

Kittitas County Code

Title 15A | PROJECT PERMIT APPLICATION PROCESS*

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* Prior legislation: Ords. 96-19 and 97-05.

Chapter 15A.01 ADMINISTRATION, PURPOSE AND OBJECTIVE

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15A.01.010 Purpose and authority.

It is the purpose of this title to effectively and efficiently administer applications for land use development activities by combining environmental review process, both procedural and substantive, with the procedure for review of project permits.

1. Each local government planning under [RCW 36.70A.040](#) shall establish a permit review process that provides for the integrated and consolidated review and decision on two or more project permits relating to a proposed project action, including a single application review and approval process covering part of or all project permits requested by an applicant for all or part of a project action, and a designated permit coordinator.

2. When a project permit application is filed, the project review process should include land use, environmental, public, and governmental review so that documents prepared under different requirements can be reviewed together by the public and other agencies, in one project review process. In the event of inconsistencies within county code pertaining to such processing, this title shall control. (Ord. 2000-07; Ord. 98-10, 1998)

15A.01.020 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.
2. The prosecuting attorney may institute any necessary legal proceedings to enforce the provisions of this title.
3. The county sheriff and his authorized representatives shall have the authority to enforce the provisions of this title. (Ord. 2007-22, 2007; Ord. 2000-07; Ord. 98-10, 1998)

15A.01.030 Applicability.

The provisions of this title shall apply to all land use permits under KCC Titles [15](#), 15A, [16](#), [17](#), and [17A](#), county shoreline master program, and to any related regulation or any other ordinance or law implementing these provisions. In the event of conflict with the current county code, this title shall control. (Ord. 2000-07; Ord. 98-10, 1998)

15A.01.040 Roles and responsibilities.

The regulation of land development is a cooperative activity including many different elected and appointed bodies and county staff. The specific responsibilities of these bodies is set forth below and outlined in [Table A](#) at the end of this title.

1. **Applicant.** An applicant is expected to read and understand the county comprehensive plan and code and be prepared to fulfill the obligations placed on the applicant. Pre-application conferences are available to anyone who wishes to discuss such obligations prior to submittal.
2. **Community Development Services Director.**
 - a. The Community Development Services Director (CDS Director) is responsible for the administration of portions of [KCC Title 15](#), Environmental Policy, Title 15A, Project Permit Application Process, [Title 16](#), Subdivisions, [Title 17](#), Zoning, [Title 17A](#), Critical Areas, and the shoreline master program.
 - b. Upon request or as determined necessary, the CDS Director shall interpret the meaning or application of the provisions of said titles and issue a written administrative interpretation. Requests for interpretation shall be written and shall concisely identify the issue and desired interpretation.
 - c. Administrative land use decisions on certain zoning conditional uses, and variances from the standards and dimensional regulations of the zoning code, [KCC Title 17](#), such as setback and yard restrictions.
 - d. The CDS Director or his/her designee shall have the authority to review and approve, deny, or approve with conditions, applications for the following:
 - i. Letters of exemption from a shoreline substantial development permit;
 - ii. Shoreline substantial development permits;
 - iii. Revisions to shoreline substantial development permits; and

- iv. Requests for timing extensions for i through iii above.
3. **Board of County Commissioners.** In addition to its legislative responsibilities under [KCC Title 15B](#), the board shall review and act on the following subjects pursuant to this title:
- a. Recommendations of the Planning Commission. Decision-making process by the board shall consist of a public meeting or meetings wherein the board reviews the written record transmitted from the Planning Commission for Legislative matters and issues a written decision in resolution or ordinance form. During such meeting(s), appropriate county staff will present the record to the board, providing information as necessary to ensure county code compliance. No new comment or information will be allowed by the board during the decision-making process.
 - b. Appeals of site-specific rezones.
 - c. Development Agreements.
4. **Hearing Examiner - Decision.** The Hearing Examiner shall review and make a final decision for the purposes of appeal under KCC section 15A.07 on the following applications and subjects pursuant to this title:
- a. Initial local County decision on Shoreline Conditional Use Permits subject to the Shoreline Master Program;
 - b. Initial local County decision on Shoreline Variances pursuant to the Shoreline Master Program;
 - c. Shoreline substantial development permits that are included in consolidated permit applications that are subject to Hearing Examiner review and action;
 - d. Conditional use permits pursuant to the zoning code, KCC Title 17;
 - e. Application for preliminary plats;
 - f. Site-Specific Rezone applications;
 - g. Appeals of administrative SEPA actions regarding an action without an underlying permit;
 - h. Open record appeal of administrative SEPA actions;
 - i. Appeal of administrative determinations such as short plats, variances, and code interpretations;
 - j. Other actions requested or remanded by the Board of County Commissioners; and
 - k. Appeal of administrative determinations regarding road standard variance decisions.
5. **Washington State Department of Ecology.** The Washington State Department of Ecology shall be responsible for the final approval, denial, or approval with conditions for the following:
- a. Shoreline conditional use permits and revisions to same; and
 - b. Shoreline variances and revisions to same.

([Ord. 2022-005](#), 2022; [Ord. 2018-021](#), 2018; [Ord. 2016-006](#), 2016; [Ord. 2014-008](#), 2014;)

15A.01.050 Severability.

If any chapter, section, subsection, sentence, clause, phrase, part or portion of this title is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision

shall not affect the validity of the remaining portions of this title or the application of the provisions to other persons or circumstances. (Ord. 2000-07; Ord. 98-10, 1998)



Chapter 15A.02

DEFINITIONS

Sections

[15A.02.010](#) Generally.

[15A.02.020](#) Administrator.

[15A.02.030](#) Repealed.

[15A.02.040](#) Consistency.

[15A.02.045](#) Department

[15A.02.050](#) Land use decision.

[15A.02.060](#) Open record hearing.

[15A.02.070](#) Person.

[15A.02.080](#) Project permit or project permit application.

[15A.02.090](#) Public meeting.

15A.02.010 Generally.

Certain terms and words used in this title are defined in the following sections. Words used in the present tense include the future; words in the singular number include the plural number; and words in the plural number include the singular number; the word "building" includes the word "structure," and the word "shall" is mandatory and not directory. (Ord. 2000-07; Ord. 98-10, 1998)

15A.02.020 Administrator.

"Administrator" means the county planning director or his/her designee. (Ord. 2000-07; Ord. 98-10, 1998)

15A.02.030 Repealed. ([Ord. 2012-009](#), 2012; Ord. 2000-07; Ord. 98-10, 1998)

15A.02.040 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. 2000-07; Ord. 98-10, 1998)

15A.02.045 Department.

"Department" means the Community Development Services department

15A.02.050 Land use decision.

"Land use decision" means a final determination by a local jurisdiction's body or officer with the highest level of authority to make the determination, including those with authority to hear appeals, on:

1. An application for a project permit or other governmental approval required by law before real property may be improved, developed, modified, subdivided, or used, but excluding applications for permits or approvals to use, vacate, or transfer streets, parks, and similar types of public property, excluding applications for legislative approvals such as area-wide rezones and annexations, and excluding applications for business licenses;

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2. An interpretive or declaratory decision regarding the application to a specific property of zoning or other ordinance or rules regulating the improvement, development, modification, maintenance, or use of real property; and
3. The enforcement by a local jurisdiction of ordinances regulating the improvement, development, modification, maintenance, or use of real property. (Ord. 2000-07; Ord. 9810, 1998)

15A.02.060 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. 2000-07; Ord. 98-10, 1998)

15A.02.070 Person.

"Person" means an individual, partnership, corporation, association, public or private organization, or government entity or agency. (Ord. 2000-07; Ord. 98-10, 1998)

15A.02.080 Project permit or project permit application.

"Project permit" or "project permit application" means any land use or environmental permit or license required from a local government for a project action, including but not limited to building permits, subdivisions, binding site plans, planned unit developments, conditional uses, shoreline substantial development permits, site plan review, permits or approvals required by critical areas ordinances, site-specific rezones authorized by a comprehensive plan or subarea plan, but excluding the adoption or amendment of a comprehensive plan, subarea plan, or development regulations. (Ord. 2000-07; Ord. 98-10, 1998)

15A.02.090 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 project permit prior to the local government's decision. A public meeting may include, but is not limited to, a design review or architectural control board meeting, a special review district or community council meeting, 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 project permit application file. (Ord. 2000-07; Ord. 98-10, 1998)



Chapter 15A.03

PROJECT PERMIT APPLICATION REVIEW

Sections

[15A.03.010](#) Complete application defined.

[15A.03.020](#) Pre-application conference.

[15A.03.030](#) Application and accompanying data.

[15A.03.040](#) Determination of complete application.

[15A.03.045](#) ~~Permit processing time.~~ Deadline extensions and supplemental information.

[15A.03.050](#) Fee schedule.

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[15A.03.060](#) Notice of application.

[15A.03.070](#) Specific procedures for permit review.

[15A.03.080](#) Projects exempt from the provisions of notice of application.

[15A.03.090](#) Review actions on project permit applications.

[15A.03.100](#) Criteria for review of all project actions.

[15A.03.110](#) Posting sites.

[15A.03.120](#) Project permit categories and review timelines.

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15A.03.010 Complete application defined.

The definition of a complete project permit application is defined in the relevant section of the zoning code, subdivision code, or, if applicable, development agreement adopted pursuant to this title. (Ord. 2000-07; Ord. 98-10, 1998)

15A.03.020 Pre-application conference.

A pre-application conference is offered to all interested potential applicants. Applicants are encouraged but not required to request this conference except in the case of a Cluster Platting and Conservation Platting, Planned Unit Development, master planned resort, conditional use permit, shoreline substantial development permit, shoreline conditional use permit, shoreline variance, rezone and any preliminary plat over nine (9) lots where a pre-application conference is required.

1. Prior to formal submittal of a project permit application, one or more optional conferences with appropriate county department representatives and other public agency representatives may be requested by the applicant. The date, time and place of such conferences shall be at the mutual agreement of the participants.
2. Such conferences are intended as informal discussion and review of possible applications to assist the possible applicant in discovery of appropriate county regulations, standards, application formats and review processes that would be required of a project.
3. Such conferences are not publicized and the public is not permitted to attend in order that a potential applicant's interests be protected.
4. A pre-application conference may be waived if the CDS Director or Planning Official determines that the proposal is relatively simple (has few, if any, development-related issues), is substantially similar to a prior proposal affecting the same property, or is substantially similar to other projects developed by the same applicant. In order to request a pre-application waiver, the applicant shall submit a completed pre-application waiver request form, a written narrative justifying the request for a pre-application waiver, and the required fee.

(Ord. 2016-006, 2016; Ord. 2013-001, 2013; Ord. 2011-013, 2011; Ord. 2010-014, 2010; Ord. 2007-22, 2007; Ord. 2007-22, 2007; Ord. 2000-07; Ord. 98-10, 1998)

15A.03.030 Application and accompanying data.

1. Written application for the approval of proposed project activities such as: zoning variance; zoning conditional use; short plat, long plat or subdivision; binding site plans; shorelines substantial development/conditional use/variance; master planned resort; and site-specific rezone shall be filed in complete form in the Community Development Services office upon forms prescribed for that purpose by the administrator.
2. The written application shall be accompanied by a site plan showing the dimensions and arrangement of the proposed development or changes including all proposed land uses and structures; points of access, roads and parking areas; septic tank and drainfield and

replacement areas; areas to be cut or filled; and natural features such as contours, streams, wetlands, hazardous slopes, etc. The administrator may require other drawings, topographic surveys, photographs, or other material essential to an understanding of the proposed use and its relationship to the surrounding properties.

3. Applications for project permits shall be signed by the owner(s) of the property.

4. Appropriate fee(s) paid-in-full.

a. Eighty percent of all application fees are due at the time of application submittal. The remaining twenty percent is due prior to permit issuance. In the event the Department does not issue a decision within the time limits established in KCC15A.03.120, the remaining twenty percent of the permit fees shall be reduced up to the following amounts:

i. Ten percent of the full permit fee if the decision was delayed no more than twenty percent of the overall processing timeline.

ii. Twenty percent of the full permit fee if the decision was delayed more than twenty percent of the overall processing timeline.

Example

A non-administrative process has a maximum processing timeline of 170 days from the date of notice of complete application. If the department exceeds this timeline by up to ten percent of the total allotted time (171-203 days), then ten percent of the application fee will be refunded. In this scenario, if the Department issues a determination beyond 204 days, the applicant will receive a twenty percent reduction in the permitting fee.

*This example excludes any timeline modifications established in KCC15A.03.120(4).

4.

(Ord. 2014-015, 2014; Ord. 2010-014, 2010; Ord. 2007-22, 2007; Ord. 2000-07; Ord. 98-10, 1998)

15A.03.040 Determination of complete application.

1. Within 28 days after receiving a project permit application, the local permitting agency shall mail or provide in person a written determination to the applicant, stating either:
 - a. That the application is complete; or
 - b. That the application is incomplete and what is necessary to make the application complete. An incomplete application shall expire after 180 calendar days unless the requested supplemental information is submitted in complete form.
2. To the extent known by the permitting agency, the permitting agency shall identify other agencies of local, state or federal governments that may have jurisdiction over some aspect of the application.
3. A project permit application is complete for the purposes of this title when it meets the procedural submission requirements of Kittitas County and is sufficient for continued processing even though additional information may be required or project modifications may be undertaken subsequently. The determination of completeness shall not preclude Kittitas County from requesting additional information or studies either at the time of the notice of completeness or subsequently if new information is required or substantial changes in the proposed action occur.
4. Within 14 days after an applicant has submitted to the permitting agency additional information identified by the permitting agency as being necessary for a complete application, the permitting agency shall notify the applicant whether the application is

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complete or what additional information is necessary. In determining the number of days that have elapsed after Kittitas County has notified the applicant that the application is complete, the following periods shall be excluded:

- a. Any period during which the applicant has been requested by Kittitas County to correct plans, perform required studies, or provide additional required information. The period shall be calculated from the date Kittitas County notifies the applicant of the need for the additional information until the earlier of the date Kittitas County determined whether the additional information satisfies the request for information or 14 days after the date the information has been provided to Kittitas County.
 - i. If Kittitas County determines that the additional information submitted by the applicant is insufficient, it shall notify the applicant of the continued deficiencies and the procedures under subsection (4)(a) of this section shall apply as if a new request for studies has been made.
- b. Any period during which an environmental impact statement is being prepared following a determination of significance pursuant to Chapter [43.21C RCW](#), if Kittitas County and the applicant in writing agree to a time period for completion of an environmental impact statement.
- c. Any period of administrative appeals of project permits, if an open record hearing or a closed record appeal, or both, are allowed. The time period to consider and decide such appeals shall not exceed:
 - i. Ninety days for an open record appeal hearing;
 - ii. Sixty days for a closed record appeal; and
 - iii. The parties to an appeal may agree to extend these time periods.
- d. Any extension of time mutually agreed upon by the applicant and Kittitas County.
- e. These time limits do not apply to a project permit application, if the project:
 - i. Requires an amendment to the comprehensive plan or a development regulation;
 - ii. Requires approval of a new fully contained community as provided in [RCW 36.70A.350](#), a master planned resort as provided in [RCW 36.70A.360](#), or the siting of an essential public facility as provided in [RCW 36.70A.200](#);
 - iii. Is substantially revised by the applicant, in which case the time period shall start from the date at which the revised project application is determined to be complete.
- f. If Kittitas County is unable to issue its final decision within the time limits provided, it shall provide written notice of this fact to the applicant. The notice shall include a statement of reasons why the time limits have not been met and an estimated date of issuance of the notice of final decision.
- g. Applications shall be void if they remain incomplete for more than 180 days.
- h. This section shall apply to project permit applications filed on or after the date of adoption of this title.

([Ord. 2014-015](#), 2014; Ord. 2000-07; Ord. 9810, 1998)

15A.03.045 Deadline extensions and supplemental information. Permit processing time.

1. Once an application has been deemed complete, the Director may request the applicant to submit additional corrections, studies or other information on the proposed project. The Director shall set a reasonable deadline for the submittal of corrections, studies or other information when requested, and shall provide written notification of such requests to the applicant.
2. Failure by the applicant to meet such deadline shall be cause for the application to be void. However, an extension of such deadline may be requested by an applicant if the request is made prior to the expiration of the deadline. Extension requests shall be submitted in writing, include a justification of why an extension is warranted.
3. When considering a request for a deadline extension, the Director shall give consideration to the code provisions to which the project is vested, if any. In order to assure equity in permit processing between past, current, and future applicants, deadline extensions shall be limited to one extension after code provisions affecting the project have changed. Once code provisions have changed as to make the vested code substantially different than current code, a requested deadline extension of up to six months may be granted, but it shall be the final extension granted. The Director shall determine whether code changes have created substantially different regulations.
4. The Director shall provide a written, mailed response to the applicant with its decision on each extension request. ([Ord. 2018-021](#), 2018; [Ord. 2013-001](#), 2013; [Ord. 2010-014](#), 2010)

15A.03.050 Fee schedule.

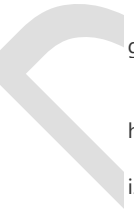
The fees for application related to this title shall be established by resolution and are referenced within [Title 4](#) of the Kittitas County Code.

([Ord. 2017-001](#), 2017; Ord. 2007-22, 2007; Ord. 2000-07; Ord. 98-10, 1998)

15A.03.060 Notice of application.

Kittitas County shall provide a notice of application to the public and the departments and agencies with jurisdiction. If Kittitas County has made a SEPA determination of significance under Chapter [43.21C RCW](#) concurrently with the notice of application, the notice of application shall be combined with the determination of significance and scoping notice. Nothing in this subsection prevents a determination of significance and scoping notice from being issued prior to a notice of application.

1. The notice of application shall be provided within 14 days after the determination of completeness in the following method:
 - a. Publishing notice, including at least the project location in other than a legal description, brief description of project, type of permit(s) required, comment period dates, and location where the complete application may be reviewed in the newspaper of general circulation in the general area where the proposal is located or in a local land use newsletter published by Kittitas County. Additional legal notice may be published for development applications located in the upper county in newspapers published at least weekly, in addition to the legal publishing requirement in the official county paper of record.
 - b. Notifying public or private groups with known interest in a certain proposal or in the type of proposal being considered.

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- c. Mailing to adjacent landowners. Adjacent landowners are the owners of real property, as shown by the records of the county assessor, located within 500 feet of any portion of the boundary of the proposal's tax parcel or lot of record (real property). If the owner of the real property which is proposed for activity owns another parcel or parcels of real property which lie adjacent to the real property proposed for activity, notice shall be given to owners of real property located within 500 feet of any portion of the boundaries of such adjacently located parcels of real property owned by the owner of the real property proposed for activity. Mailed notice for Solar Power Production Facilities shall be provided in accordance with [KCC 17.61C.080\(2\)](#).
 - d. Notifying the news media.
 - e. Posting notice via the Kittitas County Website.
 - f. Posting the site as outlined in [KCC 15A.03.110](#).
 - 2. The notice of application shall include the following:
 - a. The date of initial application, the date of the notice of completion for the application, and the date of the notice of application.
 - b. A description of the proposed project action and a list of the project permits included in the application and, if applicable, a list of any additional studies requested to complete the application.
 - c. The identification of other permits not included in the application to the extent known by Kittitas County.
 - d. The identification of existing environmental documents that evaluate the proposed project.
 - e. The location where the application and any studies can be reviewed.
 - f. A statement of the public comment period, which shall be not less than 14 nor more than 30 days following the date of the notice of application. This comment period shall be pursuant to [Table A](#) at the end of this title.
 - g. Statement of the right of any person to comment on the application, receive notice of and participate in any hearings, request a copy of the decision once made, and any appeal rights.
 - h. Kittitas County will accept public comments at any time prior to the closing of the public comment period of the specific application.
 - i. The date, time, place and type of hearing, if applicable and scheduled at the date of notice of the application.
 - j. A statement of the preliminary determination, if one has been made at the time of notice, of those development regulations that will be used for project mitigation and of consistency.
 - k. Identify the designated permit coordinator.
 - l. Any other information determined appropriate by Kittitas County.
 - 3. If the administrator has a reasonable basis for determining significant adverse environmental impacts are unlikely (pursuant to [Chapter 15.04 KCC](#), SEPA Regulations) for a proposal, the notice of application comment period will suffice for purposes of compliance with Chapter [197-11 WAC](#), and a second comment period after issuance of the SEPA threshold determination will not be required; provided, the notice of application includes the following:

- a. A statement indicating that the county expects to issue a DNS for the proposal; and
 - b. A statement indicating that the optional DNS process is being used, and that this may be the only opportunity to comment on the environmental impacts of the proposal; and
 - c. A statement indicating that the proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an EIS is prepared; and
 - d. A statement indicating that a copy of the subsequent threshold determination for the specific proposal may be obtained upon request.
4. A notice of application shall not be required for project permits that are categorically exempt under Chapter [43.21C RCW](#) (SEPA), unless a public comment period is required or for projects identified in [KCC 15A.03.080](#). Projects exempt from the provisions of notice of application. ([Ord. 2018-018](#), 2018; Ord. 2007-22, 2007; Ord. 2000-07, 2000; Ord. 98-10, 1998)

15A.03.070 Specific procedures for permit review.

The specific procedures for individual permit applications and independent administrative actions, including public comment period, public hearing, decision-making body, and appeals, are established pursuant to [Table A](#) at the end of this title. (Ord. 2000-07; Ord. 98-10, 1998)

15A.03.080 Projects exempt from the provisions of notice of application.

The following project proposals and land use actions shall be exempt from the provisions of notification when not associated with a larger, overall project. These projects allow an abbreviated application format and do not involve public review or hearing unless appeal to an administrative determination involving the underlying project is properly filed:

1. An act of subdivision not required to be accomplished by long plat, large lot subdivision short plat, or binding site plan;
2. Land use activity permitted without benefit of conditional use approval (administrative or quasi-judicial), as listed in [KCC Title 17](#), Zoning;
3. Minor amendments or modifications to approved developments or permits. Minor amendments are those which may affect the precise dimensions or locations of buildings, accessory structures and driveways, but do not affect the overall project character, increase the number of lots, dwelling units, or density, or decrease the quality or amount of open space;
4. Building and associated construction permits, including but not limited to mechanical, plumbing, tank and manufactured home placement, etc.;
5. Sign permit;
6. Flood development permit;
7. Critical areas binding determination;
8. Septic and associated health permits, including vault privy, pool and food handler, etc.;
9. Well and/or community water system permit;
10. Approval to access onto county road;
11. Acts of right-of-way vacation;
12. Miscellaneous county actions related to use of public areas or facilities;
13. Those actions categorically exempt from SEPA review, pursuant to Chapter [15.04 KCC](#), except as may be required by [KCC 15A.03.060\(D\)](#);

14. Those actions exempt from shoreline substantial development permitting process as set forth in [WAC 173-27-040\(2\)](#) and [RCW 90.58.030](#).

([Ord. 2016-006](#), 2016; [Ord. 2014-015](#), 2014; Ord. 2007-22, 2007; Ord. 2000-07; Ord. 98-10, 1998)

15A.03.090 Review actions on project permit applications.

Project review shall include the following steps:

1. A notice of determination of completeness to the applicant.
2. A notice of application to the public and agencies with jurisdiction.
3. No more than one consolidated open record hearing and no more than one closed record appeal.
4. Provisions may be allowed by the local jurisdiction for any public meeting or required open record hearing that may be held on the project by another local, state, regional, federal, or other agency, in accordance with provisions of Chapter [36.70B RCW](#).
5. A single report by a representative of the administrator, stating all the decisions made as of the date of the report on all project permits included in the consolidated permit process. The report shall state any mitigation required or proposed under the development regulations or the agency's authority under [RCW 43.21C.060](#). The report may be the local permit. If a threshold determination other than a determination of significance has not been issued by Kittitas County, the report shall include or append this determination.
6. A notice of decision.
7. Except as otherwise provided for in this title, Kittitas County shall issue its notice of final decision on a project permit application ~~in accordance with KCC 15A.03.120 within 120 days after Kittitas County notifies the applicant that the application is complete.~~ (Ord. 2000-07; Ord. 98-10, 1998)

15A.03.100 Criteria for review of all project actions.

Project review should start from the fundamental land use planning choices made in local comprehensive plans and regulations, include review of consistency and land use impacts.

1. Applicable comprehensive plans and regulations that identify the type of land use for the site, specify density, and identify and provide for funding of public facilities needed to serve the proposed development and site should be the standard for project review. Consistency should be determined in the project review process by considering four factors found in applicable plans or regulations:
 - a. The type of land use permitted at the site, including uses that may be allowed under certain circumstances, such as planned unit developments and conditional uses, if the criteria for their approval have been satisfied;
 - b. The level of development allowed, such as units per acre or other measures of density;
 - c. Infrastructure, such as the adequacy of public facilities and services identified in the comprehensive plan, to serve the proposed project; and
 - d. The character of the proposed development, such as compliance with specific development standards.
2. In determining consistency, the determinations made pursuant to this title shall be controlling.
3. Project review should not require additional studies or mitigation under Chapter [43.21C RCW](#) (SEPA) where existing regulations have adequately addressed a proposed project's probable specific adverse environmental impacts.

4. Supplemental authority as specified by Chapter [43.21C RCW](#) should be used to the extent that existing requirements do not adequately address a project's specific probable adverse environmental impacts.
5. Nothing in this title limits the authority of a permitting agency to approve, condition, or deny a project as provided in its development regulations adopted under Kittitas County comprehensive plan and development regulations and its policies adopted under [RCW 43.21C.060](#). Project review shall be used to identify specific project design and conditions relating to the character of the development, such as details of site plans, curb cuts, drainage swales, transportation demand management, or other measures to mitigate a proposal's probable adverse environmental impacts, if applicable.
6. Consistency between the proposed project and applicable regulations or plan should be determined through a project review process that integrates land use and environmental impact analysis, so that governmental and public review of the proposed project, involving development regulations under Chapter [36.70A RCW](#), and environmental process under Chapter [43.21C RCW](#) run concurrently and not separately.
7. During project review, Kittitas County or any subsequent reviewing body shall not reexamine alternatives to or hear appeals on the items identified in such Kittitas County comprehensive plan and development regulation standards, except for issues of code interpretation.
8. When holding a hearing on a project permit application, the hearing body should utilize the following issues outlined as a review guide: earth, air, water (including irrigation water and its conveyances), plants, animals, energy and natural resources, environmental health, land and shoreline use, housing, aesthetics, light and glare, recreation, historic and cultural preservation, transportation, public services, and utilities. (Ord. 2000-07; Ord. 9810, 1998)

15A.03.110 Posting site.

1. These provisions shall apply to all development applications, except for development applications processed administratively.
2. The applicant shall post the subject property with signs as required by Community Development Services.
3. Signs shall be posted on each road frontage on the subject property and shall be clearly visible and accessible.
4. Signs shall be posted and on-site prior to issuance of a Notice of Application.
5. The sign shall be a minimum 2 feet by 3 feet and laminated and posted in a sturdy manner to remain on-site until after the expiration of the notice of decision appeal period. It shall be the responsibility of the applicant to properly dispose of the sign.
6. At the time of development application, Community Development Services will identify the number of signs needed and the general location of each sign on the subject property.
7. It shall be the responsibility of the applicant to place the structure in which the sign will be posted on-site. At such time the structure and sign is in place, the applicant shall return the signed affidavit of posting form to Community Development Services.

([Ord. 2014-015](#), 2014; Ord. 2007-22, 2007)

15A.03.120 Project permit categories and review timelines.

1. Administrative permits.
 - a. Administrative permits include those land use applications that do not require public notice or a public hearing.
 - b. Decisions on administrative application shall be made within 30 days of the deemed complete date. For administrative applications that do not require a deem complete step, a decision shall be issued within 65 days of the submittal date. These timelines can be modified when any of the criteria of KCC15A.03.120(4) are met.
2. Administrative permits with public notice requirement.
 - a. When an administrative permit requires public notice, a decision shall be issued within 100 days from the deemed complete date.
 - b. Preliminary short plat applications shall follow the determination schedule outlined in RCW 58.17.
3. Non-administrative permits.
 - a. A non-administrative permit is a permit that requires public notice and an open record public hearing.
 - b. Decisions on non-administrative permits shall be issued within 170 days from the deemed complete date.
 - c. Preliminary plat applications shall follow the determination schedule outlined in RCW 58.17.
4. Exceptions.
 - a. The permit timelines established in KCC15A.03.120 do not include:
 - i. Circumstances in which an applicant and the Department agree in writing upon an extension to the processing timeline
 - ii. Any time in which the Department is waiting on the applicant to submit information necessary for application processing, which has been requested by the Department in writing.
 - iii. Multiple application for the same project processed concurrently shall adhere to the longest decision schedule permit category involved.
 - iv. The timelines established in 15A.03.120 shall not apply to Development Agreements, Planned Unit Developments, Master Planned Resorts, Land Development Code amendments and Comprehensive Plan amendment applications.
5. Any written notice from the Department requesting additional information shall include a notice that non-responsiveness for 60 consecutive days may result in 30 days being added to the time for review. Non-responsiveness means that the applicant is not making demonstrable progress on providing additional requested information to the Department, or that there is no ongoing communication from the applicant to the Department on the applicant's ability or willingness to provide the additional information.

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Chapter 15A.04

INTEGRATION OF SEPA AND APPEALS OF SEPA ACTIONS

Sections

[15A.04.010](#) SEPA integration.

[15A.04.020](#) (Repealed)

[15A.04.030](#) (Repealed)

15A.04.010 SEPA integration.

The State Environmental Policy Act is not intended to create a cause of action unrelated to a specific governmental action. Kittitas County shall integrate the permit procedures in this title with environmental review under Chapter [43.21C RCW](#) (SEPA) and Chapter [15.04 KCC](#) as follows.

1. Existing plans, regulations, rules or laws that provide environmental analysis and measures that avoid or otherwise mitigate the probable specific adverse environmental impacts of proposed projects should be integrated with, and should not be duplicated by, environmental review under Chapter [43.21C RCW](#) and Chapter [15.04 KCC](#).
2. Through an integrated project review process:
 - a. If the applicable regulations require studies that adequately analyze all of the project's specific probable adverse environmental impacts, additional studies under SEPA will not be necessary on those impacts;
 - b. If the applicable regulations require measures that adequately address such environmental impacts, additional measures would likewise not be required under SEPA; and
 - c. If the applicable regulations do not adequately analyze or address a proposal's specific probable adverse environmental impacts, additional review will be required.
3. In deciding whether a specific adverse environmental impact has been addressed by an existing rule or law of another agency with jurisdiction with environmental expertise with regard to a specific environmental impact, Kittitas County shall consult orally or in writing with that agency. In making this deferral, Kittitas County shall base or condition its project approval on compliance with these other existing rules or laws.
4. Nothing in this title limits the authority of an agency in its review or mitigation of a project to adopt or otherwise rely on environmental analyses and requirements under other laws.
5. Except for a determination of significance, the administrator may not issue his/her threshold determination under SEPA, or issue a decision or a recommendation on a project permit until the expiration of the public comment period on the notice of application, except for categorical exemptions.
6. Nonsignificant threshold determinations shall be included with or appended to the single report of decision or recommendation.
7. An environmental impact statement (EIS) shall be prepared on proposals for legislation and other major actions having a probable significant, adverse environmental impact. The EIS may be combined with the recommendation or report on the proposal or issued as a separate document. The substantive decisions or recommendations shall be clearly identified in the combined document. (Ord. 2000-07; Ord. 98-10, 1998)

15A.04.020 (Repealed)

([Ord. 2014-015](#), 2014; [Ord. 2014-008](#), 2014; Ord. 2000-07; Ord. 9810, 1998)

15A.04.030 (Repealed)

([Ord. 2014-015](#), 2014; Ord. 2000 07; Ord. 98-10, 1998)



Chapter 15A.05 HEARINGS

Sections

[15A.05.010](#) Hearings.

[15A.05.020](#) Procedures for hearings.

15A.05.010 Hearings.

Kittitas County shall hold a public hearing on each application for a project permit if one is so required.

1. Upon the filing of an application for a development activity as set forth in this title and other laws, the administrator shall, in consultation with the appropriate hearing body chair, set the time and place for a public hearing if one is so required on such a matter, and written notice thereof shall be sent through the United States mail to all parties on the notice of application listing, as defined in Chapter [15A.03 KCC](#).
2. Kittitas County may combine any hearings on a project permit with any hearings that may be held by another local, state, regional, federal, or other agency; provided, that the hearing is held within the geographic boundary of the local government. Hearings shall be combined if requested by an applicant, as long as the joint hearing can be held within required time periods or the applicant agrees to the schedule in the event that additional time is needed in order to combine the hearings. All agencies of the state of Washington, including municipal corporations and counties participating in a combined hearing shall issue joint hearing notices and develop a joint format, select a mutually acceptable hearing body or officer, and take such other actions as may be necessary to hold joint hearings consistent with each of their respective statutory obligations. Each government entity shall render their respective decision according to their statutory obligations. (Ord. 2000-07; Ord. 9810, 1998)

15A.05.020 Procedures for hearings.

Public hearings shall be conducted in accordance with the hearing body's rules of procedure and shall serve to create or supplement an evidentiary record upon which the body will base its decision. The chair shall open the public hearing and, in general, observe the following sequence of events:

1. Staff presentation, including submittal of any administrative reports. Members of the hearing body may ask questions of the staff.
2. Applicant presentation, including submittal of any materials. Members of the hearing body may ask questions of the applicant. Questions to the staff shall be posed by the chair at its discretion.
3. Testimony or comments by the public germane to the matter. Questions directed to the staff or the applicant shall be posed by the chair at its discretion.
4. Rebuttal, response or clarifying statements by the staff and the applicant.

5. The evidentiary portion of the public hearing shall be closed and the hearing body shall deliberate on the matter before it. ([Ord. 2022-017](#), 2022; [Ord. 2014-008](#), 2014; Ord. 2000-07; Ord. 98-10, 1998)



Chapter 15A.06 NOTICE OF DECISION

Sections

[15A.06.010](#) Notice of decision issuance.

[15A.06.020](#) Order to include finding of fact.

15A.06.010 Notice of decision issuance.

A notice of decision shall be provided that includes a statement of any threshold determination made under Chapter [43.21C RCW](#) (SEPA) and the procedures for administrative appeal, if any. The notice of decision may be a copy of the report or decision on the project permit application. For projects requiring Hearing Examiner or Planning Commission review and Board of County Commissioner approval, the notice shall be the signed ordinance or resolution.

1. Kittitas County shall provide notice of decision in the same manner as the notice of application.
2. The notice of decision shall be provided to the following persons:
 - a. The applicant;
 - b. Any person who, prior to the rendering of the decision, specifically requested notice of the decision;
 - c. Any person who, prior to the rendering of the decision, submitted substantive comments on the application. (Ord. 2007-37, 2007; Ord. 2000-07; Ord. 98-10, 1998)

15A.06.020 Order to include finding of fact.

Kittitas County shall, in making an order, requirement, decision or determination, include in a written record of the case the findings of fact upon which the action is based. (Ord. 2000-07; Ord. 98-10, 1998)



Chapter 15A.07 ADMINISTRATIVE DECISIONS APPEALS

Sections

[15A.07.010](#) Appeal of determination or decision.

[15A.07.020](#) Procedures for Administrative appeals.

[15A.07.030](#) Repealed.

[15A.07.040](#) Remand.

[15A.07.050](#) Appeal of decision - Scope of authority.

15A.07.010 Appeal of determination or decision.

1. An appeal of an administrative land use decision shall be filed with the board of Community Development Services within 10 working days of the date of the decision.
2. Appeals shall contain a written, concise statement identifying:
 - a. The decision being appealed;
 - b. The name and address of the appellant and his interest(s) in the matter;
 - c. The specific reasons why the appellant believes the decision to be wrong. The appellant shall bear the burden of proving the decision was wrong;
 - d. The desired outcome or changes to the decision;
 - e. The appeals fee.The appeal shall contain only the above listed material, and shall not contain or attempt to introduce new evidence, testimony, or declaration.
3. Upon the filing of a timely appeal, the administrator shall, in consultation with the appropriate hearing body chair pursuant to KCC 15A.01.040, set the time and place at which the matter will be considered and establish a briefing schedule for the parties. The officer from whom the appeal is being taken shall forthwith transmit to the reviewing body and the parties all of the records pertaining to the decision being appealed. The appellant's brief and supporting declarations shall be due no sooner than 15 days after having received the administrative record and no later than 30 days prior to the hearing date. Briefing and supporting declarations from the County and any other Respondents shall be due 10 working days prior to the hearing date. There shall be no response or rebuttal briefing by any party. All parties submitting briefing with or without supporting declarations have the responsibility to deliver copies of such documents to the hearing body and all other parties within the time limits set herein. ([Ord. 2019-013](#), 2019; [Ord. 2014-008](#), 2014; [Ord. 2010-008](#); Ord. 2000-07; Ord. 98-10, 1998)

15A.07.020 Procedures for Administrative appeals.

1. Administrative appeals shall serve to provide argument and guidance for the body's decision. The deciding body shall conduct the appeal as an open record hearing. The parties to the appeal shall submit timely written statements or arguments to the decision-making body.
2. The hearing body shall deliberate on the matter in public after closing the open record portion of the hearing and reach its decision on the appealed matter.
3. A written decision by the hearing body shall be issued within 30 days of the close of the Administrative Hearing. ([Ord. 2014-008](#), 2014; [Ord. 2010-008](#); Ord. 2000-07; Ord. 98-10, 1998)

15A.07.030 Repealed. ([Ord. 2010-008](#); Ord. 2000-07; Ord. 98-10, 1998)

15A.07.040 Remand.

In the event the reviewing body determines that the public hearing record or record on appeal is insufficient or otherwise flawed, that body may remand back to the hearing body to correct the deficiencies. The reviewing body shall specify the items or issues to be considered and the time frame for completing the additional work. (Ord. 2000-07; Ord. 98-10, 1998)

15A.07.050 Appeal of decision - Scope of authority.

In exercising the power granted herein, the reviewing body may, in conformity with county code, reverse or affirm, wholly or in part, or may modify the order, requirement, decision or determination

appealed from, and may make such order, requirement, decision or determination as should be made and, to that end, shall have all the powers of the officer from whom the appeal is taken, insofar as the decision on the particular issue is concerned. (Ord. 2000-07; Ord. 98-10, 1998)



Chapter 15A.08 JUDICIAL APPEAL

Sections

[15A.08.010](#) Judicial appeal.

15A.08.010 Judicial appeal.

1. Proceedings for review shall be commenced by filing a land use petition in superior court. This process shall be the exclusive means of judicial review of land use decisions, except for:
 - a. Land use decisions of a local jurisdiction that are subject to review by a quasi-judicial body created by state law, such as the Shorelines Hearings Board or the Growth Management Hearings Board;
 - b. Judicial review of applications for a writ of mandamus or prohibition; or
 - c. Claims provided by any law for monetary damages or compensation.
2. The land use petition is timely if it is filed and served on all required parties within 21 days of the issuance of the land use decision pursuant to Chapter [36.70C RCW](#).
3. For the purposes of this section, the date on which a land use decision is issued is:
 - a. Three days after a written decision is mailed by the local jurisdiction or, if not mailed, the date on which the local jurisdiction provides notice that a written decision is publicly available;
 - b. If the land use decision is made by ordinance or resolution by a legislative body sitting in a quasi-judicial capacity, the date the body passes the ordinance or resolution; or
 - c. If neither subsection (C)(1) nor (C)(2) applies, the date the decision is entered into the public record.
4. Standing to bring a land use petition is limited to the following persons:
 - a. The applicant and the owner of property to which the land use decision is directed;
 - b. Another person aggrieved or adversely affected by the land use decision, or who would be aggrieved or adversely affected by a reversal or modification of the land use decision. A person is aggrieved or adversely affected only when all of the following conditions are present:
 - i. The land use decision has prejudiced or is likely to prejudice that person;
 - ii. That person's asserted interests are among those that the local jurisdiction was required to consider when it made the land use decision;

- iii. A judgment in favor of that person would substantially eliminate or redress the prejudice to that person caused or likely to be caused by the land use decision; and
- iv. The petitioner has exhausted his or her administrative remedies to the extent required by law. (Ord. 2000-07; Ord. 98-10, 1998)



Chapter 15A.09 PLANNED ACTIONS

Sections

[15A.09.010](#) Planned actions.

[15A.09.020](#) SEPA integration with planned actions.

15A.09.010 Planned actions.

1. For the purposes of this chapter, a planned action means one or more types of project actions that:
 - a. Are designated planned actions by an ordinance or resolution adopted by Kittitas County under [RCW 36.70A.040](#);
 - b. Have had the significant impacts adequately addressed in an environmental impact statement prepared in conjunction with a comprehensive plan or subarea plan adopted under Chapter [36.70A RCW](#), or a fully contained community, a master planned resort, a master planned development, or a phased project;
 - c. Are subsequent or implementing projects for the proposals listed in subsection (A)(1) or (A)(2) of this section;
 - d. Are located within an urban growth area, as defined in [RCW 36.70A.030](#);
 - e. Are not essential public facilities as defined in [RCW 36.70A.200](#); and
 - f. Are consistent with a comprehensive plan adopted under Chapter [36.70A RCW](#).
2. Kittitas County shall limit planned actions to certain types of development or to specific geographical areas that are less extensive than the jurisdictional boundaries of the county and may limit a planned action to a time period identified in the environmental impact statement or the ordinance or resolution. (Ord. 2000-07; Ord. 98-10, 1998)

15A.09.020 SEPA integration with planned actions.

A planned action does not require a threshold determination under Chapter [43.21C RCW](#) and Chapter [15.04 KCC](#), or the preparation of an environmental impact statement, but is subject to environmental review and mitigation. (Ord. 2000-07; Ord. 98-10, 1998)



Chapter 15A.10 AMENDMENTS

Sections

[15A.10.010](#) Continual evaluation.

[15A.10.020](#) Review procedure.

[15A.10.030](#) Deficiencies during project permit review.

[15A.10.040](#) Public participation program for amendments.

15A.10.010 Continual evaluation.

The Kittitas County comprehensive plan, elements thereof, and development regulations shall be subject to continuing evaluation and review by Kittitas County. (Ord. 2000-07; Ord. 98-10, 1998)

15A.10.020 Review procedure.

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 this title. The procedures for nonproject legislative actions are provided for in [KCC Title 15B](#). (Ord. 2000-07; Ord. 98-10, 1998)

15A.10.030 Deficiencies during project permit review.

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 pursuant to [KCC Title 15B](#). For purposes of this section, a deficiency in a comprehensive plan or development regulation refers to the absence of required or potentially desirable contents of a comprehensive plan or development regulation. It does not refer to whether a development regulation addresses a project's probable specific adverse environmental impacts which the permitting agency could mitigate in the normal project review process. (Ord. 2000-07; Ord. 98-10, 1998)

15A.10.040 Public participation program for amendments.

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 Community Development Services department and considered by Kittitas County planning commission and board of county commissioners on at least an annual basis pursuant to [KCC Title 15B](#), consistent with the provisions of [RCW 36.70A.130](#). (Ord. 2007-22, 2007; Ord. 2000-07; Ord. 98-10, 1998)



Chapter 15A.11 DEVELOPMENT AGREEMENTS

Sections

[15A.11.010](#) Development agreements.

[15A.11.020](#) General requirements.

[15A.11.030](#) Request for development agreement.

[15A.11.040](#) Effect.

[15A.11.050](#) Recording parties and successors bound.

[15A.11.060](#) Public hearing.

[15A.11.070](#)

15A.11.010 Development agreements.

Kittitas County may enter into development agreements pursuant to [RCW 36.70B.170](#) through [36.70B.210](#). A decision to enter into a development agreement shall be made on a case-by-case basis. The provisions of a development agreement shall be consistent with the county's comprehensive plan and all applicable county development regulations, as long as impacts are mitigated. ([Ord. 2019-013](#), 2019; Ord. 2000-07; Ord. 9810, 1998).

15A.11.020 General requirements.

1. Kittitas County may enter into a development agreement with a person having ownership or control of real property within the county's jurisdiction.
2. A development agreement must set forth the development standards and other provisions that shall apply to and govern and vest the development, use and mitigation of the development of the real property for the duration specified in the agreement.
3. A development agreement shall be consistent with applicable county development regulations, except as such development regulations have been modified by the development standards contained in the agreement.
4. A development agreement does not affect the validity of a contract rezone, concomitant agreement, annexation agreement, or other agreement in existence on July 23, 1995, or adopted under separate authority, that includes some or all of the development standards provided in subsection E of this section.
5. For purposes of this chapter, "development standards" include, but are not limited to:
 - a. Project elements such as permitted uses, residential densities, and nonresidential densities and intensities or building sizes;
 - b. Mitigation measures, development conditions, and other requirements under Chapter [43.21C RCW](#);
 - c. Design standards such as maximum heights, setbacks, drainage and water quality requirements, landscaping, and other development features;
 - d. Road and sidewalk standards;
 - e. Affordable housing;
 - f. Water, sewer, storm drainage and other infrastructure requirements;
 - g. Parks and open space preservation;
 - h. Phasing;
 - i. Development review processes, procedures and standards for implementing decisions, including methods of reimbursement to the county for review processes;
 - j. A build-out or vesting period for applicable development standards;
 - k. Process for amending the development agreement; and
 - l. Any other appropriate development requirement or procedure.
6. A development agreement may obligate a party to fund or provide services, infrastructure, or other facilities. Project applicants and local governments may include provisions and agreements whereby applicants are reimbursed over time for financing public facilities. A development agreement shall reserve authority to impose new or different regulations to the extent required by a serious threat to public health and safety. (Ord. 2000-07; Ord. 98-10, 1998)

15A.11.030 Request for development agreement.

A project applicant may submit a request for a development agreement to Kittitas County. The request should describe the project and the specific reasons why the project is suitable for a development agreement. The request should identify the development standards set forth in [KCC 15A.11.020\(E\)](#) that the applicant is requesting be included in the development agreement and any other reasonable information requested by the county. The request shall be filed with the planning office upon forms prescribed for that purpose by the administrator. The fee for such request shall be established pursuant to [KCC 15A.03.050](#). (Ord. 2000-07; Ord. 98-10, 1998)

15A.11.040 Effect.

Unless amended or terminated, a development agreement is enforceable during its term by a party to the agreement. A development agreement and the development standards in the agreement govern during the term of the agreement, or for all or that part of the built-out period specified in the agreement, and may not be subject to an amendment to a zoning ordinance or development standard or regulation adopted after the effective date of the agreement. A permit or approval issued by Kittitas County after the execution of the development agreement must be consistent with the development agreement. (Ord. 2000-07; Ord. 98-10, 1998)

15A.11.050 Recording parties and successors bound.

A development agreement affecting property in Kittitas County shall be recorded with the real property documents of Kittitas County. During the term of the development agreement, the agreement is binding on the parties, their successors and assigns, including any city that assumes jurisdiction through incorporation or annexation of the area covering the property subject to the development agreement. (Ord. 2000-07; Ord. 98-10, 1998)

15A.11.060 Public hearing.

The county shall only approve a development agreement by ordinance or resolution after a public hearing. The county legislative body, or other body designated by the legislative body to conduct the public hearing, may conduct the hearing. If the development agreement relates to a project permit application, the provisions of Chapter [36.70C RCW](#) shall apply to the appeal of the decision on the development agreement. (Ord. 2000-07; Ord. 98-10, 1998)

15A.11.070

Nothing in [RCW 36.70B.170](#) through [36.70B.200](#) and Section 501, Ch. 374, Laws of 1995, or this chapter is intended to authorize the county to impose impact fees, inspection fees, or dedications or to require any other financial contributions or mitigation measures except as expressly authorized by other applicable provisions of state law. (Ord. 2000-07; Ord. 98-10, 1998)



Chapter 15A.12

COORDINATION WITH STATE PERMITTING

Sections

[15A.12.010](#) State permit coordination.

15A.12.010 State permit coordination.

Kittitas County may enter into coordinated permitting process with state and local permitting agencies pursuant to Chapter [90.60 RCW](#) upon a case-by-case basis. Such decision to enter into a

coordinated permitting process with other state and local agencies shall be made by the administrator on a case-by-case basis. (Ord. 2000-07; Ord. 98-10, 1998)



Chapter 15A.13
SITE PLAN REVIEW

(Repealed by Ordinance [2014-015](#), 2014)



Table A

	Step 1 Public Comment Period	Step 2 Open Record Hearing	Step 3 Decision	Step 4 Administrative Appeal	Step 5 Judicial Appeal*
Binding Site Plan:	15 days	None	Staff	HE	Sup. Court
Zoning Variance:	15 days	None	Staff	HE	Sup. Court
Public Agency and Utility Exception:	15 days	None	Staff	HE	Sup. Court
Reasonable Use Exception:	15 days	None	Staff	HE	Sup. Court
Permitted Administrative Uses:	15 days	None	Staff	HE	Sup. Court
Short Plats:	15 days	None	Staff	HE	Sup. Court
Boundary Line Adjustments:	None	None	Staff	HE	Sup. Court
Grade and Fill Permit:	None	None	Staff	HE	Sup. Court
SEPA Actions: Appeals of threshold determinations:	15 days	None	Staff	HE	Sup. Court
SEPA Actions: The exercise of substantive SEPA authority and adequacy of an EIS:	15 days	None	Staff	HE	Sup. Court
Independent administrative rulings:	None	None	Staff	HE	Sup. Court

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Zoning Conditional Uses (Administrative):	15 days	None	Staff	HE	Sup. Court
Zoning Conditional Uses (Hearing):	15 days	HE	HE	None	Sup. Court
Long Plats:	15 days	HE	HE	None	Sup. Court
Shoreline Exemptions	None	None	Staff	None	Shorelines Board
Shoreline Substantial Development	30 days	None	Staff/HE ²	None	Shorelines Board
Shorelines Conditional Use:	30 days	HE	Department of Ecology	None	Shorelines Board
Shorelines Variance:	30 days	HE	Department of Ecology	None	Shorelines Board
Site-Specific Rezone to Zoning Map (Including PUD): ³	30 days	HE	HE	BCC	Sup. Court
Development Agreement:	30 days	BCC	BCC	None	Sup. Court

¹ See [KCC 15A.01.040](#) for clarification of roles and responsibilities.

² Open record appeals of SEPA actions are heard by the hearing body making the decision on, or hearing the appeal of, the underlying application.

³ Hearing Examiner for all actions associated with a project before him/her, all independent actions regarding [KCC Title 17](#), Zoning; BCC for all actions associated with a project before them, and for independent actions regarding all county policies, codes, and standards not associated with [KCC Title 17](#), Zoning.

⁴ Unless the rezone requires a comprehensive plan amendment which would then follow the comprehensive plan amendment process as outlined in [KCC Title 15B](#).

⁵ In the event that a procedural appeal is filed pursuant to Chapter [15A.04 KCC](#), the HE shall consider and issue a final decision on both the administrative appeal and the underlying project permit application under a single consolidated open record hearing. In such an event, the HE's decision on the underlying application shall be quasi-judicial.

⁶ The Hearing Examiner has the authority to review, approve, deny, or approve with conditions, applications for shoreline substantial development permits that are included in consolidated permit applications that are subject to Board review and action.

Legend:

BCC - Board of County Commissioners
HE - Hearing Examiner
Staff - County administration

NOTE: In the case of application requiring combined legislative and quasi-judicial actions, a development agreement may provide for appropriate review and hearing body.

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* Please review state revised and administrative code for appropriate judicial reviewing bodies.

([Ord. 2022-017](#), 2022; [Ord. 2018-021](#), 2018; [Ord. 2016-006](#), 2016; [Ord. 2014-015](#), 2014; [Ord. 2014-008](#), 2014; [Ord. 2013-001](#), 2013; [Ord. 2012-009](#), 2012; [Ord. 2010-011](#), 2010; Ord. 2009-25, 2009; Ord. 2000-07; Ord. 98-10, 1998)

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