, 13.35.027 Permanent Measures 13.35.028 Applicability Outside Yakima River Drainage; 13.35.020 Applicability, 13.35.050 Individual Water System, 13.35.060 Shared Water System, Chapter 16.05 Binding Site Plan § 16.05.020 Requirements, Chapter 16.12 Preliminary Plats § 16.12.150 Road, Sewer, Water and Fire System Recommendations, Chapter 16.32 Short Plat Requirements § 16.32.050 Short plat review, Chapter 16.36 Large Lot Subdivision § 16.36.015 Criteria for eligibility as a large lot subdivision Amends Chapter 17.08 Definitions § 17.08.033 Agriculture production, Chapter 17.15 Allowed Uses §§ 17.15.050 Allowed Uses in Resource Lands, 17.15.060 Allowed Uses in Rural Non-LAMIRD Lands, 17.15.070 Allowed Uses in Rural LAMIRD Lands, 17.15.080 Allowed Uses in Urban Lands, Chapter 17.60A Conditional Uses § 17.60A.020 Conditions
O-2014-006	5/20/2014	Adds Chapter 10.24 All-Terrain Vehicles § 10.24.020 Wheeled all-terrain vehicle operation on county roads

Disclaimer: This web site is provided for informational purposes only. Although every effort has been made to provide accuracy, all information and resources shown are not official. Neither Kittitas County nor any of its agencies, officials or employees guarantees the accuracy of any information on this web site. Reliance upon the information contained on or accessed through this web site is entirely at your own risk. Kittitas County reserves the right to make changes without notice. The official hard copy is available in the Commissioners' office.