



WASHINGTON STATE DEPARTMENT OF
COMMUNITY, TRADE AND ECONOMIC DEVELOPMENT

Notification for 60-Day Review of Comprehensive Plan Amendment

Pursuant to RCW 36.70A.106, the following hereby provides 60-day notice of intent to adopt the following comprehensive plan amendments.

Jurisdiction Name:	Kittitas County
Address:	411 N Ruby, Ste 1, Ellensburg WA 98926
Date:	10/14/2009

Contact Name for Ordinance:	Jan Ollivier
Phone Number:	509-962-7610
Fax Number:	509-962-7663
E-Mail Address:	jan.ollivier@co.kittitas.wa.us

Brief Description of the Proposed Comprehensive Plan Amendment: <input type="checkbox"/> Check the box if this is Supplemental Material for an existing amendment already submitted to CTED. Please also provide the date submitted and/or CTED Material ID number.	CP-09-09 Amendment to KCC 16.18 (Irrigation & Sprinkling)– adding new Chapter III Upper Kittitas County
Planned Public Hearing Date:	December 1, 2009
Planned Date of Adoption:	December 15, 2009
Please Attach a Draft of the Proposed Amendment. (Attachment Required)	

Chapter 16.18 IRRIGATION AND SPRINKLING

Sections

16.18.010 Purpose.

I IRRIGATION

16.18.020 Irrigation entity defined.

16.18.030 Parcel creation- Irrigation water delivery system requirements.

16.18.035 Certificate of Irrigation Entity.

16.18.040 Irrigation representative - Selection.

16.18.050 Irrigation representative - Duties generally.

II SPRINKLER SYSTEMS

16.18.060 Purpose.

16.18.070 Definitions.

III UPPER KITTITAS COUNTY

16.18.080 Special Prohibition.

16.18.090 Penalty

16.18.100 Upper Kittitas County defined.

16.18.010 Purpose.

- A. The purpose of this article is to provide for an orderly system of providing irrigation water to property which is undergoing parcel creation in accordance with KCC Title 16 for such lands as are entitled to irrigation water from irrigation entities, and to require the installation of an irrigation water delivery system.
- B. This ordinance neither grants nor changes water rights. (Ord. 2005-31, 2005)

I IRRIGATION

16.18.020 Irrigation company defined.

The following definition shall apply in this article:

"Irrigation entity" means any one of the following irrigation companies, or the successor in interest thereto: the Kittitas Reclamation District, the Taneum Ditch Company, the Cascade Irrigation District, the Ellensburg Water Company, the West Side Irrigation Company, the Thorp Mill Ditch, the Bull Ditch, the Packwood Ditch, the Fogarty Ditch, the Farrel Ditch, the Tjossem Ditch, the Younger Ditch, the Ellensburg Mill and Feed Ditch and all other organized irrigation districts and/or companies or any privately held individual water right of record. including holders of pre " 1917 ancient water rights. (Ord. 2005-31, 2005)

16.18.030 Parcel creation- Irrigation water delivery system requirements.

Any parcel creation proposed for land served by or crossed by an irrigation entity shall provide a water delivery system together with rights-of-way to each lot created by the parcel creation with an irrigation right. The parcel creation shall also provide for easements or rights-of-way from the water source to the water delivery system. A drawing shall be submitted showing elevations, the location of lots and the location of the proposed water delivery system. Such systems shall not impair the rights or uses of downgradient water owners or users. The downgradient irrigation water users shall be

considered and consulted in preparing the design of the proposed water delivery system. The Director shall refer such proposed parcel creation to the irrigation entity or entities which will furnish water to the parcel creation, and the Director shall take into consideration any comments made by the irrigation entity concerning the proposed water delivery system.

The applicant/land owner shall certify whether an apparent or recorded right-of-way or easement is located on the property proposed for parcel creation. If there is an apparent or recorded right-of-way or easement located on the subject property, the applicant/land owner shall provide the County with the name and address of the right-of-way or easement owner. (Ord. 2005-31, 2005)

16.18.035 Certificate of Irrigation Entity.

A certificate of the irrigation entity representative stating that the proposed parcel creation meets the irrigation entity requirements for continued irrigation of the lands within the entities boundaries may be submitted as proof of compliance in substantially the following form:

(copy as follows)

I hereby certify that the irrigation plan for (name of parcel creation) conforms to the requirements of (irrigation entity).

Dated this day of A.D., 20
(irrigation entity) Representative

(Ord. 2005-31, 2005)

16.18.040 Irrigation representative - Selection.

The owners of any platted property hereafter platted who may be entitled to irrigation water from an irrigation entity shall, prior to receiving irrigation water, select a person as an irrigation representative. (Ord. 2005-31, 2005)

16.18.050 Irrigation representative - Duties generally.

The irrigation representative shall be the representative of the plat to the irrigation entity in all matters concerning the delivery of water from the irrigation entity to the platted property including, but not limited to, making arrangements for delivery of water, coordinating water use between lot owners, and generally attending to all matters having to do with the water delivery. (Ord. 2005-31, 2005)

II SPRINKLER SYSTEMS

16.18.060 Purpose.

The purpose of this article is to provide for water conservation and to improve surface and ground water quality by diminishing the amount of surface water interfering with the operation of on site sewage systems and wells on residential property. Platted lots where the size of the lots in any plat is three acres or less shall be irrigated by either a sprinkler irrigation system or drip irrigation system that meets the requirements of the irrigation entity that supplies the water. (Ord. 2005-31, 2005)

16.18.070 Definitions.

The following definitions shall apply in this article:

- A. "Drip irrigation system" means a system for the delivery of water to land by permitting water to fall in drops by the use of pipes which have very small perforations or specially designed outlets to permit a very small amount of water to drip from the pipe.
- B. "Sprinkler irrigation system" means a closed system for delivery of water to the land whereby irrigation is ultimately achieved by the piping of all water through a sprinkling device that has

the effect of distributing the water to the land surface in small scattered droplets in a rain-like manner. (Ord. 2005-31, 2005)

III UPPER KITTITAS COUNTY

16.18.080 Special Prohibition.

It shall be unlawful to install a lawn or garden after the effective date of this ordinance within Upper Kittitas County except as provided within this chapter. It shall be unlawful to maintain a lawn or garden installed after the effective date of this ordinance within Upper Kittitas County except if such lawn or garden was installed in accordance with this chapter.

16.18.090 Expansion or Relocation of existing lawn or garden.

The expansion of a lawn or garden that preexists the effective date of this ordinance is not considered to be a new installation unless the expansion is greater than 100 square feet. The relocation of an existing lawn or garden within a parcel shall not be considered a new lawn or garden.

16.18.100 Penalty.

It is hereby declared a nuisance to install or allow to continue a lawn or garden in violation of this Chapter. The owner of a parcel where a lawn was created after the effective date of this ordinance shall be subject to the penalty provisions of Title 18 including the Criminal Penalties as outlined therein. Enforcement of this prohibition shall be through the procedures outlined in Title 18.

16.18.110 Upper Kittitas County defined.

[insert map].

1 **BOARD OF COUNTY COMMISSIONERS**

2 **COUNTY OF KITTITAS**

3 **STATE OF WASHINGTON**

4 **ORDINANCE NO**

5 **ORDINANCE REGULATING**

6 **The Enforcement of Kittitas County Code.**

7 WHEREAS, the surface water of Kittitas County is fully appropriated, and

8 WHEREAS, the ground water of Kittitas County is of limited supply, and

9 WHEREAS, the Board of Kittitas County Commissioners is charged with managing the
10 growth of the County, and

11 WHEREAS, the indoor domestic water use is required for the health of the current and
12 future citizens of the County, and

13 NOW, THEREFORE, BE IT ORDERED, that Chapter 16.18 of Kittitas County Code be
14 modified to read as follows:

14 **Chapter 16.18**

15 **IRRIGATION AND SPRINKLING**

16 **Sections**

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17 **I IRRIGATION**

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1 16.18.100 Upper Kittitas County defined.

2 **16.18.010 Purpose.**

- 3 A. The purpose of this article is to provide for an orderly system of providing irrigation water to
4 property which is undergoing parcel creation in accordance with KCC Title 16 for such lands as
5 are entitled to irrigation water from irrigation entities, and to require the installation of an
6 irrigation water delivery system.
7 B. This ordinance neither grants nor changes water rights. (Ord. 2005-31, 2005)

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13 the Ellensburg Water Company, the West Side Irrigation Company, the Thorp Mill Ditch, the Bull Ditch,
14 the Packwood Ditch, the Fogarty Ditch, the Farrel Ditch, the Tjossem Ditch, the Younger Ditch, the
15 Ellensburg Mill and Feed Ditch and all other organized irrigation districts and/or companies or any
16 privately held individual water right of record. including holders of pre " 1917 ancient water rights.
17 (Ord. 2005-31, 2005)

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21 irrigation right. The parcel creation shall also provide for easements or rights-of-way from the water
22 source to the water delivery system. A drawing shall be submitted showing elevations, the location of
23 lots and the location of the proposed water delivery system. Such systems shall not impair the rights or
24 uses of downgradient water owners or users. The downgradient irrigation water users shall be
25 considered and consulted in preparing the design of the proposed water delivery system. The Director
shall refer such proposed parcel creation to the irrigation entity or entities which will furnish water to
the parcel creation, and the Director shall take into consideration any comments made by the
irrigation entity concerning the proposed water delivery system.

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1 Dated this day of A.D., 20
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23 fall in drops by the use of pipes which have very small perforations or specially designed
24 outlets to permit a very small amount of water to drip from the pipe.
- 25 B. "Sprinkler irrigation system" means a closed system for delivery of water to the land whereby
irrigation is ultimately achieved by the piping of all water through a sprinkling device that has
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[insert map].

ADOPTED this ___ day of _____ 2009.

BOARD OF COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON

Approved as to Form

Commissioner, Chairman

Brent Bottoms
Civil Deputy signing for
Gregory L. Zempel
Prosecuting Attorney

Commissioner, Vice-Chairman

ATTEST:
CLERK OF THE BOARD

Commissioner

Julie A. Kjorsvik