



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
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Brief Description of the Proposed Comprehensive Plan Amendment: <input type="checkbox"/> Check the box if this is <u>Supplemental Material</u> for an existing amendment already submitted to CTED. Please also provide the date submitted and/or CTED Material ID number.	CP-09-10 Amendment of KCC 14.08 & KCC 17.92.020 – Regulating Recreational Vehicles & Park Model Trailers in the Flood Zone
Planned Public Hearing Date:	December 1, 2009
Planned Date of Adoption:	December 15, 2009
Please Attach a Draft of the Proposed Amendment. (Attachment Required)	

Existing Code (changed areas are underlined):

14.08.295 Recreational vehicles.

Recreational vehicles placed on sites are required to:

1. Be on the site for fewer than 180 consecutive days; and
2. Be fully licensed and ready for highway use, on its wheels or jacking system, be attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions. (Ord. 200103).

14.08.310 Standards for shallow flooding areas (AO Zones).

Shallow flooding areas appear on FIRMs as AO Zones with depth designations. The base flood depths in these zones range from one to three feet above ground where a clearly defined channel does not exist, or where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is usually characterized as sheet flow. In these areas, the following provisions apply:

1. New construction and substantial improvements of residential structures and manufactured homes within AO Zones shall have the lowest floor (including basements) elevated above the highest grade adjacent to the building, one foot or more above the depth number specified in feet on the FIRM (at least two feet above the highest adjacent grade to the structure if no depth number is specified).
2. New construction and substantial improvements of nonresidential structures within AO Zones shall either:
 1. Have the lowest floor (including basement) elevated above the highest adjacent grade of the building site, one foot or more above the depth number specified on the FIRM (at least two feet if no depth number is specified); or
 2. Together with attendant utility and sanitary facilities, be completely flood-proofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. If this method is used, compliance shall be certified by a registered professional engineer or architect as in KCC 14.08.270(3).
3. Require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.
4. Recreational vehicles placed on sites within AO Zones on the community's FIRM are required to:
 1. Be on the site for fewer than 180 consecutive days; and
 2. Be fully licensed and ready for highway use, on its wheels or jacking system, be attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions. (Ord. 2001- 03; Ord. 93-18 § 5.5, 1993. Formerly 14.08.320).

14.04.045

NEW SECTION

14.04.045

NEW SECTION

1 **BOARD OF COUNTY COMMISSIONERS**

2 **COUNTY OF KITTTITAS**

3 **STATE OF WASHINGTON**

4 **ORDINANCE NO**

5 **ORDINANCE REGULATING**

6 **RECREATIONAL VEHICLES AND PARK MODEL TRAILERS.**

7 WHEREAS, the health and safety of the people of Kittitas County is of great concern to
8 the Board of Kittitas County Commissioners, and

9 WHEREAS, the placement of recreational vehicles and park model trailers in flood
10 hazard areas creates a danger to members of the public, and

11 WHEREAS, recreational vehicles and park model trailers are not built according to the
12 Department of Housing and Urban Development Manufactured Home Construction and Safety
Standards Act, however

13 WHEREAS, recreation is very important to the citizens of the County, and

14 WHEREAS, the Board desires that the citizens of the County be allowed to use
15 recreational vehicles and park model trailers within the limits of safety;

16 NOW, THEREFORE, BE IT ORDERED, that Title 14 of Kittitas County Code is amended to
17 include the following sections OR where these sections already exists they be modified to read as
follows:

18 **14.08.295 Recreational vehicles and Park Model Trailers.**

- 19
- 20 1. Recreational vehicles as defined in KCC 14.04.045 shall not be parked in a Flood Hazard Area
21 from January 1st until the Wednesday before Memorial Day and again from November 15th
through December 31st. The prohibition shall be inclusive of the end dates of each period. An
RV placed before the prohibited period shall not remain after November 14th.; and

22 **Exception:** This regulation shall not be interpreted to prevent recreational use of
23 property, but shall prohibit the unattended storage of all
24 recreational vehicles and equipment during the flood season as
outlined in 14.08.295 (1). If a notice of correction is placed upon the
Recreational Vehicle and such notice is observed upon such

1 Recreational Vehicle over 72 hours later, such observation shall
2 create a rebuttable presumption of unattended storage. Such notice
3 must reference that failure to remove it will create the before stated
4 presumption.

5 **Exception:** Lawfully established, conditionally permitted uses (CUPs) such as
6 campgrounds and recreational parks in existence prior to the
7 adoption of this ordinance shall be allowed to continue their
8 approved operations provided such uses are not dangerous to life and
9 property and have and continue to comply with the laws and
10 regulation as they existed at the time the CUP was issued. Such uses
11 shall not be expanded and must comply with all rules and regulations
12 regarding nonconforming uses.

- 13
- 14 2. Recreational vehicles as defined in KCC 14.04.045 shall be fully licensed and ready for highway
15 use, on its wheels or jacking system, be attached to the site only by quick disconnect type
16 utilities and security devices, and have no permanently attached additions.
 - 17 3. Park Model Trailers as defined in KCC 14.04.045 shall not be placed in a Flood Hazard Area.
18 (Ord 09-XX)

19 **Exception:** to 1, 2, and 3 above. A recreational vehicle or Park Model Trailer being used as a
20 primary residence and located in manufactured/mobile home community as
21 defined in RCW 59.20.030 that was in existence before June 8, 2008 is exempted
22 from the restrictions found in subsections 1, 2, and 3 above. The placement of such
23 recreational vehicle or Park Model Trailer requires both a permit under KCC
24 17.92.020 and engineering to address the flood hazard. Additionally, such
25 placement shall be conditioned upon meeting all the requirements placed upon a
mobile and/or manufactured home in the same location.

14.08.310 Standards for shallow flooding areas (AO Zones).

Shallow flooding areas appear on FIRMs as AO Zones with depth designations. The base flood depths in these zones range from one to three feet above ground where a clearly defined channel does not exist, or where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is usually characterized as sheet flow. In these areas, the following provisions apply:

1. New construction and substantial improvements of residential structures and manufactured homes within AO Zones shall have the lowest floor (including basements) elevated above the highest grade adjacent to the building, one foot or more above the depth number specified in feet on the FIRM (at least two feet above the highest adjacent grade to the structure if no depth number is specified).
2. New construction and substantial improvements of nonresidential structures within AO Zones shall either:
 - a. Have the lowest floor (including basement) elevated above the highest adjacent grade of the building site, one foot or more above the depth number specified on the FIRM (at least two feet if no depth number is specified); or
 - b. Together with attendant utility and sanitary facilities, be completely flood-proofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. If this method is used, compliance shall be certified by a registered professional engineer or architect as in KCC 14.08.270(3).

- 1 3. Require adequate drainage paths around structures on slopes to guide floodwaters around and
2 away from proposed structures.
- 3 4. Recreational vehicles placed on sites within AO Zones on the community's FIRM:
- 4 a. Shall not be parked in a Flood Hazard Area from January 1st until the Wednesday before
5 Memorial Day and again from November 15th through December 31st. The prohibition
6 shall be inclusive of the end dates of each period. An RV placed before the prohibited
7 period shall not remain after November 14th.; and
- 8 b. Shall be fully licensed and ready for highway use, on its wheels or jacking system, be
9 attached to the site only by quick disconnect type utilities and security devices, and
10 have no permanently attached additions.
- 11 5. Park Model Trailers as defined in KCC 14.04.045 shall not be placed in an AO Zone.

12 **Exception:** to 4 and 5 above. A recreational vehicle or Park Model Trailer being used as a
13 primary residence and located in manufactured/mobile home community as
14 defined in RCW 59.20.030 that was in existence before June 8, 2008 is exempted
15 from the restrictions found in subsections 4 and 5 above. However, the placement
16 of such recreational vehicle or Park Model Trailer requires both a permit under KCC
17 17.92.020 and engineering to address the flood hazard. Additionally, such
18 placement shall be conditioned upon meeting all the requirements placed upon a
19 mobile and/or manufactured home in the same location

20 (Ord 09-XX)

21 **14.04.045 Recreational Vehicles and Park Model Trailers.**

- 22 1. Definitions:
- 23 a. "Recreational vehicle" (RV) is a vehicular type unit designated as temporary living
24 quarters for recreation camping, travel or seasonal use which has its own power or is
25 mounted on or towed by another vehicle. The vehicle has a gross floor area of not more
26 than three hundred twenty square feet. This definition includes vehicles such as travel
27 trailers, camping trailers, truck campers and motor homes. An RV does not include a
28 park model trailer for purposes of this section. A recreational vehicle is not considered
29 a mobile or manufactured home and is not constructed to the International Building
30 Code standards. A recreational vehicle has a green and silver insignia from the
31 Department of Labor and Industries.
- 32 b. "Park model trailer" A trailer designed to provide seasonal or temporary living quarters
33 which may be used with temporary connections to utilities necessary for operation of
34 installed fixtures and appliances. It has a gross trailer area not exceeding 400 square
35 feet). A park model trailer does not include a modular home, a mobile home, or
36 manufactured home.
- 37 2. All Park Model Trailers shall meet area specific snow load requirements. Snow load
38 requirements shall be determined in the same method utilized for stick framed homes by the
39 Building Official. To meet the area specific snow load requirement they have the following
40 options available:
- 41 a. Place a unit that meets snow load requirements.
- 42 b. The Park Model Trailer owner or manufactured home park owner shall provide a snow
43 removal maintenance program for the home. Such maintenance program shall
44 reasonably ensure that the home shall be safe and habitable under snow load
45 conditions. The program shall be contained within an agreement approved by Kittitas
46 County and shall hold Kittitas County harmless from any claims or damages caused by

snow load failure of the home. The agreement shall be legally recorded with the Kittitas County Auditor.

- c. Construct a shelter or ramada that meets the snowload requirement. When a Park Model Trailer requires a snow shelter or ramada; the permit for the shelter or ramada must be issued prior to or concurrent with a Conditional Use Permit (CUP) that authorizes the extended use of a Park Model Trailer. The shelter or ramada shall be completed within 90 days of the issuance of a Park Model Trailer, regardless of status of the CUP.
3. All Park Model Trailers located in a Wildland Urban Interface area, as determined by Kittitas County, shall comply with the provisions of the current adopted International Wildland-Urban Interface Code per KCC 14.04.010(10)
4. All Park Models are State inspected dwellings and shall be placed on foundation systems that meet the requirements per the manufacturer's installation instructions or if the manufacturer is not specific, then to the standards listed in Chapter 296-150P WAC. All footings, foundations, skirting, landings, additions and other external appendages shall be inspected and approved by Kittitas County prior to occupancy.
5. A Park Model Trailer may be placed on stands or blocked in accordance with the manufacturer's installation instructions and skirted with materials approved for ground contact or below grade applications. Otherwise the Park Model must be placed on a basement or poured concrete foundation and such placement shall require engineering. Alterations to a Park Model Trailer are prohibited.
6. Additions to a Park Model are prohibited.
7. An RV may not be used as a residence, except if it is a primary residence and is located in a manufactured/mobile home community as defined in RCW 59.20.030 that was in existence before June 8, 2008. Such placement shall be conditioned upon meeting all the requirements placed upon a Park Models, mobile and/or manufactured home in the same location.
8. Except as provided in 17.92.010, unless an RV is being used as a primary residence pursuant to subsection (7) above, an RV may be used for no more than four (4) weeks out of any six (6) weeks and shall be fully licensed and ready for highway at all times. An RV must be disconnected from utilities during the weeks that it is not in use.
9. A Park Model Trailer must be connected to government approved utilities during use.
10. A Park Model Trailer may not be placed anywhere within the County, unless it is used as a primary residence and is located in manufactured/mobile home community as defined in RCW 59.20.030 that was in existence before June 8, 2008. Placement of Park Model Trailers is further restricted in KCC 14.08.295 and KCC 14.08.310. Additionally, such placement shall be conditioned upon meeting all the requirements placed upon a mobile and/or manufactured home in the same location. (Ord 09-XX)

14.04.046 Other factory built dwellings.

1. Factory built dwellings that are not certified as having been constructed to HUD Standards are prohibited.
2. This section shall not apply to Mobile, manufactured, designated manufactured and modular homes as defined in KCC 14.04.040.
3. This section shall not apply to Recreational Vehicles and Park Model Trailers as defined in KCC 14.04.045. (Ord 09-XX)

NOW, THEREFORE, BE IT FURTHER ORDERED, that Section 17.92.020 of Kittitas County Code is amended to read as follows:

17.92.020 Building permits.

Building permits shall be required within the boundaries of the area affected by this title for the erection, placement (including Manufactured Homes as well as RV and Park Models being placed in a manufactured/mobile home community), or the alteration of all structures or land uses. No building permit shall be issued for any structure which fails to conform to the provisions of this Code or amendments hereto. (Res. 83-10, 1983, Ord 09-XX)

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