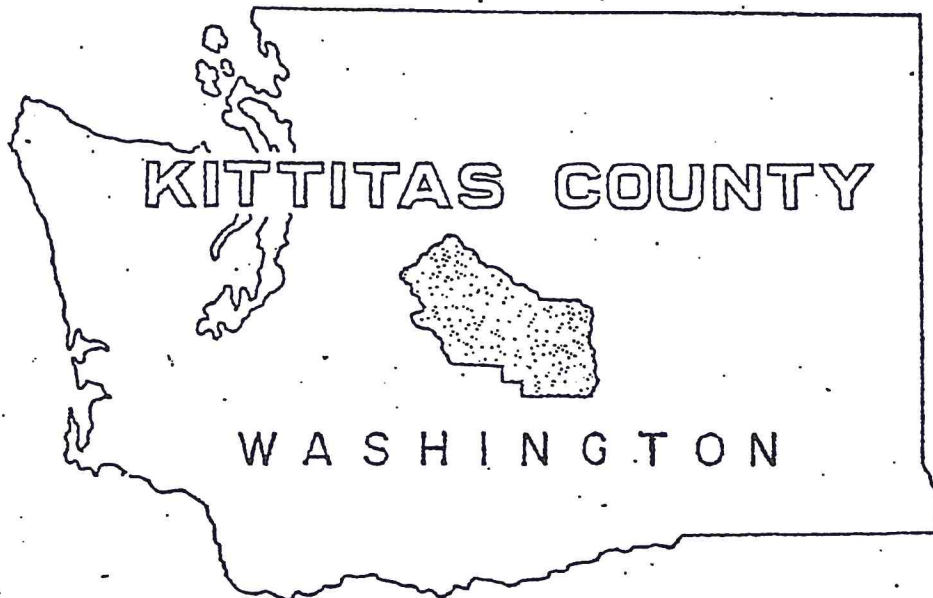


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KITITAS COUNTY
CDS

Shoreline Master Program

for



MARCH 5, 1975

Where uncertainty or conflict may occur in the exact location of a jurisdiction boundary line, or environment boundary line, the following rules will apply:

- (1) Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such lines.
- (2) Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
- (3) Boundaries indicated as approximately following the corporate limits shall be construed as following such corporate limits.
- (4) Boundaries indicated as following railroad lines shall be construed to be halfway between railroad right-of-way lines.
- (5) Boundaries indicated as following shorelines or lakes or rivers shall be construed to follow such shorelines 200 feet to the upland side, and in the event of change in a shoreline shall be construed as moving with the actual shoreline.
- (6) Boundaries indicated as parallel to or extension of features indicated in subsections (1) through (5) shall be so construed.
- (7) Distances not specifically indicated on the map shall be determined by the scale of the map.
- (8) Where physical or cultural features existing on the ground are at variance with those shown on the map or in other circumstances not covered by (1) through (6) the Administrative Authority shall interpret the boundaries.

Section 14: Shoreline Setback Regulations. The regulations of this section shall govern the location and alignment of all structures.

- (1) Shoreline Setback. All structures shall be set back a minimum of 100 feet from the ordinary high water mark on all shorelines. However, in the Natural Environment, all structures and parking facilities shall be set back a minimum of 200 feet from the ordinary high water mark. Shoreline dependent structures shall not be subject to these setback requirements, but will be evaluated and established on a case by case basis.
- (2) Road Setback. All structures shall be located no closer than 25 feet from the edge of any dedicated public right-of-way.
- (3) Side Yard. There shall be a side yard of not less than 15 feet in all Environments except in the Urban Environment where the side yard shall be not less than 5 feet.
- (4) Rear Yard. There shall be a rear yard with a minimum depth of not less than 10 feet.

Section 15: Siting Regulations. The regulations in this section shall apply to all shoreline development and deal with their general location.

- (1) Navigation. Shoreline development shall not be located in areas where navigational access will be restricted.
- (2) Flood plain. All shoreline development located in a flood plain shall comply with the regulations in Section 25.
- (3) Public Access. Shoreline development shall not interfere with public access and enjoyment of nearby publicly owned land areas.
- (4) Parking. Parking facilities shall be located in areas which will be the least damaging to the natural character of the area and as far removed from the shoreline as possible.
- (5) Height Limitations. RCW 90.58.32. No structure shall exceed thirty-five (35) feet in height measuring from the average road grade level except as permitted in Section 12: Agriculture.

Section 16: Minimum Lot Sizes and Water Frontages. The regulations in this section shall apply to all residential structures.

- (1) Urban Environment.
 - (a) Minimum lot size shall be:
 - (i) One acre for lots served by individual wells and individual on-site sewage disposal systems.
 - (ii) Lots of less than one acre must be served by community water and sewer system.
 - (b) Minimum lot width at the property line on the ordinary high water mark shall be 60 feet.

- (2) Rural Environment
 - (a) Minimum lot size shall be that as established for the Agricultural Zone.
 - (b) Minimum lot width at the property line on the ordinary high water mark shall be 300 feet.
- (3) Conservancy Environment.
 - (a) Minimum lot size shall be:
 - (i) One acre for lots serviced by individual wells and individual on-site sewage disposal systems.
 - (ii) One-half acre for lots served by a community water and individual on-site sewage disposal system.
 - (iii) Lots less than one-half acre must be served by a community water and sewer system.
 - (iv) No lot shall be less than 7,200 square feet.
 - (b) A minimum lot width at the property line on the ordinary high water mark shall be 150 feet.
- (4) Natural Environment.
 - (a) Minimum lot size shall be 5 acres.
 - (b) Minimum lot width at the property line on the ordinary high water mark shall be 300 feet.
- (5) Grade and Lot Size. All minimum lot areas and widths listed in these Regulations shall be increased in relation to slope as given below:

| Average Lot Grade | Percentage Increase In Area |
|----------------------|--------------------------------|
| 0-10% | 0% |
| 11-15% | 25% |
| 16-21% | 50% |
| 22- % | 100% |

Section 17: Health and Sanitation. The regulations in this section shall apply to all shoreline development.

- (1) Water Supply. Adequate water supplies shall be available so that the ground water quality will not be endangered by overpumping. Such water supplies must be approved by the County Health Department.
- (2) Sewage Disposal. Sewage disposal facilities must be provided in accordance with appropriate state and local health regulations. Such treatment must receive approval from the County Health Department.
 - (a) Fill for the purposes of installing a septic tank and drainfield shall not be permitted.
 - (b) There shall be a minimum setback of 100 feet from the ordinary high water mark for all on-site sewage treatment systems.
- (3) Waste Disposal. Shoreline use activities where appropriate shall be equipped with receptacles to receive and/or dispose of rubbish, waste, and litter, so that water quality and/or quantity is not degraded or diminished and so that the aesthetic qualities of shoreline areas are not seriously jeopardized. Such disposal systems must receive approval from the County Health Department.

Section 18: Irrigation Protection and the Diversion of Water. All shoreline uses shall be constructed and maintained in such a way not to interfere with the diversion or delivery of water; irrigation easements, headditches, headgates, turnouts, and other necessary appurtenances that have prior rights shall be given priority.

The diversion of water for any purposes shall be done in accord with the Washington State Water Code.

Section 19: Protection of the Natural Shoreline Features. The regulations in this section shall apply to all shoreline development.

- (1) Resource Management. All construction shall be designed to protect the adjacent shoreline lands against erosion, uncontrolled drainage, slides, pollution, excessive excavations and fills and other factors detrimental to the environment, and shoreline development shall not

substantially diminish the natural quality or near natural qualities of nearby areas including the quality of the water involved.

- (2) Vegetation. Buffer strips of permanent vegetation between shoreline developments and associated water bodies are encouraged, and private and public land owners shall be responsible for the preservation of vegetation to minimize erosion within the shoreline area.
- (3) Project Area Restoration. Upon completion of installation of any substantial development which disrupts the environment, the disturbed area shall be regraded to compatibility with the natural terrain and replanted to provide an attractive vegetation cover which is harmonious with the surrounding area and the project requirements.

Section 20: Agriculture. The Act specifically exempts "construction of a barn or similar agricultural structure on wetlands. . ." from the permit system.

- (1) Urban Environment. All agricultural activities shall be permitted in shoreline areas designated Urban.
- (2) Rural Environment. All agricultural activities shall be permitted in shoreline areas designated Rural.
- (3) Conservancy Environment. Agricultural activities shall be permitted in shoreline areas designated Conservancy, provided that its operations do not substantially change the character of the environment.
- (4) Natural Environment. Agricultural activities shall be permitted in shoreline areas designated Natural, provided that its operations do not have a harmful ecological impact and that no extensive clearing, construction or other operations which will change the natural character of the area is necessary.
- (5) A permit will be required for the construction of a feedlot in any Environment.
- (6) In instances where feedlots are permitted at least 100 feet of vegetated area between confinement lots and the ordinary high water mark is required.
- (7) In instances where feedlots are permitted the operational guidelines for livestock waste management found in "Livestock Waste Management Guidelines" (E.M. 3479, Revised), Cooperative Extension Service, W. S. U., shall be followed.
- (8) There shall be no height limitation on any agricultural structure common to normal farming and ranching activities in Kittitas County.

Section 21: Aquaculture. Aquaculture means the farming of lakes or streams. It refers to the planting, feeding, raising, and harvesting of aquatic species and would include fish hatcheries and natural spawning grounds managed by the Department of Fisheries.

There are at present, no aquacultural enterprises in Kittitas County, but because aquaculture requires water of high quality, Kittitas County river systems might well provide an opportunity for such activities. If in the future, therefore, such enterprises were to locate on our shorelines, the regulations shall apply.

- (1) Urban Environment. All aquacultural activities shall be permitted on shorelines designated as an Urban Environment.
- (2) Rural Environment. All aquacultural activities shall be permitted in a Rural Environment provided that the construction and operation of such facilities does not adversely affect the normal operations or economic viability of nearby agricultural operations.

- (3) Conservancy Environment. All aquacultural activities shall be permitted in a Conservancy Environment provided that its operations do not involve major construction or other activities which substantially change the character of the area.
- (4) Natural Environment. The successful maintenance of spawning grounds, within existing stream beds, depends largely on maintaining the surrounding shoreline and associated shoreline areas in a natural state. The operation and maintenance of natural spawning grounds shall be the only aquacultural activity allowed in a Natural Environment.

Section 22: Archaeological/Historic Sites. The following regulations shall apply to activities which are related to the identification, reclamation, and/or restoration of sites of historical or archaeological significance.

- (1) Archaeological diggings and the restoration and construction necessary to protect historical sites, shall be permitted in the Conservancy, Rural and Urban Environments.
- (2) Natural Environment. Because of their historical and scientific importance, archaeological excavations shall be permitted in a Natural Environment provided the activity does not permanently alter the natural features or quality of the area.
The collecting of rocks, fossils, and petrified wood by individuals or groups shall not compromise the natural integrity of the area. Large scale collecting for commercial purposes shall be prohibited.
- (3) In areas revealed to contain archaeological material, an inspection of the area shall be performed by a professional archaeologist or historian before a development permit is granted.
- (4) If in the course of development, material or archaeological interest is discovered, work on the development shall cease for a reasonable period until an examination by a professional archaeologist or historian has been made and its value determined.
- (5) It shall be incumbent upon the developer to notify the proper authorities if he should discover evidences of archaeologist interest.

Section 23: Commercial Development. Commercial development for purposes of this section shall include activities involved in the wholesale or retail trade of goods and services. Commercial recreation and amusement facilities are covered in Section 32; marinas are covered in Section 29 and aquaculture is covered in Section 21.

- (1) Shoreline Commercial Uses:
 - (a) Shoreline Dependent commercial uses such as:
Boat launch facilities;
Ferry passenger facilities;
Terminal fueling and transfer facilities for marine commerce;
Boat and sea plane rental facilities;
Commercial swimming beaches.
 - (b) Shoreline Oriented commercial uses such as:
Restaurants; not including drive-ins;
Hotels;
Motels;
Resorts;
Boating and fishing supplies.
- (2) Urban Environment. Shoreline Dependent and Shoreline Oriented commercial development shall be permitted on the shorelines in an Urban Environment. Non-shoreline oriented commercial development shall be permitted upland away from the ordinary high water mark where commercial uses exist and where the appropriate zoning exists.
- (3) Rural Environment. Commercial development is not permitted in a Rural Environment.

- (4) Conservancy Environment. Shoreline Dependent commercial development shall be permitted on the shoreline in a Conservancy Environment provided such development is low-intensity and collectively development will not substantially change the natural features of the area.
- (5) Natural Environment. Commercial development is not permitted in a Natural Environment.
- (6) Land transportation and utility corridors serving commercial developments shall comply with Section 37, Utilities and Section 34, Roads, Railroads and Bridges.

Section 24: Dredging. Dredging is the removal of earth from the bottom of a stream, river, lake, bay, or other water body for the purposes of deepening a navigational channel or to obtain use of the bottom materials for landfill. A significant portion of all dredged materials are deposited either in the water or immediately adjacent to it, often resulting in problems of water quality.

- (1) All four Environments shall be subject to the following:
 - (a) Dredging shall be a conditional use.
 - (b) Dredging of bottom materials for the single purpose of obtaining fill material shall be prohibited in any designated environment.
 - (c) Dredging for the purpose of deepening a navigational channel shall be permitted only when such dredging is done to reduce damage to existing ecological resources of both the area to be dredged and the area for deposit of the materials.
- (2) Disposal sites shall be selected which will not cause detrimental effects on the shoreline environment. In particular, the area of productive wetlands affected shall be kept to a minimum in the selection of suitable disposal sites.
- (3) Dredge spoil disposal sites shall be completely enclosed by dikes of sufficient capacity to allow for the settling of sediments before entrapped water leaves the diked area. The outside face of the dike shall be sloped at 1½ to 1 (horizontal to vertical) or less and seeded with grass or otherwise protected to prevent erosion. Outlet structures in dikes shall be placed so that water discharged within the dikes will take the longest possible time to reach the outlet and shall be designed so that only the clearest water is allowed to return to the receiving waters.
- (4) Disposal sites which have been completely filled shall be drained. Efforts to retard the movement or erosion of material by the wind should be made unless specific plans for other uses of the filled land are submitted to the Administrative Authority within one year of filling.
- (5) Dredging operation shall receive approval from the Department of Game and Fisheries.

Section 25: Flood Plains. Flood plains which are designated as wetlands subject to the Act, are shoreline areas which are subject to flooding. Within a flood plain there are flood hazard areas subject to periodic inundations severe enough to result in loss of life, loss of property, health and safety hazards, disruption of commerce and governmental services. Virtually all of the use activities regulated under Sections 20 through 37 of this Ordinance can suffer losses due to flooding or can increase the hazards of flooding to other uses.

All new development, therefore, which is within the jurisdiction of this Ordinance, shall be evaluated in terms of its susceptibility to flood damage. Permits may be denied, granted outright or granted

on condition (requiring flood proofing) depending on flood damage susceptibility.

- (1) A permit shall either be granted or denied according to whether or not appropriate precautions designed to minimize losses due to flooding have been taken, those precautions being in addition to conditions applied under sections of this Ordinance.
- (2) In determining the appropriateness of any proposed use in a flood plain area, the following shall be considered:
 - (a) The danger of life and property due to increased flood heights or velocities by encroachments.
 - (b) The danger that materials may be swept on to other lands or downstream to the injury of others.
 - (c) The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination and unsanitary conditions.
 - (d) The susceptibility of the proposed use and its contents to flood damage and the effect of such damage on the individual owner.
 - (e) The importance of the services provided by the proposed use to the community.
 - (f) The requirements of the use for a waterfront location.
 - (g) The availability of alternative locations not subject to flooding for the proposed use.
 - (h) The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.
 - (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 floodwaters expected at the site.
 - (k) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities such as sewer, gas, electrical and water systems and streets and bridges.
- (1) Such other factors which are relevant to the policy of this Program.
- (3) Any use activity involving levees, fills, structures, or other features which will individually or collectively significantly increase flood flows, heights, or damages shall be prohibited.
- (4) Flood proofing shall be required as determined by the Department of Ecology through an application for development in an established flood control zone.
- (5) A structure or structures, if permitted, shall be constructed and placed on the building site so as to offer the minimum obstruction to the flow of floodwaters.
- (6) All water systems, including individual wells and sewers located in flood hazard areas, whether public or private, shall be flood proofed to the satisfaction of the County Health Department.

Section 26: Forest Management. Forest management activities shall include any activity conducted on or directly pertaining to forest land and relating to growing, harvesting, or processing timber, including but not limited to road and trail construction; harvesting, final and intermediate; precommercial thinning; reforestation; fertilization; prevention and suppression of diseases and insects, and fire control; salvage of trees; and brush control.

Preparatory work such as tree marking, surveying and road flagging, and removal or harvesting of incidental vegetation from forest lands such as cones, berries, ferns, greenery, mistletoe, herbs, mushrooms, and other products which cannot normally be expected to result in damage to forest soils, timber, or public resources are exempt.

The harvesting of timber itself does not require a shoreline permit; however, any development occurring in connection with the harvesting of timber (ie. construction of roads, bridges, staging areas, etc.) does require a permit.

- (1) Forest management activities in the Conservancy, Rural and Urban Environments shall be permitted.
- (2) Natural Environment. Forest management activities shall be prohibited in a Natural Environment except under the following circumstances and subject to the following regulations:
 - (a) Timber harvesting may be permitted to prevent an epidemic of insect or disease infestation (and to adjoining areas where no other means of epidemic control are appropriate). Clear cut methods may be used only in those limited instances that render selective cut methods ecologically detrimental.
 - (b) Timber harvesting may be permitted to clean-up and restore an area devastated by wind, slides, flooding, or fire. Clear cut methods may be used only in those limited instances that render selective cut methods ecologically detrimental.
 - (c) Roads, bridges, and landings shall not be constructed except when cutting is permitted and when there exists no alternative to crossing streams for the purpose of gaining access to these logging areas.
 - (d) Road cuts causing slope material to fall into a wetland area designated as a Natural Environment shall be prohibited.
- (3) Timber harvesting on shorelines listed below shall be by selective cut only so that no more than thirty percent of the merchantable trees may be harvested in any ten-year period as required by the Shoreline Management Act (90.58.150).

Rivers

Cle Elum River
 Teanaway River
 Kachess River
 Yakima River

Lakes

Cle Elum Lake
 Kachess Lake
 Keechelus Lake
 Easton Lake

- (4) Logging road and bridge location, design, construction & maintenance shall comply with regulations as established by the Washington Forest Practices Act of 1974, as amended.
- (5) The use of chemicals in forest management activities shall comply with the regulations as established by the Washington State Forest Practices Act of 1974, as amended.
- (6) Harvesting, reforestation and the disposal of slash shall comply with the regulations as established by the Washington State Forest Practices Act of 1974, as amended.
- (7) Protection of streams and lake beds and all shoreline areas during and after harvesting operations shall comply with the regulations as established by the Washington State Forest Practices Act of 1974, as amended.
- (8) The above forest management activities shall comply with the interior forest practices rules and regulations for the Forest Practices Act of 1974 as published by the Department of Natural Resources.

Section 27: Industrial Development. Industrial activities shall be defined as those activities involving the processing, manufacturing, packaging, and/or warehousing of any commodity. Presently, there exist few such activities located on designated Kittitas County shorelines.

- (1) Urban Environment. Shoreline dependent industrial development shall be permitted in an Urban Environment, provided the appropriate zoning exists. Industrial uses which are not shoreline dependent shall be permitted upland where industrial uses exist and where the appropriate zoning exists.
- (2) Ports or water-related industry shall not be permitted in the Natural, Conservancy, or Rural Environments.
- (3) Land transportation and utility corridors serving ports and water related industry shall comply with Section 37, Utilities and Section 34, Roads, Railroads and Bridges.

Section 28: Landfill. Landfill is the creation of dry upland areas by the filling or depositing of sand, soil, or gravel into a wetland area. Landfills also occur to replace shoreline areas removed by the normal erosive processes of nature. However, most landfills destroy the natural character of land, create unnatural heavy erosion and silting problems and diminish the existing water surface.

- (1) Landfills in a Conservancy, Rural, or Urban Environments shall be a conditional use and will be allowed only for water-dependent uses, for public uses, and for the purpose of elevating a structure to meet flood proofing requirements as required by the flood control zone permit.
- (2) Natural Environment. Landfills shall be prohibited in shoreline areas designated as a Natural Environment.
- (3) All landfills, where permitted, shall be subject to the following standards and regulations:
 - (a) The "Criteria Governing the Design of . . . Landfills. . . for Protection of Fish and Shellfish Resources" adopted by the Washington State Department of Fisheries in 1971, shall apply. (A copy of these guidelines are on file in the County Planning Office.)
 - (b) Fill materials shall be of such quality that it will not cause problems of water quality degradation or siltation and shall receive approval from a qualified professional engineer.
 - (c) Landfills shall be protected against erosion with retaining walls or similar structures or by vegetation established during the first growing season following the completion of the landfill.

Section 29: Marinas. Marinas are facilities which provide boat launching, storage, supplies, sales, and services for small pleasure craft. There are two basic types of marinas, the open type construction (floating, break-water and/or open pile work) and solid type construction (bulkhead and/or landfill). In either case marinas use shorelines in an intensive manner and most often require extensive alteration of the shoreline area. Depending on the type of construction, marinas effect aquatic habitats.

- (1) Urban Environment. Marinas shall be permitted.
- (2) Rural Environment. Marinas shall be a conditional use.
- (3) Conservancy Environment. Marinas shall be a conditional use.
- (4) Natural Environment. Marinas shall be prohibited.
- (5) The "Criteria Governing the Design of . . . Marinas . . . for Protection of Fish and Shellfish Resources" adopted by the Washington State Department of Fisheries in 1971 shall be utilized for granting a permit.
- (6) Parking facilities shall be set back from the ordinary high water mark a minimum of 20 feet measured in a horizontal plane.
- (7) All sewage and liquid waste from marinas shall be discharged into an approved sewage system. Where connection to a public sewer system is not feasible, the marina shall have an approved individual sewage disposal system constructed in accordance with the requirements of the County Health Department.
- (8) Sewage pump-out and treatment facilities shall be installed at the beginning of operations of any new marina or of an expansion of any existing marina and shall receive approval from Kittitas County Health Department. Within two years of the effective date of these regulations, existing marinas shall provide sewage pump-out facilities.
- (9) Marinas shall have an adequate supply of water meeting the requirements of WAC 248-54, Rules and Regulations of the State Board of Health Regarding Public Water Supplies.
- (10) All off-shore breakwaters will contain at least two breaches which will be no shallower than the dredged depth of the marina inside.
- (11) Marinas shall be landscaped so that they are aesthetically compatible with surrounding areas.
- (12) Satisfactory provisions dealing with the design and operational procedures for fuel handling storage and clean-up in event of a spill shall be included as part of the permit.

- (13) On-shore disposal facilities for receiving oil and fuel wastes from engines or bilges shall be installed.
- (14) Existing marinas which do not have restroom facilities shall, within six (6) months from the effective date of these regulations, provide such facilities.
- (15) Sewage pump-out facilities shall be designed, operated and maintained so as to prevent any discharge of sewage onto docks or into any watercourse. Disposal of sewage from watercraft holding tanks shall be in accordance with the requirements of the local health officer.
- (16) Overboard discharge of sewage or other liquid or solid waste from watercraft moored at marinas shall be prohibited. Any person operating a marina shall post rules in a conspicuous location prohibiting the overboard discharge of sewage or other waste.

Section 30: Mining. The removal of any natural occurring material from the earth shall be considered mining.

- (1) Mining activities which do not interfere with the normal flow of a stream or river or permanently destroy wildlife habitat shall be permitted in an Urban, Rural and Conservancy Environment.
- (2) Natural Environment. The mining of minerals on shorelines designated as a Natural Environment is prohibited.
- (3) The operation of a surface mine which is subject to the 1970 Surface Mined Land Reclamation Act (RCW 78.44) shall present to the County Planning Office one copy of each of the surface mining plan and of the reclamation plan.
- (4) A surface mining plan or a reclamation plan judged by the County to be insufficient for the protection or restoration of the shoreline environment shall be grounds for denial of a permit.
- (5) The removal of any mineral alongside, upstream or downstream of spawning areas shall be in conformance with the technical provisions of the Hydraulics Project approval by the Washington State Department of Fisheries.
- (6) Soil deposit sites shall be selected in cooperation with the Washington State Department of Natural Resources, Department of Game, and Department of Fisheries.
- (7) Surfacing mining activities not subject to the 1970 Surface Mined Land Reclamation Act (RCW 78.44) shall be required to submit a reclamation plan.
- (8) Non-patented mineral claims and short-term operating agreements or leases on federally owned land will not require a shoreline permit.

Section 31: Outdoor Advertising. Public display signs or billboards whose purpose it is to provide information, direction or advertising, shall be considered as advertising activities. Signs may be pleasing or distracting, depending upon their design and location. A sign, in order to be effective, must attract attention; however, a message can be clear and distinct without being offensive. There are areas where certain kinds of signs are not desirable, but generally, it is the size, number and design that is undesirable and not the sign itself.

- (1) Urban Environment. Outdoor advertising shall be permitted in an Urban Environment but subject to the provisions of the Kittitas County Sign Ordinance, dealing with the appropriate zones. Where shorelines include areas inside the city limits of any incorporated town, the respective city sign ordinance shall apply.
- (2) Outdoor advertising shall be permitted in the Natural, Conservancy and Rural Environments and are subject to the following:

- (a) Signs indicating direction or identification of natural phenomena with a maximum area approved by the County Planner.
 - (b) Signs advertising the sale or rental of a premise or tract of land or a sign advertising material or workmanship used during construction or repairing or improving of a permitted structure; not artificially illuminated, or a temporary nature with a maximum area on one side of eight (8) square feet shall be permitted.
 - (c) All permitted signs shall be at least ten (10) feet from the property line and ten (10) feet from the ordinary high water mark.
- (3) All non-conforming signs in place at the time of adoption of the Master Program shall be removed or made conforming within three years from the adoption date. Non-conforming signs established during the three-year period following the adoption of the Master Program shall be removed or made conforming within three years from the adoption date. Non-conforming signs existing after three years from the adoption date shall be removed or made conforming by the owner of the property on which the sign is located. Removal or conformance shall be within fifteen days.
 - (4) The Kittitas County Sign Ordinance shall be strictly enforced where applicable.
 - (5) Off-premise outdoor advertising signs, where permitted, shall be located on the upland side of public transportation routes which parallel and are adjacent to rivers and water bodies. In no instance shall vistas and viewpoints be degraded by reducing visual access to the water by the placement of signs.

Section 32: Recreation. Kittitas County has much to offer in water related recreational activities. Over use or improper use of this resource can result in a diminishing quality, appeal and subsequent viability.

The regulations in this section shall apply to uses related to the recreational experience. The recreational experience may be either an active one involving boating, swimming, fishing or hunting or the experience may be passive such as enjoying the natural beauty of a lake, river or mountain vista.

It is the purpose of this section to foster practices which will preserve and/or enhance the natural shoreline qualities which are necessary to that recreational experience.

- (1) Urban Environment. Any recreational use shall be permitted.
 - (a) All recreational developments shall be landscaped.
- (2) Rural Environment. Only those recreational activities which will not interfere with the normal agricultural operations of neighboring or nearby areas shall be permitted. Particular care must be taken when granting permits so that all existing road easements, fence easements, and water easements, irrigation ditches and water rights shall be recognized.
- (3) Conservancy Environment. Recreational activities such as clubhouses, swimming beaches, developed camping and picnicking facilities shall be permitted provided the facility(ies) or structure(s) will not change or detract from the character of the local environment.
 - (a) Only that clearing of vegetation which is necessary to the development and use of a recreational structure, facility, or access road shall be permitted.
 - (b) Boat launching facilities shall be a conditional use.
- (4) Natural Environment. Recreational uses, such as nature trails, unimproved beaches, and primitive camp sites shall be permitted.
 - (a) Access through the area shall be by trail only.
 - (b) Facilities such as toilet facilities or shelters which do not damage or detract from the qualities or condition of the environment shall be permitted, but must be located as far from the ordinary high water mark as possible.

- (c) Roads and parking shall remain outside of the Environment.
- (d) The removal of vegetation in a Natural Environment shall be limited to that which is necessary for the construction of restrooms, shelters, trails and primitive camp sites. The removal of large trees for such purposes shall be prohibited.
- (e) Sites shall be limited in number and shall be spaced to be compatible with existing vegetation and terrain.
- (5) Signs informing the public of areas available for their use should be posted. The signs should be informative and they should blend with the area.

Section 33: Residential. Shoreline permits are not required for construction on shorelines by an owner, lessee, or contract purchaser of a single family residence for his own use or for the use of his family. However, the Act established a basis for regulating them. (RCW 90.58.020 and 90.58.100)

A shoreline permit is required for the construction or addition to any multi-family residence in which the work exceeds \$1,000 in cost.

- (1) Urban Environment.
 - (a) Multi-family residences shall be permitted in an Urban Environment but must be serviced by municipal water and sewer.
 - (b) Single-family residences shall be permitted in an Urban Environment.
- (2) Rural Environment.
 - (a) Multi-family residences shall be prohibited in a Rural Environment.
 - (b) Single-family residences shall be permitted in a Rural Environment.
- (3) Conservancy Environment.
 - (a) Multi-family residences in the form of Planned Unit Developments shall be permitted as a conditional use in a Conservancy Environment.
 - (b) Single-family residences shall be permitted in a Conservancy Environment.
- (4) Natural Environment.
 - (a) Multi-family residences shall be prohibited in a Natural Environment.
 - (b) Single-family residences shall be permitted in a Natural Environment.

Section 34: Roads, Railroads and Bridges. A road is a linear passageway, usually for motor vehicles, and a railroad is a surface linear passageway with track for train traffic. Bridges shall be any structure whose purpose is to traverse a water body by connecting opposite shorelines. Roads built for the sole purpose of providing access to logging areas shall be regulated under Section 26.

- (1) Roads, railroads and bridges shall be permitted in the Conservancy, Rural and Urban Environments subject to the following:
 - (a) Road Construction:
 - (i) Roads shall be permitted when providing direct access to residences or other structures permitted in each Environment.
 - (ii) Roads necessary for normal agricultural activities shall be permitted.
 - (iii) Clearing for access roads and the running surface shall not be wider than absolutely necessary.
 - (iv) Roads crossing shorelines shall be permitted provided no alternative routes exist.
 - (v) Where dikes are present, they may be used in lieu of a thirty-five (35) foot setback.
 - (b) Railroad Construction:
 - (i) The construction of new railroad lines shall be permitted only where topography prohibits the construction on alternative routes located outside the designated shoreline area.

- (ii) Railroads crossing shorelines shall be permitted only when alternative routes do not exist.
- (2) Natural Environment.
 - (a) Road Construction:
 - (i) Roads shall be permitted when providing direct access to residences or other structures or uses permitted in the Natural Environment.
 - (ii) Clearing for access roads and the running surface shall not be wider than absolutely necessary.
 - (iii) Roads crossing water bodies shall be prohibited.
 - (3) Roads, railways, and bridge structures shall be designed so that minimum flood debris will be trapped by the structure.
 - (4) Road Construction:
 - (a) Roads shall follow natural contours where possible. Natural benches, ridge tops, and flatter slopes are preferred locations.
 - (b) Erodible cut, filled and side cast slopes when allowed within 100 feet of the ordinary high water mark shall be protected by planting or seeding with appropriate ground cover.
 - (c) Cross culverts for relief of ditch drainage shall be installed at all low points in permanent roadways.
 - (d) Culverts across intermittent and tributary streams of less than 20 cubic feet per second mean annual flow located within shorelines of the State shall be adequate in size to carry the maximum anticipated flow.
 - (e) Ditches shall be installed on the uphill side of all permanent roads, except through solid rock cuts. Ditches shall be kept clear of obstructions.
 - (f) Major roads shall be surfaced with rock whenever necessary to prevent erosion of the subgrade.
 - (g) Roads shall either be maintained so as to minimize erosion or be permanently closed and reforested or planted or seeded with appropriate ground cover.
 - (h) All road segments shall have complete drainage control by the end of the construction season in which initial grading occurred.
 - (5) Railroad Construction:
 - (a) Regulations for road construction, Section 34 (6) (a) through (h) shall apply to the construction of railroad beds.
 - (6) Bridge Construction:
 - (a) Bridges shall be designed and built so that they will not restrict or interfere with high water flows and be high enough to allow all potential debris to pass under.
 - (b) Any disturbed bank material shall be removed from the channel and any soils exposed by bridge construction shall be protected from erosion by planting or seeding with appropriate ground cover, by rip-rap or by other means.
 - (c) At least one end of each stringer bridge shall be tied to prevent it from being washed away during high water.

Section 35: Shoreline Works and Structures. Shoreline works and structures not including irrigation works, but including bulkheads, breakwaters, jetties, groins, shoreline protection structures and piers are a necessary adjunct to many beneficial uses of the shoreline. At the same time, since shoreline works and structures often involve major transformations of the shorelines where they are located, it is imperative that they be sited, designed, constructed and/or expanded with care for the shoreline environment and for other shoreline uses.

- (1) Shoreline works and structures shall be permitted in a Conservancy, Rural and Urban Environment only where they do not substantially change the character of that environment, where

- they are a necessary part of a project clearly dependent on a nearby location and where necessary to protect or facilitate irrigation structures. Any project will be denied if the possibility that downstream properties and natural river systems will be adversely affected by any such development.
- (2) Natural Environment. Shoreline works and structures shall be prohibited in shoreline areas designated as a Natural Environment.
 - (3) Where shoreline works and structures can have significant adverse effects, including direct destruction of or damage to fish and wildlife habitat and indirect effects on currents causing shoaling and/or erosion, it is the responsibility of the applicant to determine the nature of those effects and to demonstrate how those effects will be minimized or eliminated.
 - (4) Shoreline alterations which result in or tend toward channelization of streams and rivers shall be avoided.
 - (5) Rip-rapping and other bank stabilization measures shall be located, designed, and constructed to avoid the need for channelization and to protect the natural character of the streamway.
 - (6) Flood protection measures shall be placed landward of the streamway, which includes the wetlands, swamps and marshes.
 - (7) Channelization as a flood protection measure shall be controlled in accordance with the State and local flood control measures.
 - (8) Flood Control Zone Permit must be obtained for all shoreline works or structures, constructed or modified, private or public, and done within an established flood control zone.
 - (9) Where both might be applicable, floating structures are preferred over non-floating types in order not to interfere with waterlife, currents, sand movements, and circulation. Where practical, open piling is preferred for piers and docks.
 - (10) Encouragement shall be given to the cooperative use of docks rather than a proliferation of single purpose private docks in order to minimize disruption of shorelines and reduction of usable water surface.
 - (11) Construction of bulkheads, for the purpose of creating land at the expense of reducing the water surface area or flood water storage area, shall not be permitted.
 - (12) Shoreline works and structures shall be designed where practical, to blend with the surrounding areas and not detract from the aesthetic qualities of the shoreline.
 - (13) The ecological importance of swamps, marshes, and wetlands shall be recognized and efforts made to maintain these areas in their natural state.
 - (14) Shoreline works and structures shall minimize and/or compensate adverse effects on sand movement and further minimize alteration of the natural shoreline.
 - (15) The risk of oil spills or other dangers that would arise because of shoreline structure must be evaluated and accounted for when applying for permission to build.
 - (16) Shoreline works and structures must meet minimum engineering standards accepted by a qualified professional engineer.

Section 36: Solid Waste Disposal. "Solid Waste" is all putrescible and nonputrescible solid or semi-solid wastes, including garbage, rubbish, ashes, industrial wastes, swill, demolition, and construction wastes, abandoned vehicles, or parts thereof, and discarded commodities.

The collection, storage, transferring and disposal of any solid waste material which creates a public nuisance or health hazard shall be subject to the regulations in this section.

- (1) The proper disposal of solid waste in a Conservancy, Rural, or Urban Environment shall be permitted.
- (2) Natural Environment. The disposal of any solid waste material in a Natural Environment shall be prohibited.
- (3) Shoreline areas are not to be considered for sanitary land fills or the disposal of solid waste.

- (4) All solid waste disposal sites shall conform to the State minimum functional standards for solid waste handling (WAC 173-301).
- (5) All solid waste disposal sites shall conform to Kittitas County's solid waste management plan.
- (6) All solid waste transfer sites, where allowed, shall be designed to minimize adverse visual impacts. Landscaping, including the planting of vegetation to beautify and screen these areas shall be required.
- (7) Transfer sites shall be designed to avoid the scattering of rubbish by the wind.

Section 37: Utilities. Utilities are services which produce and carry such things as electric power, sewage, communications, and fuels. At this time the most feasible methods of transmission are the lineal ones of pipes and wires. Installation of these systems disturbs the landscape but can usually be planned to have minimal visual and physical effect on the environment.

- (1) Urban and Rural Environments. Utility services in an Urban and Rural Environment shall be subject to Section 37 (2) (b).
 - (a) Utilities shall be placed underground wherever feasible.
- (2) Natural and Conservancy Environments. Utility services in shoreline areas designated as Natural and Conservancy Environments shall be permitted subject to the following regulations:
 - (a) Those utilities required to service uses permitted in a Natural and Conservancy Environment shall be permitted.
 - (b) Those utilities which unavoidably must cross a body of water or pass through the Environment shall be permitted.
 - (c) Utility service drops to shoreline use facilities shall be underground.
- (3) When alternatives exist, overhead utilities shall not parallel shorelines unless for the electrification of railroad lines.
- (4) Where such utility systems cross shoreline areas, clearing necessary for installation or maintenance shall be kept to the minimum necessary to prevent interference by trees and other vegetation with the proposed facilities.
- (5) Upon completion of installation of any underground or overhead system or of any maintenance project which disrupts the environment, the disturbed area shall be regraded to compatibility with the natural terrain and replanted to prevent erosion and provide an attractive vegetation cover which is harmonious with the surrounding area and the project requirements.
- (6) When alternatives exist, utilities shall not obstruct, parallel or destroy scenic views.

Section 38: Permit Fees, Applications and Permit Review Procedure. If a shoreline permit is required, the applicant shall make application on forms provided by the Administrator. Incomplete applications will not be accepted. Fees and procedures are established in Section 38 (1) through (2) (j) below.

- (1) A fee of \$50.00 shall accompany each permit application filed with the Administrator. This fee is intended to help defray administration costs.
- (2) If a shoreline permit is required, the applicant must follow the application procedure outlined below. A minimum of eighty-three (83) days is involved in the permit process. The Administrator will assist in completing the application.
 - (a) The applicant must, at his own expense, publish two (2) legal notices in the local paper one each week for two consecutive weeks. (Attached to the application shall be a standard form for the legal notices.)
 - (b) The Administrator, upon receipt of an affidavit of publication, shall mail notice of the application to all property owners of record within three hundred (300) feet of the boundaries of the property involved in the application.

PLATE 9

Site location

TEANAIVAY R.

TIGN RIBE

I-90

US-97

NATIONAL FOREST BOUNDARY

TANEUT

CR.

GENERALIZED ENVIRONMENT DESIGNATIONS



URBAN
RURAL
CONSERVANCY
NATURAL

1 INCH = 1 MILE