

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

ORDINANCE

NO. 2025- 001

**REVISIONS OF KITTITAS COUNTY CODE AND COMPREHENSIVE PLAN
AS PART OF THE 2024 ANNUAL COMPREHENSIVE PLAN AMENDMENT CYCLE.**

Whereas, this ordinance, revising Kittitas County Code and Comprehensive Plan, contains four sections of findings, as follows:

Section I -	Procedural Findings
Section II -	Board of County Commissioners Findings
Section III -	Final Decision and Signatures
Exhibits A-L	Changes to Kittitas County Code and Comprehensive Plan

SECTION I PROCEDURAL FINDINGS

- Whereas,** Kittitas County opted into the Growth Management Act (GMA), RCW 36.70A, voluntarily on December 27, 1990, through Resolution 90-138; and
- Whereas,** The Kittitas County GMA Comprehensive Plan was originally adopted on July 26, 1996, by the Kittitas County Board of County Commissioners; and
- Whereas,** Kittitas County Code 15B.03.030 indicates that any interested person, including applicants, citizens, county commission and board members, and staff of other agencies may suggest plan or development regulation amendments for annual consideration by the Kittitas County Planning Commission and Board of County Commissioners; and
- Whereas,** Kittitas County Code 15B.03.030 requires amendments to the comprehensive plan or development regulations that are docketed by June 30th must be approved or denied by the Board of County Commissioners on or before December 31st of that same calendar year; and
- Whereas,** Kittitas County Community Development Services docketed a list of suggested changes to the Kittitas County Code and Comprehensive Plan and made these proposals readily available for review by the public in Community Development Services and within the County's official website; and
- Whereas,** Kittitas County filed its overall docket SEPA checklist on August 7, 2024, and issued a Determination of Non-significance (DNS) for the annual docket on August 15, 2024, through authority of WAC 197-11-340(2); and
- Whereas,** Kittitas County submitted its proposed docketed items on September 13th, 2024, to the Department of Commerce as required by statute and received a letter of receipt on September 17th, 2024, that the docket proposal had been received and was sent to other agencies for comment; and
- Whereas,** Comments were received from state agencies and members of the public; and
- Whereas,** Kittitas County submitted supplemental information on September 27, 2024, to the Department of Commerce and received a letter of receipt on September 30, 2024; and
- Whereas,** Kittitas County submitted supplemental information and received a letter of receipt on October 8, 2024, from the Department of Commerce; and
- Whereas,** Three individual SEPA checklists for the individual citizen docket requests were all filed prior to June 30, 2024. Kittitas County issued a Mitigated Determination of Non-significance (MDNS) for Docket Items 2024-11 and Docket # 2024-13 and a Determination of Non-significance (DNS) for Docket # 2024-12 through authority of WAC 197-11-340; and

- Whereas,** One timely SEPA appeal was received on October 10, 2024, for Docket Item 2024-13; and
- Whereas,** The SEPA determination for Docket # 2024-13 was withdrawn with a new SEPA mitigated threshold determination issued on October 16th, 2024; and
- Whereas,** A timely SEPA appeal was received on October 29th, 2024, for Docket Item 2024-13; and
- Whereas,** The Planning Commission conducted an open public meeting on August 13, 2024, to review the Docketed list (Docket Items 2024-01 through 2024-13) for general questions to staff; and
- Whereas,** Due public notice was placed upon the County official website regarding the Planning Commission public hearings; and
- Whereas,** The Planning Commission conducted a public hearing on September 10th, 2024, and September 11th, 2024, to hear testimony and take public comment on Docket Items 2024-01 through 2024-10, and after deliberation made recommendations to the Board of County Commissioners, taking due consideration of the public benefit involved in the proposals; and
- Whereas,** The Planning Commission conducted a public hearing on November 12th, 2024, to hear testimony and take public comment on the Docket Item #'s 2024-11, 2024-12, & 2024-13 and after deliberation made recommendations to the Board of County Commissioners on Docket Items 2024-11, 2024-12; and
- Whereas,** The Planning Commission continued the November 12th, 2024, public hearing for Docket Item 2024-13 to December 3rd, 2024; and
- Whereas,** The Planning Commission conducted the continued public hearing on December 3rd, 2024, to hear additional testimony and take public comment regarding Docket Item # 2024-13 and after deliberation made recommendations to the Board of County Commissioners; and
- Whereas,** After due notice the Kittitas County Board of County Commissioners held an open public meeting on October 22, 2024, regarding Docket Items 2024-01 through 2024-10; and
- Whereas,** After due notice and publication on the County's official website and in the Ellensburg Daily Record on October 24, 2024 and October 31, 2024, the Kittitas County Board of County Commissioners held an open public hearing on Docket Items 2024-01 through 2024-10 on November 6, 2024; and
- Whereas,** At the public hearing on November 6, 2024, and after deliberation, the Board of County Commissioners voted 3-0 to approve Docket Items 2024-01 through 2024-06 and 2024-08 through 2024-10, withdrawing Docket # 2024-07; and

- Whereas,** After due notice the Kittitas County Board of County Commissioners held an open public meeting on November 25th, 2024, regarding Docket Items 2024-08 for clarification, and 2024-11 through 2024-13; and
- Whereas,** After due notice and publication on the County's official website and in the Ellensburg Daily Record on November 14th, 2024 and December 5th, 2024, the Kittitas County Board of County Commissioners held the SEPA appeal hearing on Docket Items 2024-13, public hearings on 2024-11, and 2024-12, and reconsidered Docket Item 2024-08 on December 9th, 2024; and
- Whereas,** At the public hearing on December 9th, 2024, and after deliberation, the Board of County Commissioners reconsidered Docket Item 2024-08 and clarified that the 3-0 vote of approval at the November 6th, 2024, public hearing was to deny the Planning Commission's recommendation and approve this request as originally presented by staff.
- Whereas,** Due public notice was issued to all parties of record; and
- Whereas,** The Kittitas County Board of County Commissioners continued the SEPA appeal public hearing on Docket Item 2024-13 to December 17th, 2024; and
- Whereas,** After due notice and publication on the County's official website and in the Ellensburg Daily Record, the Kittitas County Board of County Commissioners held the SEPA appeal hearing and public hearing on Docket Item 2024-13, on December 17th, 2024; and
- Whereas,** At the SEPA Appeal hearing on December 17th, 2024, and after deliberation, the Board of County Commissioners voted 3-0 to deny the SEPA appeal upholding Kittitas County Community Development Services Department's SEPA mitigated threshold determination regarding Docket Item 2024-13; and
- Whereas,** At the public hearing on December 17th, 2024, and after deliberation, the Board of County Commissioners voted 3-0 to approve Docket Item 2024-13; and
- Whereas,** Following the decisions on the docket items on December 17th, 2024, the Kittitas County Board of Commissioners instructed County staff to prepare an ordinance for their signature to adopt changes to the Kittitas County Code and Comprehensive Plan; and
- Whereas,** The Kittitas County Board of County Commissioners considered enabling documents before the public on January 7th, 2025.

SECTION II – BOARD OF COUNTY COMMISSIONERS FINDINGS

General Findings:

The Kittitas County Board of County Commissioners held a public hearing on November 6, 2024, December 9th, 2024, and December 17th, 2024, to hear testimony and accept written comments

regarding proposed amendments to the Kittitas County Code and Comprehensive Plan. All members of the public who wanted to testify were allowed to speak or submit written correspondence into the record.

The docketed items discussed during the Board of County Commissioners public hearing included:

**2024-01 Kittitas County Proposal:
Amend the Annual Docketing Deadline date in the Comprehensive Plan and KCC 15B.**

- I. The Planning Commission amended the proposed deadline date to the first Friday of the month of May and recommended approval to the Board of County Commissioners with a vote of 4-0 with twelve (12) findings of facts.
- II. No public testimony was received for this proposal.
- III. The change complies with the Growth Management Act and the objectives of the Comprehensive Plan.

**2024-02 Kittitas County Proposal:
Amend KCC 17.15 land use table footnote #'s 14 & 48 pertaining to Type 1 LAMIRDs therefore becoming consistent with Senate Bill 6140.**

The proposed amendment to KCC 17.15 footnote #'s 14 & 48 pertaining to Type 1 LAMIRDs allows for the maximum square footage for new & existing retail or food services (essential facilities) to not exceed a footprint greater than 10,000 sq. ft. as approved in Senate Bill 6140.

- I. The Planning Commission recommended approval to the Board of County Commissioners with a vote of 4-0 with nine (9) findings of fact.
- II. No public testimony was received for this proposal.
- III. The change complies with the Growth Management Act and the objectives of the Comprehensive Plan.

**2024-03 Kittitas County Proposal:
Amendment to update its land use and zoning maps to reflect approved annexations that have been approved by the City of Ellensburg in 2024.**

- I. The Planning Commission recommended approval to the Board of County Commissioners with a vote of 4-0 with eight (8) findings of fact.
- II. The City of Ellensburg is currently in the process of creating consistency with their land and zoning maps pursuant to this approved annexation.
- III. No public testimony for this proposal was received.
- IV. The change complies with the Growth Management Act and the objectives of the County's Comprehensive Plan.

**2024-04 Kittitas County Proposal:
Amend KCC 2.56, 14, 12, & 16 allowing surveys to be submitted and recorded on paper instead of mylars.**

- I. The Planning Commission amended the proposal to allow surveys to be recorded on both paper and mylar and recommended approval to the Board of County Commissioners with a vote of 4-0 with nine (9) findings of facts.
- II. No public testimony for this proposal was received.
- III. The change complies with the Growth Management Act and the objectives of the Comprehensive Plan.

2024-05 Kittitas County Proposal

This proposal is to add a definition for Agritourism consistent with RCW 4.24.830.

- I. The Planning Commission recommended approval to include an agritourism definition into Kittitas County Code (KCC), specifically KCC 17.08.034F Agritourism, by a vote of 4-0 with eleven (11) findings of fact.
- II. Public testimony was received for this proposal.
- III. The change complies with the Growth Management Act and the objectives of the Comprehensive Plan.

2024-06 Kittitas County Proposal:

This proposal was submitted by the Short-Term Rental committee to add the complete RCW 64.37 as a definition for Short-Term Rentals.

- I. The Planning Commission amended the proposal to include RCW 64.37.010 (1-11) as the short-term rental definition into Kittitas County Code (KCC), specifically KCC 17.08.486 Short-Term Rental and recommended approval to the Board of County Commissioners with a vote of 4-0 with seventeen (17) findings of fact.
- II. Public testimony for this proposal was received.
- III. Written testimony for this proposal was received.
- IV. The change complies with the Growth Management Act and the objectives of the Comprehensive Plan.

2024-07 Kittitas County Proposal:

Amend the land use and zoning maps within the urban growth area of the City of Kittitas.

Discussions occurred with the City of Kittitas who has decided to address this issue as part of their comprehensive plan update.

- I. The Planning Commission recommended approval to withdraw the proposal to the Board of County Commissioners with a vote of 4-0 with seven (7) findings of facts.
- II. No public testimony for this proposal was received.
- III. The change complies with the Growth Management Act and the objectives of the Comprehensive Plan.

2024-08 Kittitas County Proposal:

Amend KCC Title 14 creating a simplified process for future updates due to WA State Code Amendments that occur.

The Board of County Commissioners held a public hearing on December 9th, 2024, for reconsideration and clarification on original vote from the November 6th, 2024, hearing, and approved the request with a 3-0 vote denying the Planning Commission's recommendation of denial and approved this request as originally presented by staff:

- I. The Planning Commission recommended denial to the Board of County Commissioners with a vote of 4-0 with twelve (12) findings of fact.
- II. The Board of County Commissioners voted 3-0 to deny the Planning Commission's recommendation and to approve this docketed request as originally proposed by staff.
- III. No public testimony for this proposal was received.
- IV. The change complies with the Growth Management Act and the objectives of the Comprehensive Plan.

2024-09 Kittitas County Proposal:

Amend KCC 12 proposing clarifications of private road standards regarding private road certifications, private road design standards (Table 12.04.04-1), description of civil review processes, removal of unnecessary turnaround requirement, including code language to be consistent with Ord. 2022-017, 2022 Article VII. Driveway Access, and mylar submittal requirement.

- I. The Planning Commission made amendments to the proposal and recommended approval to the Board of County Commissioners with a vote of 4-0 with twelve (12) findings of facts.
- II. Kittitas County Department of Public Works is in support of the Planning Commissions amendments to the proposal.
- III. No public testimony for this proposal was received.
- IV. The change complies with the Growth Management Act and the objectives of the Comprehensive Plan.

2024-10 Kittitas County Proposal:

Amend KCC 16 adding a preliminary plat approval revision process.

- I. The Planning Commission made amendments to the proposal and recommended approval to the Board of County Commissioners with a vote of 4-0 with thirteen (13) findings of facts.
- II. No public testimony was received for this proposal.
- III. Written testimony for this proposal was received.
- IV. The change complies with the Growth Management Act and the objectives of the Comprehensive Plan.

**2024-11 Citizen-Initiated Proposal:
Comprehensive Plan Amendment and Rezone**

This amendment was proposed by a private citizen and has been assigned file numbers RZ-24-00002. Spring Tree Ranch L.L.C. & Fowler Creek Trust proposed a rezone change of 22.27 acres from Agriculture 5 to Planned Unit Development. A comprehensive plan amendment (CP-24-00002), rezone application (RZ-24-00002), and SEPA checklist were submitted as part of the application packet. A SEPA mitigated threshold determination of non-significance (MDNS) was

issued with no appeals. The processing of this non-project specific rezone is consistent with Kittitas County Code 15B.03 Amendments to the Comprehensive Plan.

The Board of County Commissioners held a public hearing on December 9th, 2024, and approved the request as presented by a 3-0 vote, finding that:

- I. Planning Commission Member Pat Deneen recused himself from Docket Item 2024-11 application.
- II. The Planning Commission recommended approval to the Board of County Commissioners with a vote of 4-0.
- III. No public testimony for this proposal was received
- IV. Written testimony for this proposal was received.
- V. The change complies with the Growth Management Act and the objectives of the Comprehensive Plan.

**2024-12 Citizen-Initiated Proposal:
Comprehensive Plan Amendment and Rezone**

This amendment was proposed by a private citizen and has been assigned file numbers CP-24-00003 and RZ-24-00003. Flying A Land L.L.C. & Schmidt House L.L.C. proposed a rezone of 91 acres from Agricultural 20 to Planned Unit Development. A rezone application (RZ-24-00003), and SEPA checklist were submitted as part of the application packet. A SEPA threshold determination of non-significance (DNS) was issued with no appeals. The processing of this non-project specific rezone is consistent with Kittitas County Code 15B.03 Amendments to the Comprehensive Plan.

The Board of County Commissioners held a public hearing on December 9th, 2024, and approved the request as presented by a 3-0 vote, finding that:

- I. Planning Commission Member Pat Deneen recused himself from Docket Item 2024-12.
- II. The Planning Commission recommended approval to the Board of County Commissioners with a vote of 4-0.
- III. No public testimony was received for this proposal.
- IV. Written testimony for this proposal was received.
- V. The change complies with the Growth Management Act and the objectives of the Comprehensive Plan.

**2024-13 Citizen-Initiated Proposal:
Rezone**

This amendment was proposed by a private citizen and has been assigned file number RZ-24-00001. Kristin Gibson is proposed a rezone of 42.4 acres from Agriculture 20 to Forest & Range. The rezone will allow the current use of the property to be consistent and compatible with the zoning code, as well as existing permitted uses and approved uses on site. A rezone application (RZ-24-00001), and SEPA checklist were submitted as part of the application packet. A SEPA mitigated threshold determination of non-significance (MDNS) was issued with a timely SEPA appeal filed on October 10, 2024. The SEPA Threshold determination was withdrawn, and a new mitigated threshold determination (MDNS) was re-issued. A timely SEPA appeal was filed on October 29th, 2024. The SEPA appeal was considered by the Board of County Commissioners prior to considering the rezone application. The processing of this non-

project specific rezone is consistent with Kittitas County Code 15B.03 Amendments to Comprehensive Plan.

Prior to considering the rezone application, the Board of County Commissioners opened the SEPA appeal and public hearings on December 9th, 2024, and continued the SEPA appeal and public hearing to December 17th, 2024, and denied the SEPA appeal by a 3-0 vote, finding that:

- I. The rezone of Forest & Range is consistent with the current land use designation Rural Working.
- II. The Rural Working land use designation allows the Forest Range Zoning district.
- III. Rezoning this parcel to Forest & Range is not creating inconsistencies or a spot rezone as the land use designation allows for Forest and Range zoning to occur.
- IV. This parcel is not prime agricultural ground nor is irrigated and is range ground.
- V. As part of the compliance effort, in 2013 Forest & Range and those permitted uses were reviewed and approved creating consistency between Rural Working land use designations and zoning districts.

The Board of County Commissioners held a public hearing on December 17th, 2024, to consider Docket Item 2024-13 rezone amendment and approved the request as presented by a 3-0 vote, finding that:

- I. The Planning Commission recommended approval to the Board of County Commissioners with a vote of 4-1.
- II. Public testimony was received for this proposal.
- III. Written testimony for this proposal was received.
- IV. The change complies with the Growth Management Act and the objectives of the Comprehensive Plan.

SECTION III - FINAL DECISION AND SIGNATURES

BE IT ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendments to the Kittitas County Comprehensive Plan and KCC 15B, as shown in **Exhibit A**.

BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendments to KCC Title 17.15, as shown in **Exhibit B**.

BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendments to the Kittitas County Zoning, as shown in **Exhibit C**.

BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendments to KCC 2.56, 12, 14, & 16, as shown in **Exhibit D**.

BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendment to KCC 17.08, as shown in **Exhibit E**.

BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendment to KCC 17.08, as shown in **Exhibit F**.

BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendments to KCC 14, as shown in **Exhibit G**.

BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendments to KCC 12, as shown in **Exhibit H**.

BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendments to KCC 16, as shown in **Exhibit I**.

BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves a comprehensive map and rezone, as shown in **Exhibit J**.

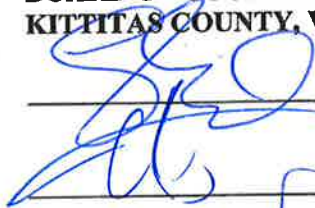


BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves a comprehensive map and rezone, as shown in **Exhibit K**.

BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves a rezone, as shown in **Exhibit L**.

NOW, BE IT FURTHER ORDAINED that the Board of County Commissioners, after due deliberation, hereby approves the adoption of the 2024 Amendments to the Kittitas County Comprehensive Plan and Code as shown in Exhibits A through L attached hereto and incorporated by reference. Information Services is hereby directed to make these changes to the regulations on the County website. The Community Development Services Director and Prosecuting Attorney are authorized to correct any scrivener's errors without Board approval.

Adopted this 7th day of January 2025, at Ellensburg, Washington.

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


_____, Chairman

_____, Vice-Chairman

_____, Commissioner



ATTEST:

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



APPROVED AS TO FORM:

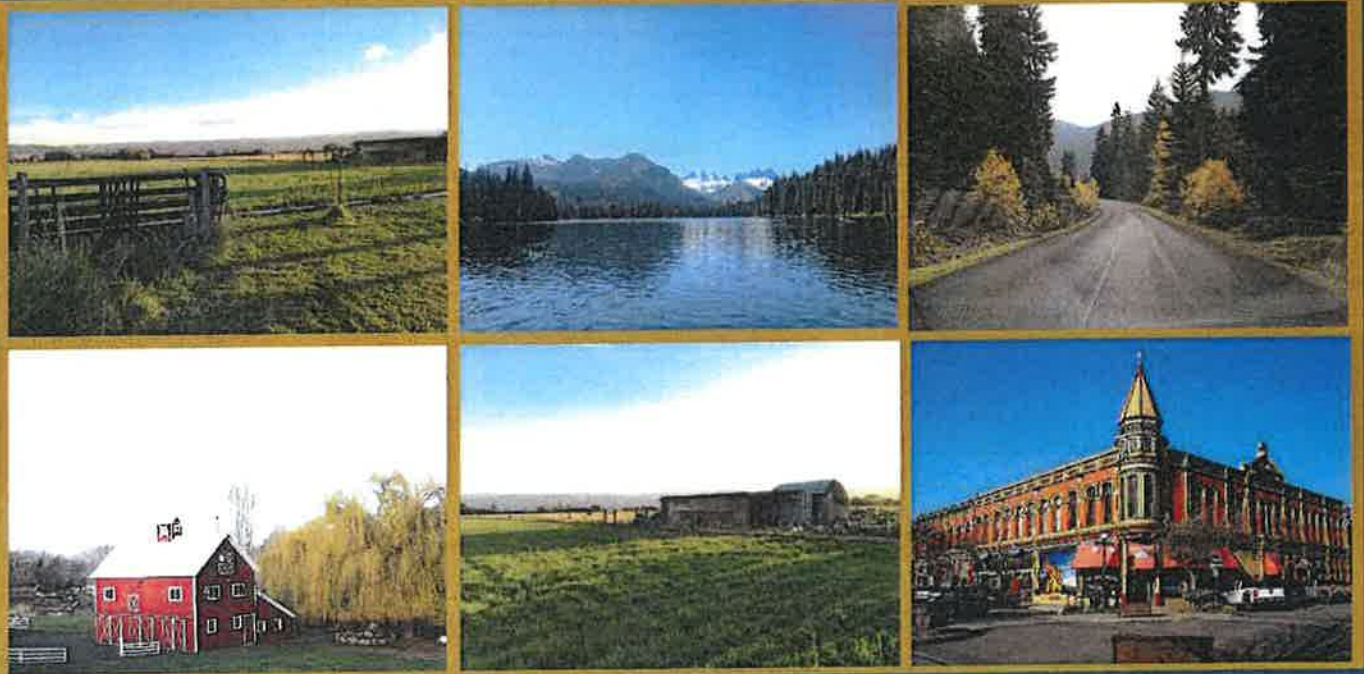
Stephanie Hartung, Deputy Prosecuting Attorney
signing for Gregory L. Zempel Prosecuting Attorney

Exhibit A: Docket Item 2024-01

Annual Comprehensive Plan & Title 15B Docket Date Change

Kittitas County
WASHINGTON

COMPREHENSIVE PLAN



December 2021



Each advisory group was comprised of approximately 10 to 15 members and met throughout 2016 to develop a vision statement as well as goals and objectives for the County in each of their subject areas. The County's previous Comprehensive Plan was audited by each group to determine whether there were areas that needed further refinement and development, either to comply with the Growth Management Act, or to better reflect Kittitas County's current development trends or its vision for future growth.

The work of each Advisory Group has been carefully documented in meeting minutes and has been recorded within the updated record documents maintained by the County. Each element within this document has been drafted to accord with the work and recommendations of each Advisory Group to the greatest extent possible.

1.1.3 Working Group

Following the initial groundwork performed by each of the Advisory Groups, the process of drafting this Comprehensive Plan was streamlined by forming a single Working Group from representatives of each of the Advisory Groups. The Working Group has been responsible for reviewing the proposed Drafts of the Comprehensive Plan, as prepared by Kittitas County staff and its consultant, for final approval. Several Working Group meetings were held between June 2017 and April 2018. Drafts of the majority of the Comprehensive Plan Elements were presented to the Working Group and were read through and discussed at each Working Group meeting. Final edits to the current draft were made as a result of these meetings.

1.1.4 Website

The County maintains a Comprehensive Plan webpage as a source of information to all interested parties. This webpage aims to boost project transparency while functioning as a first stop for current Comprehensive Plan updates and efforts. While recent work products of the Advisory Committees, including meeting notes, minutes and handouts, are often available on the web site, the County maintains a more robust record of all efforts related to the Comprehensive Plan. The webpage has a comments section and offers a sign-up opportunity for those interested in automatic e-mail updates on the Comprehensive Plan.

1.2 AMENDMENTS TO COUNTY PLANS, CODES, AND STANDARDS

The Kittitas County Comprehensive Plan, elements thereof, and development regulations shall be subject to continuing evaluation and review by Kittitas County. Any change to development regulations shall be consistent with and implement the comprehensive plan as adopted pursuant to RCW 36.70A.

Kittitas County shall broadly disseminate to the public the following program for public participation in amendments to the county comprehensive plan and development regulations:

1. 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. For purposes of this section, a deficiency in a comprehensive plan or development regulations refers to the absence of required or potentially desirable contents of a comprehensive plan or development regulations. It does not refer to whether a development regulation addresses a project's probable specific adverse impacts, which the permitting agency could mitigate in the normal project review process.

2. 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 and considered by Kittitas County Planning Commission and Board of County Commissioners on at least an annual basis, consistent with the provision of RCW 36.70A.130 and the regulatory reform act ESHB 1724.
3. Proposed amendment or revisions of the comprehensive plan are considered by the Board of County Commissioners no more frequently than once a year except that amendments may be considered more frequently under the following circumstances:
 - a. The initial adoption of a subarea plan; and
 - b. The adoption or amendment of a Shoreline Master Program under the procedures set forth in RCW 90.58.
4. All proposals shall be considered by Kittitas County concurrently so that 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.
5. For purposes of this section, docketing refers to compiling and maintaining a list of suggested changes to the comprehensive plan or development regulations 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 1 to June 30 of each calendar year. Amendments docketed after June 30 shall be considered in the following calendar year.
6. Amendments to the comprehensive plan or development regulations docketed by ~~June 30~~ the First Friday of May shall be approved or denied by the Board of County Commissioners on or before December 31 of that same calendar year.
7. In order to facilitate public participation, Kittitas County shall maintain and provide for the following procedures when considering amendments to the comprehensive plan and development regulations:
 - a. 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.
 - b. Opportunity for written comments. Written testimony shall be allowed from the date of docketing up to the date of closing of the written testimony portion of the public hearing.
 - c. Public Meetings. Study sessions and hearings shall be held only after effective notice has been distributed.
 - d. Provisions for open discussion. Hearings shall allow for sufficient time allotments in order that all parties that wish to give oral or written testimony may do so.
 - e. Communication programs and information services. A newsletter that summarizes amendments docketed and projected meeting and hearing dates should be provided by the Planning Department for distribution to all parties that have requested to receive it by mail. Copies of proposed amendments shall be available at cost of reproduction.

Kittitas County Code

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.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~~ the first Friday in May 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~~ the first Friday in May 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 SEPA checklist in conformance with the KCC 15.04 SEPA Regulations and by review fee(s) paid in full.

(Ord. 2017-001, 2017; 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~~ the first Friday in May of each calendar year. Amendments docketed after ~~June 30th~~ the first Friday in May shall be considered in the following calendar year. Amendments to development regulations docketed by ~~June 30th~~ the first Friday in May 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.

Exhibit B: Docket Item 2024-02

Amendments to Title 17.15 Land Use Table Footnote

7 10 15 20 25 30 35 40 45 50 55 60 65 70 75 80 85 90 95 100

G. Resource

Forestry*			P	P	
Forest product sales*					
Mining and excavation*					
Rock crushing*					
	Residential	Residential 2	Rural 5	Agriculture 3	Gen

H. Utilities and Public Facilities

Electric vehicle infrastructure	P <u>23</u>	P <u>23</u>	P <u>23</u>	P <u>23</u>	P <u>23</u>
Public facilities	PA <u>55</u>	PA <u>55</u>	PA <u>55</u>	PA <u>55</u>	PA <u>55</u>
Solar Power Production Facilities	<u>59</u>	<u>59</u>	<u>59</u>	<u>59</u>	<u>59</u>
Utilities	P <u>33</u> / ACU <u>33</u> / CU <u>33</u>	P <u>33</u> / ACU <u>33</u> / CU <u>33</u>	P <u>33</u> / ACU <u>33</u> / CU <u>33</u>	P <u>33</u> / ACU <u>33</u> / CU <u>33</u>	P <u>33</u>
Watershed management activities	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 no more 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 within established cemetery boundaries as of the date of amendment adoption, and 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)~~ ten thousand (10,000) 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. Reduction or disposal of garbage, offal or similar refuse;
 - h. Oil refining; alternative energy refinery (i.e. biofuels, ethanol)
 - i. Rubber reclaiming;
 - j. Feed yards, livestock sales yards or slaughterhouses;
 - k. Smelting, reduction or refining of metallic ores;
 - l. Tanneries;
 - m. Wineries;
 - n. Manufacturing of industrial or household adhesives, glues, cements, or component parts thereof, from vegetable, animal or synthetic plastic materials;
 - o. Waste (refuse) recycling and processing;
 - p. 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:

- q. 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;
- r. 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. Only one (1) ADU shall be allowed per lot;
 - b. Lot size must be at least 6,000 square feet;
 - c. The ADU shall not exceed 1,500 square feet;
 - d. All setback requirements for the zone in which the ADU is located shall apply;
 - e. The ADU shall meet the applicable health department standards for potable water and sewage disposal, including providing adequate water supplies under RCW 19.27.097;

- f. No mobile homes or recreational vehicles shall be allowed as an ADU;
 - g. The ADU shall provide additional off-street parking;
 - h. An ADU is not permitted on the same lot where a special care dwelling or an Accessory Living Quarters exists;
 - i. The ADU must share the same driveway as the primary dwelling;
 - j. ADUs shall be subject to obtaining an administrative permit.
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.
 - h. Park model trailers shall obtain the same building permit as for placement of a manufactured home.
 - i. Park model trailers shall be inspected and approved by Washington State Department of Labor and Industries.
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.
- 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. (Removed per Ord. 2022-017, 2022)
- 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)~~ ten thousand (10,000) 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.*
- 55. Pursuant to KCC Chapter 17.62, Public Facilities Permits.
- 56. Required to meet all the review criteria requirements for conditional use permits found in KCC 17.60A.015.
- 57. Limited to primitive campgrounds as defined by KCC 17.08.155A.
- 58. Subject to the following requirements:
 - a. Manufactured home parks shall require approval of a binding site plan pursuant to KCC Title 16.
 - b. Manufactured home park density shall not to exceed twelve (12) units per acre. A minimum of five (5) manufactured home spaces shall be required per park.

- c. Manufactured home parks shall provide not less than ten percent (10%) of the gross area of the park for common open space for the use of its residents.
- d. Each manufactured home space shall have direct frontage on a public or private street.
- e. The minimum setbacks shall be consistent with the zoning classification they are located in.

59. Pursuant to KCC 17.61C.050 and 17.61C.060.

60. Applies only to Snoqualmie Pass LAMIRD.

61. Day Care Facilities servicing 13 or more adults or children within a 24-hour period require a Conditional Use Permit. All Day Care Facilities must comply with all State licensing requirements.

(Ord. 2023-010, 2023; Ord. 2022-017, 2022; Ord. 2021-015, 2021; Ord. 2018-021, 2018; Ord. 2018-018, 2018; Ord. 2018-001, 2018; Ord. 2015-010, 2015; Ord. 2014-015, 2014; Ord. 2014-005, 2014; Ord. 2014-004, 2014; Ord. 2013-012, 2013; Ord. 2013-008, 2013; Ord. 2013-001, 2013)

Exhibit C: Docket Item 2024-03

Annexation Map Changes

ORDINANCE NO. 4941

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON ANNEXING PARCELS 166133, 118133, 118836, 278836, 108836, 288133, 850836, 278133, 919333, and 639333 TO THE CITY OF ELLENSBURG, WASHINGTON, ASSIGNING COMMERCIAL HIGHWAY ZONING CLASSIFICATION TO PARCELS 919333 AND 639333 AND LIGHT INDUSTRIAL ZONING TO THE REMAINING PACELS, PROVIDING FOR THE PROPORTIONAL ASSUMPTION OF EXISTING CITY INDEBTEDNESS AND FIXING A TIME WHEN THE SAME SHALL BE EFFECTIVE.

WHEREAS, on January 24, 2024, the City of Ellensburg, Washington received a notice of intention to commence annexation proceedings pursuant to the "direct petition" method of RCW 35A.14.120 for parcels 166133, 118133, 118836, 278836, 108836, 288133, 850836, and 278133, as more fully described in Section 1 of this Ordinance and depicted in Exhibit A, attached hereto; and

WHEREAS, to eliminate an adjacent unincorporated island within the City of Ellensburg's Urban Growth Area, Community Development Staff added two (2) adjacent parcels to the proposal. These parcel numbers include 919333 and 639333; and

WHEREAS, on February 5, 2024, the City Council of the City of Ellensburg, Washington held a public meeting with the annexation initiators pursuant to RCW 35A.14.120 and determined that the initiators could proceed to acquire a 60% petition for annexation pursuant to RCW 35A.14.120; and

WHEREAS, at its February 5, 2024, public meeting, the City Council set the annexation area by adding two (2) additional parcels, 919333 and 639333 to the annexation area to eliminate an adjacent unincorporated island with the City's Urban Growth Area (UGA); and

WHEREAS, City Council further determined at the February 5, 2024, meeting that the two (2) added parcels, 919333 and 639333, would receive a Commercial Highway zoning designation, the remaining eight (8) parcels subject to annexation would be zoned Light Industrial, and all ten (10) parcels would assume the annexation area's proportional share of City indebtedness; and

WHEREAS, the owners of not less than 60% in value, according to the assessed valuation for general taxation of the property hereinafter described, signed the petition pursuant to RCW 35A.14.120 for the annexation of said area to the City of Ellensburg, Washington; and

WHEREAS, the petition for annexation was certified as sufficient by the Kittitas County Assessor, on February 23, 2024. City staff determined that the petition signatures have a combined total assessed value for general taxation of not less than 60% of the total assessed value for general taxation of all property in the proposed annexation area, in compliance with RCW 35A.01.040; and

WHEREAS, the City provided public notice of the petition for annexation and has provided an opportunity for comment thereon by all interested citizens at a duly called and noticed public hearing; and

WHEREAS, on March 14, 2024, pursuant to proper notice given in accordance with RCW 35A.14.130 and ECC 15.220, the Planning Commission conducted a public hearing on the proposed annexation, and following such hearing recommended City Council approve the annexation request as presented by staff; and

WHEREAS, on April 1, 2024 and May 6, 2024, pursuant to proper notice given in accordance with RCW 35A.14.130 and ECC 15.220, the City Council received and reviewed all of the documentation associated with this annexation proposal, conducted public hearings on the proposed annexation in accordance with RCW 35A. 14.140 and RCW 35A.14.330-.340, and following such hearings determined to effect the annexation of the territory described in Section 1 of this ordinance, finding that the petition for annexation met the applicable requirements, and that the best interests of the City of Ellensburg, Washington, will be served by the annexation and that it is appropriate to good government of the City of Ellensburg, Washington, and therefore accepted the petition for annexation pursuant to RCW 35A.14.120 and Chapter 15.360 of the Ellensburg City Code; and

WHEREAS, the territory described in Section 1 of this ordinance is contiguous to the City of Ellensburg, Washington and entirely within the City of Ellensburg Urban Growth Area established pursuant to RCW 36.70A.110,

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Annexation. The following described parcels are hereby annexed to and made a part of the City of Ellensburg, Washington, to wit:

1. Parcel # 166133

That portion of the Southwest Quarter of the Southwest Quarter of Section 34, Township 18 North, Range 18 East, W.M., in the County of Kittitas, State of Washington, lying South and West of the County Road running through said Quarter of Quarter Section; EXCEPT a tract of land bounded by a line beginning at the Southwest corner of said Quarter of Quarter Section, and running thence North along the West boundary line of said Quarter of Quarter Section 630 feet; thence East 100 feet; thence South 630 feet to the South boundary line of said Quarter of Quarter Section; and thence West along the South boundary line of said Quarter of Quarter Section 100 feet to the Point of Beginning;

AND EXCEPT beginning at the Southwest corner of said subdivision; thence North 89°54'11" East, along the South line thereof, 100.02 feet to the True Point of Beginning;

thence North 1°19'14" West, parallel with the West line of said subdivision, 75.00 feet; thence North 38°37' East 268.00 feet; thence South 72°15' East 288.00 feet; thence North 86°16'22" East 44.00 feet; thence South 75°59' East 342.00 feet; thence South 73° 12' East 396.44 feet to the South line of said subdivision; thence South 89°54'11" West, along said South line, 1195.07 feet to the True Point of Beginning;

Together with that portion of Government Lots 3 and 4, Section 3, Township 17 North, Range 18 East, W.M., in the County of Kittitas, State of Washington, described as follows: Beginning at the Northwest corner of said Government Lot 4; thence North 89°54'11" East, along the North line of said Government Lot 4, 1295.09 feet to the True Point of Beginning; thence South 73°12' East 93.56 feet; thence South 74°50' East 179.42 feet; thence North 13°27' 31" West 76.50 feet to the North line of said Government Lot 3; thence South 89°54'11" West, along the North lines of said Government Lots 3 and 4, 244.93 feet to the True Point of Beginning;

Together with that portion of the Southeast Quarter of the Southwest Quarter of Section 34, Township 18 North, Range 18 East, W.M., in the County of Kittitas, State of Washington, bounded by a line described as follows: Beginning at the Southwest corner of said subdivision; thence N 89°54'11" East, along the South line of said subdivision, 219.32 feet to the Westerly line of Parcel A of that certain Survey as recorded the 8th day of July, 1988, in the Book 15 of Surveys, page 165, under Auditor's File No. 513568, records of Kittitas County, Washington; thence N 13°27'31" West, along said Westerly line, 137.12 feet; thence North 36°03' West 264.03 feet; thence North 12°02' East 129.56 feet, more or less, to the Southerly right of way line of West Dolarway Road; thence Northwesterly along said Southerly right of way line to the West line of said subdivision; thence South along said West subdivision line to the True Point of Beginning.

2. Parcels #118133 and #278133

Area 1:

Tract 2 of that certain Survey as recorded December 12, 2023, in Book 46 of Surveys, pages 27 through 29, under Auditor's File No. 202312120030, records of Kittitas County, Washington; being a portion of the Southwest Quarter of Section 34, Township 18 North, Range 18 East, W.M., and the Northwest Quarter of Section 3, Township 17 North, Range 18 East, W.M., in the County of Kittitas, State of Washington.

Area 2:

A tract of land located in Government Lots 3 and 4, Section 3, Township 17 North, Range 18 East, W.M., in the County of Kittitas, State of Washington, described as: Beginning at a point 474.6 feet South and 106.9 feet East of the northwest corner of Government Lot 3, Section 3, Township 17 North, Range 18 East of the Willamette Meridian; thence South 19°26' West, 135 feet; thence South 54°20' West, 437 feet; thence West to the West line of Government Lot 4; thence North on the West line of Government Lot 4, 382.1 feet; thence East to the place of beginning; EXCEPT that portion of Government Lots 3 and 4 conveyed to the State of Washington for Primary State Highway No. 3 (SR 90), by Warranty Deed dated September 21, 1965,

and recorded October 29, 1965, in Book 120 of Deeds, page 552, under Kittitas County Auditor's File No. 325204.

Area 3:

A tract of land located in Government Lots 3 and 4, Section 3, Township 17 North, Range 18 East, W.M., in the County of Kittitas, State of Washington, described as follows:

Beginning at the Northwest corner of said Government Lot 3, as shown on that certain survey recorded July 8, 1988 in Book 15 of Surveys at page 165, under Auditor's File No. 513568, records of said county; thence East, along the North line of said Government Lot 3, 274.40 feet; thence South 19°26'00" West, 503.40 feet to the Northerly boundary of the parcel described by deed recorded July 11, 2002 under Auditor's File No. 200207110019, records of said county; thence West along said Northerly parcel boundary, 778.65 feet to an existing Southwest-Northeast fence and the true point of beginning for the herein described parcel; thence continuing West along said Northerly parcel boundary, 322.07 feet to the Northeasterly right of way boundary of SR 90; thence South 39°38'55" East, along said SR 90 right of way boundary, 157.34 feet to an existing Nelson pin and cap (LS 18092); thence North 61°20'36" East, along and existing Southwest-Northeast fence, 252.62 feet to the true point of beginning.

EXCEPT that portion, if any, lying within above Areas 1 & 2.

Area 4:

A tract of land located in Government Lots 3 and 4, Section 3, Township 17 North, Range 18 East, W.M., in the County of Kittitas, State of Washington, described as follows:

Beginning at the Northwest corner of said Government Lot 3, as shown on that certain survey recorded July 8, 1988 in Book 15 of Surveys at page 165, under Auditor's File No. 513568, records of said county; thence East, along the North line of said Government Lot 3, 274.40 feet; thence South 19°26'00" West, 439.77 feet to an existing Nelson pin and cap (LS 18092) and the true point of beginning for the herein described parcel; thence continuing South 19°26'00" West, 63.63 feet to the Northerly boundary of the parcel described by deed recorded July 11, 2002 under Auditor's File No. 200207110019, records of said County; thence West along said Northerly parcel boundary, 778.65 feet to an existing Southwest-Northeast fence; thence North 61°20'36" East, along said fence, 224.95 feet to an existing Nelson pin and cap (LS 18092); thence South 85°27'23" East, along an existing East-West fence, 604.32 feet to the true point of beginning.

EXCEPT that portion, if any, lying within above Areas 1 & 2.

3. Parcel # 288133

ACRES 35.56, CD. 7944-A; SEC. 3; TWP. 17; RGE. 18; PTN. NW1/4, PTN. SW1/4;

A portion of Government Lots 3 and 4, and of the South Half of the Northwest Quarter and of the Northeast Quarter of the Southwest Quarter, Section 3, Township 17 North,

Range 18 East, W.M., in the County of Kittitas, State of Washington, which is described as follows:

A tract of land bounded by a line beginning at the Northwest corner of said Government Lot 3; thence East along the North line of said Lot 3, 274.4 feet; thence South 19°26' West, 164.9 feet to a point which is the true point of beginning; thence South 19°26' West 473.50 feet; thence South 54°20' West, 437.00 feet; thence West 393.57 feet to a point on the Northeasterly boundary of the Interstate Highway 90 right of way; thence South 40°42'30" East along said boundary, 2884.95 feet; thence North 17°10' West, 3018.20 feet; thence North 86°59' West, 84.75 feet to the true point of beginning.

EXCEPT:

1. Any portion thereof that lies within that portion acquired by the State of Washington by Decree of Appropriation entered November 25, 1966 in Kittitas County Superior Court Cause No. 16555.
2. That portion of the above described property that is contained in PARCEL B of that certain survey as recorded the 8th day of July, 1988, in Book 15 of Surveys at page 165, under Auditor's File No. 513568, records of Kittitas County, Washington, being a portion of Government Lots 3 and 4, Section 3, Township 17 North, Range 18 East, W.M., Kittitas County, Washington.

4. Parcel # 118836

Parcel A of that certain Survey as recorded the 8th day of July, 1988, in Book 15 of Surveys, page 165, under Auditor's File No. 513568, records of Kittitas County, Washington; being a portion of the Southeast Quarter of the Southwest Quarter of Section 34, Township 18 North, Range 18 East, W.M., and a portion of Government Lot 3, Section 3, Township 17 North, Range 18 East, W.M., all in the County of Kittitas, State of Washington;

Together with that portion of the Southeast Quarter of the Southwest Quarter of Section 34, Township 18 North, Range 18 East, W.M., in the County of Kittitas, State of Washington, lying Southerly of the Southerly right of way line of West Dolarway Road, Westerly of the Westerly of said Parcel A and Easterly of a line described as follows: Beginning at the Southwest corner of said subdivision; thence N 89°54'11" East, along the South line of said subdivision, 219.32 feet to the Westerly line of Parcel A of that certain Survey as recorded the 8th day of July, 1988, in the Book 15 of Surveys, page 165, under Auditor's File No. 513568, records of Kittitas County, Washington; thence N 13°27'31" West, along said Westerly line, 137.12 feet to the True Point of Beginning; thence North 36°03' West 264.03 feet; thence North 12°02' East 129.56 feet, more or less, to the Southerly right of way line of West Dolarway Road and the Terminus Point of the herein described line

5. Parcels # 278836 and #108836

Parcel C of that certain survey as recorded July 8th, 1988 in Book 15 of Surveys at page 165 under Auditor's File No. 513568, records of Kittitas County, Washington; being a portion of the Southeast Quarter of the Southwest Quarter of Section 34, Township 18 North, Range 18 East, and a portion of Government Lot 3, Section 3, Township 17 North, Range 18 East, W.M., all in Kittitas County, Washington.

6. Parcel # 850836

Parcel B of that certain survey as recorded July 8th, 1988 in Book 15 of Surveys at page 165 under Auditor's File No. 513568, records of Kittitas County, Washington; being a portion of Government Lots 3 and 4, Section 3, Township 17 North, Range 18 East, W.M., all in Kittitas County, Washington.

7. Parcel # 919333

That portion of the Southeast Quarter of the Southeast Quarter of Section 33, Township 18 North, Range 18 East, W.M., Kittitas County, State of Washington, which is described as follows:

A tract of land beginning at a point 64.2 feet West of a point 980.0 feet North of the Southeast corner of said quarter of quarter section; and running thence West, 177.45 feet; Thence North 0°38' East, 220.01 feet;

Thence East, 177.9 feet; and

Thence South 0°45' West, 220.1 feet to the point of beginning;

Except that portion, if any, lying West of the following described line:

Beginning at a point on the North boundary line of said quarter of quarter section which is 239 feet West of the Northeast corner of said quarter of quarter section; and running Thence South and parallel with and 239 feet distant from the East boundary line of said section 910 feet, more or less, to the low water line of the Yakima River and the terminus of said line;

Except the right of way of roads known as Cascade Road and Hibbs Road.

Kittitas County Assessor's Tax Parcel No. 18-18-33040-0012 (919333).

8. Parcel # 639333

That portion of the Southeast Quarter of the Southeast Quarter of Section 33, Township 18 North, Range 18 East, W.M., Kittitas County, State of Washington, described as follows:

Commencing 61.3 feet West of a point 1,200.1 feet North of the Southeast corner of Section 33, Township 18 North, Range 18 East, W.M., and running West 177.9 feet; Thence North 0°38' East, 25.0 feet;

Thence East 178.0 feet;

Thence South 0° 45' West, 25.0 feet to the place of beginning. Except that portion, if any, lying West of the following described line;

Beginning at a point on the North boundary line of said Quarter of Quarter Section which is 239 feet West of the Northeast corner of said Quarter of Quarter Section; and running; Thence South and parallel with and 239 feet distant from the East boundary line of said Section, 910 feet, more or less, to the low water line of the Yakima River and the terminus of said line.

And Except that portion, if any, lying within Cascade Road, and Hibbs Road.

Section 2. Assessment and Taxation. All property within the territory so annexed shall be assessed and taxed at the same rate and on the same basis as other property of the City of Ellensburg, Washington is assessed and taxed to pay for any outstanding indebtedness of the City of Ellensburg, Washington as presently adopted or as is hereafter amended.

Section 3. Comprehensive Plan Designation. All property within the territory so annexed shall be subject to and a part of the Comprehensive Plan of the City of Ellensburg, Washington as presently adopted or as is hereinafter amended.

Section 4. Land Use Designation and Zoning. All property within the territory so annexed shall be hereby zoned as follows: Kittitas County Assessor Parcel Numbers 166133, 118133, 118836, 278836, 108836, 288133, 850836, and 278133 shall be zoned Light Industrial (I-L). Kittitas County Assessor Parcel Numbers 919333 and 639333 shall be zoned Commercial Highway (C-H).

Section 5. Transmittal and Filing. The Ellensburg City Clerk is directed to file a certified copy of this ordinance with the Kittitas County Board of County Commissioners.

Section 6. Severability. If any portion of this ordinance is declared invalid of unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portion(s) of this ordinance.

Section 7. Corrections. Upon the approval of the City Attorney, the City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance, including but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, sections/subsections numbers and any references thereto.

Section 8. Effective Date. This ordinance shall take effect and be in full force five (5) days after its passage, approval and publication.

The foregoing ordinance was passed and adopted at a regular meeting of the City Council on the 6th day of May 2024.

ATTEST:


MAYOR


CITY CLERK

Approved as to form:


CITY ATTORNEY

Publish: 5-9-2024

I, Beth Leader, City Clerk of said City, do hereby certify that Ordinance No. 4941 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, and that Ordinance No. 4941 was published as required by law.



Exhibit A: Annexation of Parcels

Annexation Expanded Boundary Map

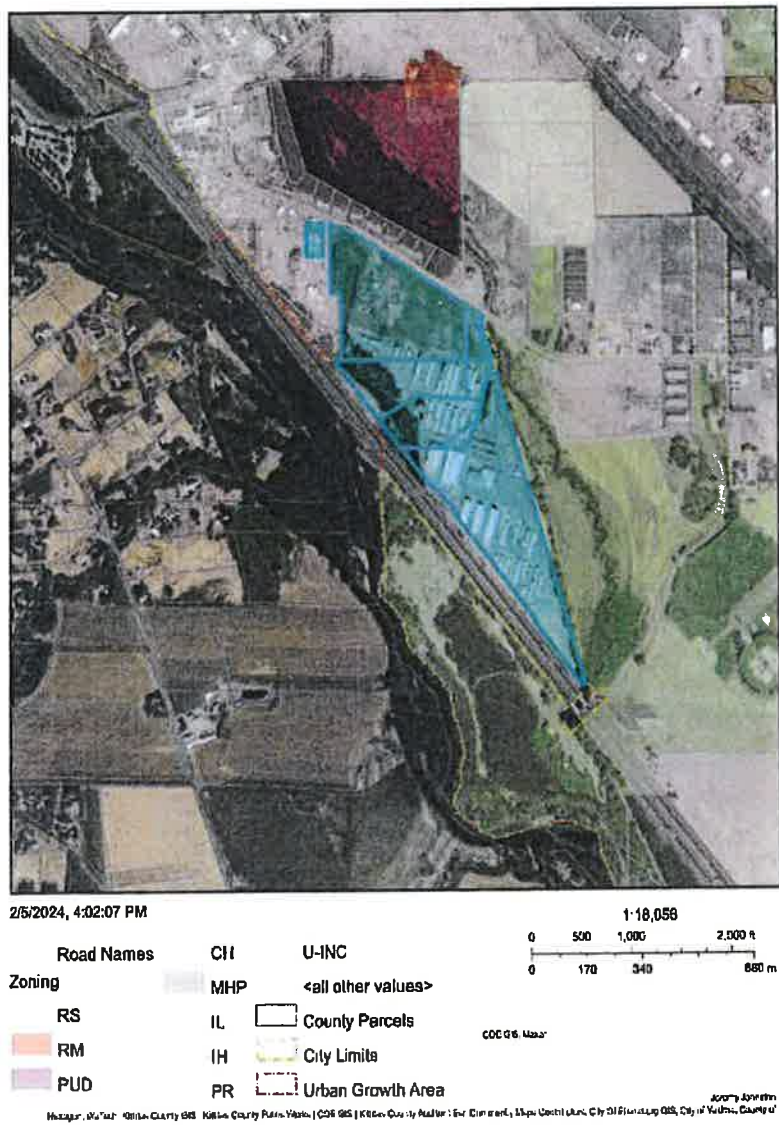


Exhibit D: Amendment 2024-04

**Amendments to Title 2, 12, 14, & 16 allowing surveys
to be recorded by paper and mylar.**

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 or paper 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).

14.08.220 Subdivision proposals and Development.

All subdivisions as well as new development shall:

1. Be consistent with the need to minimize flood damage.
2. Have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.
3. 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 containing greater than 50 lots or 5 acres (whichever is lesser) and shall be included as part of the application and ~~and~~ shall be noted on the final ~~plan set~~ ~~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. 2021-010, 2021; Ord. 2007-22, 2007; Ord. 2001-03; Ord. 93-18 § 5.1.4, 1993).

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 plans.

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. Easements shall be labeled as "existing," herein dedicated," or "created via separate document." In the event that the first or third options are used the recording number shall be shown on the map. All easements shall also include width and purpose of easement on the face of the map. 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. 2022-005, 2022; Ord. 2005-31, 2005)

16.20.020 Final plat general information.

1. The final plat shall be drawn on ~~polyester-film plans~~ 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 two inch margin on the left edge, and a one-half inch margin on the other edges of the map shall be provided. 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. 2022-005, 2022; 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-sets of original plans 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)

Exhibit E: Docket Item 2024-05

Amendments to Title 17: Agritourism Definition KCC 17.08.034F

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. 86-2, 1986; 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.

17.08.011 Definitions within the Ellensburg Urban Growth Area (UGA).

17.08.020 Accessory building or accessory use.

17.08.022 Accessory dwelling unit.

17.08.023 Accessory living quarters.

17.08.30 Access road.

17.08.030A Administrative.

17.08.31 Adult Family Home.

17.08.32 Agriculture processing.

17.08.33 Agriculture production.

17.08.34 Agriculture sales.

17.08.034A Agriculture sales - enhanced.

17.08.034B Agricultural enhanced uses (AEU).

17.08.034C Agricultural direct marketing activities.

17.08.034D Agricultural seasonal harvest festivities.

17.08.034E Agricultural expanded seasonal harvest festivities.

17.08.034F Agritourism

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.

17.08.30 A Administrative

"Administrative" means a discretionary action or permit decision made without a public hearing. (Ord. 2013-001, 2013)

17.08.31 Adultfamily 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)

17.08.32 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)

17.08.33 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)

17.08.34 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 that expand beyond the restrictions for "agricultural direct marketing activities.. (Ord. 2021-015, 2021; Ord. 2013-001,2013)

17.08.034A Agriculture sales-enhanced

"Agricultural sales-enhanced" means the selling of agricultural products grown or raised locally that have been enhanced to improve market value. Enhanced agricultural sales activities include, but are not limited to: sales of prepared food or beverages, crafts, floral arrangements; and tasting rooms. Marijuana product sales are excluded. Enhanced agricultural sales operations may also include the retail sale of fresh or unprocessed agricultural products. Ord. 2014-015, 2014;

17.08.034B Agricultural enhanced uses (AEU)

"Agricultural enhanced uses (AEU)" refers to a use that is accessory to a working farm, approved winery, distillery, cider house or brewery or any agricultural, horticultural, or agribusiness operation that is open to the public for the purpose of enjoyment, education, or active involvement in the activities of the agricultural operation. These activities must be related to agriculture, and incidental to the primary operation on the site. The retail sales of agricultural related products is considered accessory and subordinate to the agricultural operation when the products sold are grown or produced on site. (Ord. 2021-015, 2021; Ord. 2016-023, 2016)

17.08.034C Agricultural direct marketing activities

Those accessory activities associated with the retail sale of agricultural products produced on and off the premises. This includes the sale of nonagricultural products (e.g. crafts, antiques, kitchen goods, etc.), educational classes and tours, commercial farm rides on premises, and temporary food services. (Ord. 2021-015, 2021)

17.08.034D Agricultural seasonal harvest festivities

Those temporary and accessory activities associated with the sale of annual harvest crops. These accessory activities may include live music, temporary food service establishments, vendors other than the owners or operators of the farm, commercial farm rides on the premises and recreational activities (e.g. corn mazes, craft booths, etc.). (Ord. 2021-015, 2021)

17.08.034E Agricultural expanded seasonal harvest festivities

Expanded Seasonal Harvest Festivities allow a farming activity to expand beyond the restrictions for Seasonal Harvest Festivities. The purpose and intent of the conditional use for Expanded Seasonal Harvest Festivities is to allow direct marketing of crops to the public. It is not to provide alternative ways to create permanent or semi- permanent sales businesses that would otherwise require a zone reclassification to a commercial zone. (Ord. 2021-015, 2021)

17.08.034F Agritourism

- 1 "Agritourism activity" means any activity carried out on a farm or ranch whose primary business activity is agriculture or ranching and that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities including, but not limited to: Farming; ranching; historic, cultural, and on-site educational programs; recreational farming programs that may include on-site hospitality services; guided and self-guided tours; petting zoos; farm festivals; corn mazes; harvest-your-own operations; hayrides; barn parties; horseback riding; fishing; and camping.
- 2 "Agritourism professional" means any person in the business of providing one or more agritourism activities, whether or not for compensation.
- 3 "Inherent risks of agritourism activity" means those dangers or conditions that are an integral part of an agritourism activity including certain hazards, such as surface and subsurface conditions, natural conditions of land, vegetation, waters, the behavior of wild or domestic animals, and ordinary dangers of structures or equipment ordinarily used in farming and ranching operations. Inherent risks of agritourism activity also include the potential of a participant to act in a negligent manner that may contribute to injury to the participant or others, including failing to follow instructions given by the agritourism professional or failing to exercise reasonable caution while engaging in the agritourism activity, unless the participant acting in a negligent manner is a minor or is under the influence of alcohol or drugs.
- 4 "Participant" means any person, other than the agritourism professional, who engages in an agritourism activity.
- 5 "Person" means an individual, fiduciary, firm, association, partnership, limited liability company, corporation, unit of government, or any other group acting as a unit.

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)

Exhibit F: Docket Item 2024-06

Amendments to Title 17: Short-Term Rental Definition KCC 17.08.486

Chapter 17.08
DEFINITIONS*

17.08.480 School, public or private.

17.08.485 Shooting range.

17.08.486 Short-Term Rental

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)

17.08.486 Short-Term Rental

(1) "Contact" means the operator or the operator's representative who is the point of contact for any short-term rental guest for the duration of the guest's stay in the short-term rental.

(2) "Department" means the department of revenue.

(3) "Dwelling unit" means a residential dwelling of any type, including a single-family residence, apartment, condominium, cooperative unit, or room, in which a person may obtain living accommodations for less than thirty days, but not including duly licensed bed and breakfast, inn, hotel, motel, or timeshare property.

(4) "Fee" means remuneration or anything of economic value that is provided, promised, or donated primarily in exchange for services rendered.

(5) "Guest" means any person or persons renting a short-term rental unit.

(6) "Operator" or "short-term rental operator" means any person who receives payment for owning or operating a dwelling unit, or portion thereof, as a short-term rental unit.

(7) "Owner" means any person who, alone or with others, has title or interest in any building, property, dwelling unit, or portion thereof, with or without accompanying actual possession thereof, and including any person who as agent, executor, administrator, trustee, or guardian of an estate has charge, care, or control of any building, dwelling unit, or portion thereof. A person whose sole interest in any building, dwelling unit, or portion thereof is solely that of a lessee under a lease agreement is not considered an owner.

(8) "Person" has the same meaning as provided in RCW 82.04.030.

(9)(a) "Short-term rental" means a lodging use, that is not a hotel or motel or bed and breakfast, in which a dwelling unit, or portion thereof, that is offered or provided to a guest by a short-term rental operator for a fee for fewer than thirty consecutive nights. (b) "Short-term rental" does not include any of the following: (i) A dwelling unit that is occupied by the owner for at least six months during the calendar year and in which fewer than three rooms are rented at any time; (ii) A dwelling unit, or portion thereof, that is used by the same person for thirty or more consecutive nights; or (iii) A dwelling unit, or portion thereof, that is operated by an organization or government entity that is registered as a charitable organization with the secretary of state, state of Washington, or is classified by the federal internal revenue service as a public charity or a private foundation, and provides temporary housing to individuals Certified on 9/1/2023 Combined Chapter 64.37 RCW Page 1 who are being treated for trauma, injury, or disease, or their family members.

(10) "Short-term rental advertisement" means any method of soliciting use of a dwelling unit for short-term rental purposes.

(11) "Short-term rental platform" or "platform" means a person that provides a means through which an operator may offer a dwelling unit, or portion thereof, for short-term rental use, and from which the person or entity financially benefits. Merely publishing a short-term rental advertisement for accommodations does not make the publisher a short-term rental platform.

Exhibit G: Docket Item 2024-08

Amendment to Title 14

Kittitas County Code

Title 14 | BUILDINGS AND CONSTRUCTION

Chapters

14.04 Building Code

14.05 Grading

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 General requirements.

14.04.030 Building relocation - Applicant.

14.04.040 Mobile, 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.

14.04.055 Small Residential Structures.

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 most current edition of the International Building Code (IBC), , 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
 - 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 and does not contain plumbing or mechanical. Square footage is determined by the dimensions to the outside of the exterior walls or posts and any usable space under the roof overhang or cantilever greater than 24". Any area built into the roof system higher than 36" shall be considered in the square footage total. The distance between structures on the same lot shall be ten (10) feet otherwise they will be considered the same building and total square footage includes both structures. 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. Other exemptions as specified in Section 105.2.
 - 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 or are not adequate to resolve the corrections items listed. The Building Official is authorized to grant one extension, not to exceed 365 days. The extension shall be requested in writing, prior to permit application expiration, and justifiable cause shall be demonstrated. 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. If expired, the application becomes null and void and, the deposit is forfeited.

iii. Section 113 Board of Appeals

1. All appeals shall be heard by the Kittitas County Hearings Examiner.

2. The most current edition of the International Residential Code (IRC), 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 provided the floor area does not exceed 200 square feet, is not used for habitable space and does not contain plumbing or mechanical. Square footage is determined by the dimensions to the outside of the exterior walls or posts and any usable space under the roof overhang or cantilever greater than 24". Any area built into the roof system higher than 36" shall be considered in the square footage total. The distance between structures on the same lot shall be ten (10) feet otherwise they will be considered the same building and total square footage includes both structures. 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.
3. Other exemptions as specified in Section 105.2.

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 or are not adequate to resolve the corrections items listed. The Building Official is authorized to grant

one extension, not to exceed 365 days. The extension shall be requested in writing, prior to permit application expiration, and justifiable cause shall be demonstrated. 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. If expired, the application becomes null and void and, the deposit is forfeited.

iii. Section 112 Board of Appeals

1. All appeals shall be heard by the Kittitas County Hearings Examiner.
3. The most current edition of the International Mechanical Code (IMC), 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 most current edition of the International Fuel Gas Code (IFGC), the most current edition of the National Fuel Gas Code (NFPA 54) and the most current edition of the Liquefied Petroleum Gas Code (NFPA 58).
4. The most current edition of the International Fire Code (IFC), 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. Section R109 Board of Appeals
 1. All appeals shall be heard by the Kittitas County Hearings Examiner.

ii. Section B103 Modifications

1. Within those unincorporated areas designated as Urban Growth Areas served by a Municipal Water System (MWS) as defined in RCW 90.03.015, and where the proposed project is within the said MWS Retail Service Area as defined in WAC 246-290-010 of said MWS, and said MWS has service lines capable of delivering the MWS Water System Plan's required fire flow that are within 100 feet of the proposed project boundary, and said MWS has sufficient water rights to serve the proposed project, water lines shall be extended and the proposed project shall meet the MWS Water System Plan as it relates to fire flow and/or automatic sprinkling of structures.
2. Within those unincorporated areas outside of a UGA but within an area designated as a LAMIRD served by a Municipal Water System (MWS) as defined in RCW 90.03.015, and where the proposed project is within the said MWS Retail Service Area as defined in WAC 246-290-010 of said MWS, and said MWS has service lines capable of delivering the MWS Water System Plan's required fire flow that are within 100 feet of the proposed project boundary, and said MWS has sufficient water rights to serve the proposed project, water lines shall be extended and the proposed project shall meet the MWS Water System Plan as it relates to fire flow and/or automatic sprinkling of structures.
3. Within all other unincorporated areas outside of a UGA and LAMIRD served by a Municipal Water System (MWS) as defined in RCW 90.03.015, and where the proposed project is within the said MWS Retail Service Area as defined in WAC 246-290-010 of said MWS, and said MWS has service lines capable of delivering the MWS Water System Plan's required fire flow that are within 100 feet of the proposed project boundary, and said MWS has sufficient water rights to serve the proposed project, water lines shall be extended and the proposed project shall meet the MWS Water System Plan as it relates to fire flow and/or automatic sprinkling of structures.
4. All other unincorporated areas outside of the above where a proposed project does not meet

the criteria as established in Sections 1, 2 and 3 above shall not be required to provide fire flow or automatic sprinklers for residential development on lots that average more than thirty-five thousand square feet in size, but shall meet the International Wildland-Urban Interface Code as adopted and amended by Kittitas County except where said code requires automatic sprinklers and/or fire flows.

5. The most current edition of the Uniform Plumbing Code (UPC), 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 most current edition of the Washington State Energy Code, as set forth in Chapter 51-11 WAC, Chapter 51-11C WAC (Commercial) and Chapter 51-11R (Residential).
 7. The most current edition of the International Property Maintenance Code (IPMC), as published by the International Code Council.
 8. The most current edition of the International Wildland Urban Interface Code, as published by the International Code Council; with the following adopted appendices and amendments:
 - a. Appendix B: Vegetation Management Plan
 - b. Appendix C: Fire Hazard Severity Form
 - c. Amendments to the Wildland Urban Interface code specific to Kittitas County shall be located in KCC Title 20.
 9. The most current edition of the International Swimming Pool and Spa Code (ISPSC), as published by the International Code Council.
- (Ord. 2023-010, 2023; Ord. 2021-003, 2021; Ord. 2018-005, 2018; Ord. 2017-001, 2017; Ord. 2016-012, 2016; 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)

Exhibit H: Docket Item 2024-09

Amendment to Title 12

2. Where a street is indicated to dead end into an adjacent unplatted area, the applicant shall provide easements or written approval from the adjacent landowner to discharge his storm drainage from the street onto the adjacent land.
 3. Stub streets shall end at the property line with a temporary cul-de-sac or other turnaround per [KC Standard Plan 9-10](#).
 4. Type III barricades shall be permanently installed at the end of all stub streets that do not end in a cul-de-sac or turnaround.
- I. The County Engineer may determine that the [AASHTO's Policy on Geometric Design of Highway and Streets](#), current edition, can be substituted for the [WSDOT Design Manual](#) on a case-by-case basis.

12.04.04.050 Private Roads.

Although community local access roads are usually best served by public roads, controlled and maintained by the county, private roads may be appropriate for some local access roads for residential, commercial, or industrial uses. At the discretion of the county engineer, proposed private roads within an adopted Urban Growth Area (UGA) may defer to the associated city's development standards in the absence of a variance process.

Roads will be approved as private roads instead of public when all of the following conditions are met

- A. The road is not deemed to be a necessary part of a present or future public neighborhood circulation plan adopted in the Kittitas County comprehensive plan, transportation plan, applicable community plans, or capital improvement plans.
- B. The road shall be permanently established by right-of-way, tract, or easement providing legal access to each affected lot, dwelling unit, or business and sufficient to accommodate required maintenance and improvements.
- C. Any private road serving as access to five lots or more shall file a maintenance agreement appurtenant to all the property owners having a vested interest in the private road prior to recording the final plat with the Kittitas County auditor's office with a copy to be provided to the Kittitas County Building Department and Kittitas County Public Works. Reference the auditor's file number on the plat. The maintenance and upgrading agreement shall provide for a funding mechanism that provides for road maintenance of private roads and associated parking areas by a capable and legally responsible owner, homeowners' association or other legal entity made up of all benefited property owners. The term "benefited property owners" shall include the owners of record of all properties with frontage, including access rights, on the private road or otherwise have legal access, whether constructed or not, to the private road.

- D. Private roadway signs may either be provided by the applicant or by the department of public works. A signing and striping plan, per [KCC 12.04.11.060](#) (Submittal Procedure) shall be submitted and approved prior to any sign installation. Names for private roads shall be approved by the County Engineer and vetted by KITTCOM.
- E. The placement of utilities shall be coordinated as much as possible with the placement of private roads and public rights-of-way.
- F. Private roads shall be continuously open and unobstructed for use by emergency, public service, and utility vehicles. Gates shall meet the requirements of [KCC 12.04.08.110](#).
- G. Private roads built to public road standards may serve more than 30 lots without a secondary access.

Private roads shall comply with the following conditions:

- A. Shall meet the minimum access requirements of the [International Fire Code](#) as adopted by the County, [KCC 20](#), or [Kittitas County Road Standards](#), whichever is more stringent, and
- B. May be designed and constructed in conformance with [AASHTO Guidelines for Geometric Design of Very Low-Volume Local Roads](#) (ADT < 400), most recent edition, and unless otherwise required by this code, and
- C. Shall be permanently established by a right-of-way or easement recorded with the Kittitas County Auditor, providing legal access to each affected lot, dwelling unit, or business, and
- D. Stormwater generated by roads shall be managed and retained on-site with a stormwater system that conforms to the specifications of the most current version of the [Stormwater Management Manual for Eastern Washington](#) and [KCC 12.04 Article V](#). The stormwater system construction shall be certified by a licensed engineer. The certification shall be included with the road certification, and
- E. Will not result in land locking of proposed parcels within project boundary, and
- F. Will be maintained by the applicant or legally responsible owner or homeowners' association or other legal entity made up of all benefited property owners, under the provisions of an acceptable and recorded "Private Road Maintenance Agreement", and
- G. Clearly described on the face of the plat, short plat, or other development authorization, signed as a private road according to Public Works Road Naming & Signing Standards, and a disclosure statement filed with the County Auditor stating that Kittitas County is not responsible for the maintenance, and

H. For any development that contains a private road, the following note shall be placed on the face of the plat, short plat, development authorization, and subsequent documents transferring ownership of lots:

1. "Kittitas County will not accept private roads for improvement, maintenance, or service as public roads until such roads are brought into conformance with current Kittitas County Road Standards and formally adopted by the Kittitas County Board of County Commissioners according to [KCC 12.01.100](#). "

I. Private roads shall comply with the design requirements of [KC Standard Plans](#) for Private Roads based on Roadway Classifications in [KCC 12.03](#).

J. Private roads shall include a paved (HMA) approach when connecting to a public roadway which is paved. The paved approach shall be the width of the roadway and is to include radius flares on either side. Pavement depth to be a minimum of four inches over eight inches of compacted aggregate. Pavement will extend from the roadway pavement edge a distance of twenty feet along centerline of the private roadway.

Prior to final approval of any land use development activity, [as defined by 12.01.040 and 15A.02.080](#), the entire private road system serving a development shall be certified by a civil engineer licensed in the State of Washington meet Kittitas County Road Standards, unless a performance guarantee is provided in accordance with KCC 12.01.091. The certification shall include all private roads used to access the development from a County or other publicly maintained road. The certification shall be prepared in accordance with the Department of Public Works private road certification guidelines [and shall include the following](#): ~~All information required by the private road certification guidelines shall be presented for the certification to be complete.~~

1. [Engineer's Certification Report including:](#)

- a. [Verification the private road meets Kittitas County Road Standards. Roads shall be vested to the road Standards which apply at the time of the plat. Roads not certified and associated with plats or lots approved prior to the development of Kittitas County 2015 Road Standards shall be certified to Kittitas County 2015 Road Standards. Roads certified to Kittitas County 2024 Road Standards shall meet the requirements of Tab 12.04.04-1, and](#)
- b. [Verification the private road is sufficiently compacted, and](#)
- c. [Verification the private road has a turn around meeting the requirements of International Fire Code, Appendix D, and](#)
- d. [Verification the private road sufficiently manages stormwater runoff.](#)
2. [All required signs are installed per MUTCD standards \(Stop Sign, Road Sign, etc.\)](#)
3. [Private Road maintenance agreement for newly developed property.](#)

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

Table 12.04.04-1

Private Road Minimum Design Standards

Design Elements	Private Rural Road Average Lot Size <= 10.0 acres			Private Road Avg. Lot Size > 10 acres
	3-14	15-30	31+	2+
Number of Parcels or Units	3-14	15-30	31+	2+
Minimum Easement Width	50	50	50	50
Paved Apron	Req'd	Req'd	Req'd	Req'd
Roadway Width	20'	22'	22'	20'
Shoulder Width	1'	1'	2'	1'
Minimum Centerline Radius (ft)	60	60	60	60
Surfacing Requirements	Gravel	BST/ACP	BST/ACP	Gravel
Minimum Crushed Surfacing	4-6"	4-6"	4-6"	4-6"
Maximum Grade (%)	10	10	10	10
Cul-de-Sac Turnaround Required	Req'd	Req'd	Req'd	Req'd
Approach Permit	Req'd	Req'd	Req'd	Req'd
Stopping Sight Distance	WSDOT & AASHTO	WSDOT & AASHTO	WSDOT & AASHTO	WSDOT & AASHTO
Ditch Slope (inside slope)	2:1	2:1	2:1	2:1

12.04.04.060 Geotechnical Investigation.

If required, geotechnical conditions shall be investigated and tested in accordance with the latest edition, as amended versions of the [WSDOT Geotechnical Design Manual](#) or [AASHTO Design Manual](#). The County Engineer may require additional geotechnical investigation based upon specific site conditions. All geotechnical work shall be completed by a geotechnical engineer licensed in the State of Washington.

to use the access point. Vehicles should be able to utilize radius return access points without encroaching on adjacent lanes of traffic.

- M. Additional right-of-way in the form of a maintenance easement may be required to ensure the necessary sight distance (obstruction free zone) can be preserved.

12.04.04.080 Roundabouts

Roundabouts may be considered for use as a preferable intersection configuration in Kittitas County. All roundabouts shall be subject to approval by the County Engineer. Roundabouts shall be designed and constructed in accordance with the [WSDOT Design Manual](#), [applicable FHWA guidance](#), and these standards.

12.04.04.090 Dead Ends and Turnarounds.

When a dead end road or driveway extends more than 150 feet from the centerline intersection of another county or private road, a turnaround shall be provided. The requirements for the turnaround shall meet the following requirements and the details provided in [KC Standard Plan 9-10](#).

- A. The turnaround shall be a cul-de-sac type for roads serving five or more lots/units. Other turnaround configurations may be used for roads serving less than five lots/units.
- B. All turnarounds must conform to the specifications of the International Fire Code.
- C. A cul-de-sac shall have a right-of-way or easement diameter of at least 110 feet and a driving surface of at least 96 feet in diameter.
- D. At the discretion of the county engineer, turnarounds shall include additional snow storage area in locations that are prone to heavy snowfall.
- E. The following shall apply to temporary dead end roads.
 - 1. Temporary dead end roads where the potential for future connectivity exists due to the proximity of underdeveloped properties shall have turnaround provisions. A barricade meeting MUTCD standards shall also be provided unless approved by the county engineer.
 - 2. Temporary dead ends or a shared access may be required for subdivisions.
 - 3. Removal of the temporary turnaround and extension of the future road shall be the responsibility of the applicant who extends the road.
- F. The following shall apply to permanent dead-end roadways not built to public road standard, in excess of 600 feet from the centerline of another county or private road.

1. Permanent dead-end roadways in excess of 600 feet from the centerline intersection of another county or private road are discouraged and shall only be allowed with the approval of the County Engineer in cases where geographical, topographic, or environmental conditions preclude connections with other roads.
 - ~~2. Permanent dead-end roads in excess of 600 feet may be considered only if additional mid-length turnaround features are constructed with no more than 300 feet of separation.~~
- B. Where a public or private road transitions to a gated private road, the road shall be considered a dead end, and shall require a turnaround within 150 feet of the gate and within 600 feet of the centerline intersection of another county or private road consistent with these standards.
- C. Approved turnaround features shall be constructed at the termination or within one hundred and fifty feet of the termination of any shared residential driveway or commercial driveway approach. Where the length exceeds one thousand feet, pull out and turnaround features shall be provided as follows:
1. Pull out features shall be constructed to a minimum of eighteen feet of total width (lane plus widening) and a minimum fifty feet in length, and will have no more than six hundred feet separation,

12.04.04.090 One Way Road.

One Way Roads may be considered for public and private roads. All one-way roads are subject to approval by the County Engineer. Road network shall be sufficient to provide ingress and egress. Roadway design to meet minimum private road standards. Applicable signing shall be installed as per MUTCD.

12.04.04.100 Railroad Grade Crossings.

All proposed railroad crossings shall be coordinated, submitted, and subject to the approval process of the affected railroad right of way owner. Kittitas County approvals shall be contingent upon the submission of documented final approvals from all affected railroad agencies. At the time of publication of these standards, Burlington Northern Santa Fe (BNSF) is the only railroad operating in Kittitas County.

12.04.04.110 Emergency Access Roads.

Emergency access roads, if they are deemed necessary for a particular development, shall be constructed with an all-weather surface to adequately support the proposed loads of emergency vehicles. Requirements and design of such roads is site specific and will require coordination between the developer/applicant, public works, and area fire districts.

The following specific requirements shall apply to the design and construction of emergency access roads:

- A. The structural section of a permanent fire access road shall meet the same requirements as those for a private rural road section contained in as described in [KCC 12.03](#).

3. Culvert and drainage improvement plans and details for the approach location,
 4. Map detailing utility locations before and after development in and along the road,
 5. A subdivision zoning or development plan,
 6. Property map indicating other access and abutting public roads and streets, and
- C. The Department will work cooperatively with applicants when determining requirements on access requests. Prior to issuing a denial on an access permit request, the Department shall attempt to resolve the reasons for the denial with the applicant,
 - D. Any appeals of a denied access permit shall be resolved through the Administrative Decisions Appeals process according to [KCC 15A.07](#).

12.04.07.080 Permit Conditions and Requirements.

- A. The specific requirements for construction of the driveway approach and driveway will be issued to the permittee along with the driveway approach permit.
- B. The permittee will have 12 months from the date of issuance, as shown on the permit, to complete construction of the driveway and request inspection by the Department, unless a building permit is open, then expiration will run concurrent with building permit expiration date.
- C. An extension to the access permit will only be considered if construction of the approach and driveway has been substantially completed and the extension request is made prior to the permit expiration date. The permittee can request an extension to the Department in writing. The Department will determine if the approach has been substantially completed and determine the length of the extension, if granted.
- D. The expected dates of construction and expected use of the driveway access shall be included on driveway access permit application. The permittee shall notify the Department at least 48 hours prior to any construction in County right-of-way.
- E. The Department shall inspect the driveway access and the driveway upon completion of construction to ensure that all terms and conditions of the permit are met. The Department may request to inspect the driveway access during construction.

- F. The construction of the driveway access and its appurtenances as required by the terms and conditions of the permit shall be completed at the expense of the permittee.
- G. It is the responsibility of the permittee to complete the construction of the driveway access and the driveway according to the terms and conditions of the permit. The Department may order a halt to any unauthorized construction or use.
- H. Adequate construction signing, in conformance with MUTCD, most recent edition, is required at all times during driveway access construction. This may include, but is not limited to, the use of signs, flashers, barricades and flaggers. The Department and its duly appointed agents and employees shall be held harmless against any action for personal injury or property damage sustained during construction of the driveway access.
- I. Hours of operation requirements shall apply in accordance with [KCC 12.05.02.060](#). At the discretion of the county engineer, the hours of work on or immediately adjacent to the county roadway may be restricted due to peak hour traffic demands and other pertinent roadway operating concerns.
- J. 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.

12.04.07.090 Driveway Access Predating the Adoption of the Road Development Standards

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

Table 12.04.07-2

Access Spacing Requirements^{1,2}

Road Classification ³	Speed	Access ⁴ Spacing
Rural Arterial	Above 35	475 ft.
	35 and below	250 ft.
Rural Collector	Above 35	300 ft.

Kittitas County, through the acceptance of the construction plan, drainage report, or other engineering document as a submittal assumes no responsibility for the completeness, accuracy, and/or adequacy of the submitted material.

12.04.10.050 Submittal Procedure.

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

- A. The first submittal shall consist of two complete sets of preliminary civil engineering plans, along with drainage calculations, and other reports and supporting information. The plans shall be submitted at plat application. The submittal shall consist of conceptual design level plans, profiles, roadway cross section, stormwater plan as required by [KCC 12.04 Article V](#), utilities plan, and signage and striping plan.
- B. If corrections are required, the County will return a redlined print showing necessary corrections within 30 days. The applicant's engineer shall return the redlined print, a response letter identifying and documenting how the comments were addressed, and the corrected plans with the changes highlighted.
- C. The second submittal shall consist of two complete sets of final civil engineering plans, and revisions completed per previous County comments. This submittal shall also include: final grading plans and profile plans, final stormwater plan, construction details, temporary erosion and sediment control plan, and any supporting documents such as stormwater calculations, geotechnical reports, environmental studies and transportation impact analysis. The plans shall be signed and stamped by the developer's engineer. The developer's engineer must be a civil engineer licensed in the State of Washington. Review fees, when adopted and applicable, shall be paid by the developer before review of the plans by the County commences.
- D. If corrections are required, the County will return a redlined print showing necessary corrections within 30 days. The applicant's engineer shall return the redlined print, a response letter identifying and documenting how the comments were addressed, and the corrected plans with the changes highlighted.
- E. This procedure shall be followed for each additional submittal if necessary. Subsequent submittals shall also contain two complete sets of plans and other supporting documents and information, if corrected.

- F. When all corrections have been made to the County Engineer's satisfaction, the final plans shall be stamped and signed by the applicant's engineer and submitted. Only one copy is required. Once approved a copy of the approved set will be returned to the applicant.
- G. The final submittal shall include the following:
1. a good quality reproducible medium with the engineer's registration stamp and signature,
 2. one complete set of other supporting documentation,
 3. a quantity take-off and certified engineer's cost estimate when the project is to be secured by a performance guarantee. See [KCC 12.01.090](#).
 4. and electronic files in pdf format of the entire submittal package.
- H. Revisions or modifications to approved plans shall be submitted for approval prior to construction. The applicant shall make specific arrangements with the County Engineer to review such changes. Revisions shall be stamped and signed by the developer's engineer. Proposed revisions shall be indicated on a copy of the original approved construction plans that includes the County Engineer's signature. The proposed revision shall be clearly shown by strikeout of text, cross-out of items, and/or clouding as appropriate, and by posting the drawing revision block. If the proposed revisions are to the satisfaction of the County Engineer, the revised ~~mylar~~ set of plans will be signed and returned to the developer's engineer.
- I. 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.
- J. In place of submitting paper copies of plans and documents as outlined in paragraphs A-F above, electronic submittals are acceptable. Engineering, land surveying documents must meet the applicable requirements of RCW 18.43 and WAC 196-23.
- a. Electronic submittals shall be in Portable Document Format (PDF)
 - b. Layers shall be flattened prior to submittal
 - c. Orient all sheets so the top of the page is always at the top of the display screen
 - d. Scanned documents must be legible and a minimum of 150 dpi.
 - e. All sheets must be numbered and labeled
 - f. Each submittal document shall be a separate file

Boundary Line Adjustments are to be reviewed by Public Works in accordance with Kittitas County Code Chapter 16.04.

12.05.02.060 Hours of Operation.

Unless otherwise approved by the County Engineer prior to beginning construction, the normal hours of operation for construction shall be as follows:

Monday through Friday	6:00 a.m. to 7:00 p.m.
Saturday*	7:00 a.m. to 7:00 p.m.
Sunday*	8:00 a.m. to 7:00 p.m.

*The applicant shall coordinate with the County Engineer to determine the fees and cost recovery method associated with weekend inspections or other work performed by Kittitas County during weekend hours.

More restrictive hour of operation limitations related to SEPA or other permitting requirements associated with agencies other than Kittitas County shall apply, and shall supersede these hours of operation restrictions. Under some circumstances, hours of operation may be revised at the discretion of the County Engineer or designee.

12.05.02.070 Inspection and Notification Requirements.

Control and inspection of construction on public infrastructure will be done by the Department of Public Works. Work will be inspected to verify that it conforms to the approved plans, these standards, and other referenced standards, specifications, and guidance. Unless otherwise instructed by the County Engineer, construction events which require monitoring or inspection, and the specific requirements for inspection and inspection request notice are identified below. The Kittitas County Department of Public Works may be notified by phone at [509-962-7523](tel:509-962-7523), or by email at the following address: publicworks@co.kittitas.wa.us.

A. Preconstruction Conference:

1. Required Notice: Three working days.
2. Specific Requirements:
 - i. Conference must precede the beginning of construction and include attendance by the applicant or applicant's designee, contractor, design engineer, utilities and other parties affected.
 - ii. All plan approvals and permits must be final and in place prior to the conference.

B. Clearing and Temporary Erosion/Sedimentation Control:

1. Required Notice: Two working day notice prior to initial site work involving drainage and installation of temporary water retention, detention and siltation control.
2. Inspection Details: To verify that temporary sedimentation and erosion control has been installed in accordance with approved plans and these standards. Subsequent inspections may be required at the discretion of the County Engineer as necessary to ensure continued proper operation and maintenance of temporary sedimentation and erosion control for the duration of construction.

C. Utility and Storm Drainage Installation:

1. Required Notice: Two working day notice prior to trenching and placing of storm drainage systems.
2. Inspection Details: To verify that underground storm drainage facilities, including but not limited to pipes, catch basins, and manholes have been constructed in accordance with the approved plans and these standards. Inspection shall take place prior to backfill. If cover is installed in stages, multiple inspections shall be scheduled as necessary to ensure that all facilities receive inspection.

D. Utility and Storm-Drainage Backfill and Compaction:

1. Required Notice: Two working day notice before backfill and compaction of storm drainage systems.
2. Inspection Details: Verify that backfill for all trenching within the roadway, existing right of way, and future right of way is in compliance with the approved plans and these standards.

E. Subgrade Completion:

1. Required Notice: Two working day notice at stage that underground utilities and roadway grading are complete.
2. Inspection Details: To verify that the subgrade has been constructed and graded in compliance with the approved plans and these standards. If the subgrade and surfacing is installed in stages, multiple inspections shall be scheduled as necessary to ensure that all subgrade has been inspected.

F. Crushed Surfacing Placement:

1. Required Notice: Two working day notice.
2. Inspection Details: To verify that crushed surfacing has been placed and compacted in accordance with the approved plans, and these standards. If the scope of the project is

such that the crushed surfacing is completed in stages, each such stage shall be inspected separately.

G. Curb and Sidewalk Forming:

1. Required Notice: Two working day notice. Inspection must be complete prior to pouring concrete.
2. Inspection Details: To verify proper forming and preparation for concrete in accordance with the approved plans, and these standards. If the scope of the project is such that forming of curb and sidewalk is completed in stages, each such stage shall be inspected separately.

H. Curb and Sidewalk Placement:

1. Required Notice: Two working day notice.
2. Inspection Details: To check placement of concrete in accordance with the approved plans, and these standards.

I. Pre-Paving:

1. Required Notice: Two working day notice.
2. Inspection Details: Prior to paving, to verify that all work to date has been constructed in accordance with the approved plans, and these standards.

J. Paving:

1. Required Notice: Three working day notice in advance of paving with hot mix asphalt or Portland cement concrete.
2. Inspection Details: To verify paving and compaction, or placement of concrete roadway is in accordance with the approved plans, and these standards.

K. Structural:

1. Required Notice: Three working day 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.
2. Inspection Details: Tests and certification requirements will be as directed by the County Engineer.

L. Final Inspection:

1. Required Notice: Five working day notice.
2. Inspection Details: Overall check of project site, to verify completion of paving and associated appurtenances and improvements, traffic control devices, electrical systems,

utility installation, cleaning of drainage system, edge restoration, seeding, planting, and all necessary clean-up in accordance with the approved plans and these standards.

3. Additional Requirements: Prior to final approval of construction work, acceptance for maintenance and release of construction performance bonds, the developer/contractor shall pay any required fees, submit any required maintenance and defect financial guarantees, provide certification of monumentation and submit one ~~mylar~~ set of corrected plans (as-built) reflecting all minor and design plan changes of the roadway and drainage systems. The Department of Public Works shall specify the number of ~~mylar~~ sets as warranted by the type of improvement. ~~Mylars shall not have any shading or adhesive addition in any areas.~~ If original plans were completed on a CADD system, the developer/contractor shall submit, in addition to ~~mylars~~ physical plans, a copy of the CADD drawing files in .DWG format.

M. Final Maintenance Inspection:

1. Required Notice: 30 days prior to the end of the maintenance period.
2. Inspection Details: Overall check of work associated with a maintenance guarantee.
3. Additional Requirements: Prior to release of the maintenance guarantee, there shall be successful completion of the maintenance period as described [KCC 12.01.090](#), repair of any failed facilities and the payment of any outstanding fees.

12.05.02.080 Structure Inspections.

The following shall apply to the construction inspection of all bridges and major drainage structures:

- A. All materials and construction activity, and testing thereof, shall conform to the current edition of the WSDOT Standard Specifications, as amended.
- B. Prior to construction, the County Engineer shall hold a pre-construction meeting with the applicant's structural engineer to review the required inspections and documentation.
- C. The applicant's structural engineer shall be responsible for inspection, material testing, quality control, and sufficiency of the completed structure.
- D. All inspection activities and methods shall be subject to approval by the County Engineer.
- E. Inspection and testing shall be conducted at the direction of the applicant's structural engineer as frequently as necessary to ensure the construction conforms to the approved plans and specifications.

Exhibit I: Docket Item 2024-10

Amendment to Title 16

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Kittitas County Code

6 Print version

Title 16 | SUBDIVISIONS*

Chapters

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[1] Formerly "Boundary Line Adjustments", renamed by [Ord. 2022-005](#), 2022

[2] Formerly "Road Construction Standards and Other Required Improvements", renamed by [Ord. 2022-005](#), 2022

* 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

16.10.070 Expiration.

If the boundary line adjustment or parcel combination is not recorded with the Kittitas County Auditor within two (2) years of the date of approval, the boundary line adjustment or parcel combination shall be null and void. (Ord. 2022-005, 2022; Ord. 2014-015, 2014)

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.

16.12.060 Open space and non-buildable lots.

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.

16.12.200 Repealed

16.12.210 Repealed

16.12.230 Repealed

VI PRELIMINARY APPROVAL

16.12.240 Development authorization.

16.12.250 Expiration.

16.12.260 Revision of Preliminary Subdivisions

I DRAWING REQUIREMENTS

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 at least 30 days prior to 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. 2018-021, 2018; Ord. 2010-014, 2010; Ord. 2010-02, 2010; Ord. 2005-31, 2005)

16.12.260 Revisions of preliminary subdivisions.

- A. A request to revise a plat, short plat or binding site plan that has received preliminary approval shall be submitted to the department.
- B. Proposed revisions to a preliminary subdivision that would result in a substantial change, as determined by the department, shall be treated as a new application for purposes of vesting and transportation concurrency.
- C. Proposed revisions to a preliminary short subdivision or binding site plan that would result in a substantial change, as determined by the department, shall be treated as a new application for purposes of vesting and, where applicable, transportation concurrency.
- D. For the purpose of this section, a substantial change includes, but is not limited to:
 - 1. The creation of additional lots;
 - 2. The reduction or elimination of open space;
 - 3. A change in use;
 - 4. A change in points of ingress or egress; and
 - 5. A change to conditions of approval of an approved preliminary subdivision, preliminary short subdivision or binding site plan that leads to environmental impacts that were not addressed in the original approval.
- E. Proposed changes to a subdivision, short subdivision or binding site plan that do not result in a substantial change, as determined by the department, shall be treated as a minor change and may be approved administratively by the department.
- F. For purposes of this section, minor changes include, but are not limited to:
 - 1. Changes to engineering design standards necessitated by changed circumstances, such as reconfiguration or reduction of lots;
 - 2. Changes in lot dimensions that are consistent with the underlying zone;
 - 3. A decrease in the number of lots to be created so long as the minimum lot size and minimum density of the underlying zone is maintained;
 - 4. Changes in timing of phased plans; and
 - 5. Changes to engineering design that reduce construction related impacts and do not eliminate off-site improvements specifically required as a condition of preliminary approval.

Chapter 16.16

HAZARDOUS LANDS

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)

Exhibit J: Docket Item 2024-11 Spring Tree Ranch LLC & Fowler Creek Trust (CP-24-00002 & RZ-24-00002)

Land use and Rezone Proposal: Rural Residential Ag 5 to Rural Residential and PUD

A proposal to change the land use and zoning designations of three parcels from Rural Residential and Agricultural 5 to Planned Unit Development. A comprehensive plan amendment (CP-24-00002), rezone application (RZ-24-00002), and SEPA checklist were submitted as part of the application packet. A SEPA mitigated threshold determination of non-significance (MDNS) was issued with no appeals. The processing of this non-project specific rezone is consistent with Kittitas County Code 15B.03 Amendments to Comprehensive Plan.

The complete record for this specific proposal can be found on the county website at <https://www.co.kittitas.wa.us/cds/land-use/default.aspx> then navigate to “Comp Plan Amendments” and then selecting the CP-24-00002 Spring Tree Ranch.

Location

Tax parcel # 376334, 386334, and 396334, located at 1890 Nelson Siding Road in Section 27, Township 20 Range 14, W.M.; Kittitas County.

Exhibit K: Docket Item 2024-12 Flying A Land LLC and Schmidt House LLC (CP-24-00003 & RZ-24-00003)

Land use and Rezone Proposal: Rural Residential Ag 5 to Rural Residential and PUD

A proposal to change the land use and zoning designations of nine parcels from Rural Residential and Agricultural 5 to Planned Unit Development. A comprehensive plan amendment (CP-24-00003), rezone application (RZ-24-00003), and SEPA checklist were submitted as part of the application packet. A SEPA threshold determination of non-significance (DNS) was issued with no appeals. The processing of this non-project specific rezone is consistent with Kittitas County Code 15B.03 Amendments to Comprehensive Plan.

The complete record for this specific proposal can be found on the county website at <https://www.co.kittitas.wa.us/cds/land-use/default.aspx> then navigate to "Comp Plan Amendments" and then selecting the CP-24-00003 Flying A.

Location

Tax parcel # 962342, 962343, 962346, 12133, 958408, 094834, 956817, 956816, 956822 located south of Game Farm Road, 0.5 miles east of Wilson Creek Road 0.5 miles north of Vantage Highway in Section 32, Township 18 Range 19, W.M.; Kittitas County

Exhibit L: Docket Item 2024-13

Kristin Gibson

(RZ-00001)

Land use and Rezone Proposal: Rural Residential Ag 5 to Rural Residential and PUD

A proposal to change the land use and zoning designations of one parcel from Rural Working and Agricultural 20 to Rural Working and Forest and Range. A comprehensive plan amendment (CP-24-00003), rezone application (RZ-24-00001), and SEPA checklist were submitted as part of the application packet. A SEPA mitigated threshold determination of non-significance (MDNS) was issued and appealed, The BOCC denied the appeal. The processing of this non-project specific rezone is consistent with Kittitas County Code 15B.03 Amendments to Comprehensive Plan.

The complete record for this specific proposal can be found on the county website at <https://www.co.kittitas.wa.us/cds/land-use/default.aspx> then navigate to “Rezones” and then selecting the RZ-24-00001 Gibson.

Location

Tax parcel # 280533, located on Park Creek Road south of Vantage Hwy in Section 8, Township 17 Range 20, W.M.; Kittitas County.