

Chapter 17.60B ADMINISTRATIVE USES

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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 of Community Development Services 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. At the discretion of the administrator or by request of interested parties, the request for an administrative use permit can be heard by the Board of Adjustment.

The Board of Adjustment may deny an application for an administrative use permit if the use fails to comply with specific standards set forth in this title and if any of the required findings in Section 17.60B.050 are not supported by evidence in the administrative record. (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 of county commissioners under separate action. Fees shall be payable to the Kittitas County Treasurer and shall not be refundable in any case. (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. That 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 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. 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 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 of Adjustment, together with the applicable fee, within the time allowed per Title 15A, Project Permit Application Process of the Kittitas County Code. The request shall conform to the requirements of Section 15A.07, Project Permit Application Process of the Kittitas County Code. (Ord. 2007-22, 2007)