

Attachment A

Amendment to KCC Title 17 to Allow Growth and Processing of Marijuana

Chapter 17.08

DEFINITIONS*

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* Prior history: Ords. 82-Z-2, 79-Z-3, 77-12, 77-1Z, 76-3, 75-9, 73-3, 68-17, 2.

17.08.010 through 17.08.392 is not amended.

[17.08.392A](#) **Marijuana processing.**

“Marijuana processing” means the preparation of marijuana products including, but not limited to, boxing, bulk packaging, portioning, labeling, or the creation of marijuana derivative and edible products.

[17.08.392B](#) **Marijuana production.**

“Marijuana production” means any operation to raise or produce marijuana.

[17.08.395](#) **Retail sales, marijuana.**

“Retail sales, marijuana” means any operation or business selling, distributing, or dispensing usable marijuana or marijuana-infused products which have been prepared, processed, or packaged for end user consumption.

Chapter 17.15
ALLOWED USES

Sections

- [17.15.010](#) Categories of uses established.
- [17.15.020](#) Establishment of zoning use tables.
- [17.15.030](#) Interpretation of tables.
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- [17.15.050](#) Allowed uses in resource lands.
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17.15.010 Categories of uses established

This chapter establishes permitted, permitted administrative, administrative conditional use and conditional uses, by zone, for all properties within Kittitas County. All uses in a given zone are one (1) of three (3) types:

1. **Permitted Use.** Land uses allowed outright within a zone classification and subject to provisions within the Kittitas County Code.
2. **Permitted Administrative Use.** Land uses which may be permitted within a zone classification following review under the provisions of KCC Chapter [17.60B](#).
3. **Administrative Conditional Use.** Land uses which may be permitted within a zone classification following review under the provisions of KCC Chapter [17.60A](#).
4. **Conditional Use.** Land uses which may be permitted within a zone classification following review and hearing under the provisions of KCC Chapter [17.60A](#).

([Ord. 2013-012](#), 2013; [Ord. 2013-001](#), 2013;)

17.15.020 Establishment of zoning use tables

The allowed use tables in this chapter establish allowed uses in the various zoning classifications and whether the use is allowed as "Permitted," "Permitted Administrative," "Administrative Conditional" or "Conditional." The zone classification is located at the top of the table and the specific use is located on the far-left of the vertical column of these tables. ([Ord. 2013-012](#), 2013; [Ord. 2013-001](#), 2013;)

17.15.030 Interpretation of tables.

1. **Legend.** The following letters have the following meanings when they appear in the box at the intersection of the column and the row:
 - P Permitted Use
 - PA Permitted Administrative Use
 - AC Administrative Conditional Use
 - CU Conditional Use
2. **Definitions.** Uses defined in KCC Chapter [17.08](#) are indicated with an asterisk (*).

3. **Additional Use-Related Conditions.** The small numbers (superscript) in a cell indicate additional requirements or detailed information for uses in specific zones. Those additional requirements can be found in the footnotes that follow each allowed use table. All applicable Federal, State and local requirements shall govern a use whether specifically identified in this chapter or not.
4. **The Director has the authority to allow uses that are substantially similar to an allowed use listed on the table subject to the same review procedures as the substantially similar use. In such cases, all adjacent property owners shall be given official notification for an opportunity to appeal such decisions within ten working days pursuant to Title [15A](#) of this code, Project permit application process, except in the case of PUDs located inside the UGA where determination of substantially similar uses shall be made by the planning commission during review of the development plan required under KCC [17.36.030](#).**
5. **Accessory uses.** The administrative official has the authority to permit uses that are customarily incidental to an allowed use listed on the table.

([Ord. 2013-012](#), 2013; [Ord. 2013-001](#), 2013;)

17.15.040

There are four (4) separate tables addressing the following general land use designations (Resource Lands, Rural Non-LAMIRD Lands, Rural LAMIRD Lands, Urban Lands) and zone classifications:

1. **Resource Lands**
 - a. **Commercial Agriculture**
 - b. **Commercial Forest**
2. **Rural Non-LAMIRD Lands**
 - a. **Rural Residential**
 - i. **Agriculture 5**
 - ii. **Rural 5**
 - iii. **Planned Unit Development**
 - b. **Rural Working**
 - i. **Agriculture 20**
 - ii. **Forest and Range**
 - c. **Rural Recreation**
 - i. **Master Planned Resort**
 - ii. **General Commercial**
 - iii. **Rural Recreation**
 - iv. **Planned Unit Development**
3. **Rural LAMIRD Lands**
 - a. **Residential**
 - b. **Residential 2**
 - c. **Agriculture 3**
 - d. **Agriculture 20**
 - e. **Rural 3**
 - f. **Rural 5**
 - g. **Limited Commercial**
 - h. **General Commercial**
 - i. **Highway Commercial**
 - j. **Light Industrial**
 - k. **General Industrial**
 - l. **Forest Range**
 - m. **Planned Unit Development**

4. Urban Lands

- a. Residential
- b. Urban Residential
- c. Agriculture 3
- d. Rural 3
- e. Rural 5
- f. Limited Commercial
- g. General Commercial
- h. Highway Commercial
- i. Light Industrial
- j. General Industrial
- k. Forest Range
- l. Planned Unit Development

(Ord. 2013-001, 2013;)

17.15.050 Allowed Uses in Resource Lands.

17.15.050.1 Resource Use Table

P Permitted PA Permitted Administrative CU Conditional Use <i>*See KCC Chapter 17.08 Definitions</i>	Resource	
	Commercial Agriculture	Commercial Forest
A. Agriculture		
Animal boarding*	CU	
Agriculture processing*	CU 17	
Agriculture processing Requiring Security*	P ²⁸ /ACU ²⁹	
Agriculture production*	P	P
Agriculture production Requiring Security*	P ²⁸ /ACU ²⁹	
Agriculture sales*, Produce stand	P ¹⁶ / AC	
Agriculture sales*, Other	CU	
Feedlot*	CU	CU
Grazing*	P	P
<u>Marijuana Processing*</u>	<u>P²⁸/ACU²⁹</u>	
<u>Marijuana Production*</u>	<u>P²⁸/ACU²⁹</u>	
Nurseries	P	
Riding academies	CU	

Small-scale event facility*	AC ²⁵ / CU	
	Commercial Agriculture	Commercial Forest
B. Civic Cultural Uses		
Cemetery	P ¹³	
Clubhouses, fraternities and lodges*	AC ²⁴	
Cultural and educational facilities		
Libraries		
Meeting facilities		
Museums and galleries		
Religious institutions*	CU	
School, public or private*	CU ¹²	
	Commercial Agriculture	Commercial Forest
C. Commercial		
Auction sales of non-agriculture products		
Bank		
Bed and breakfast*	AC	
Clinic*		
Day care facilities*		
Funeral home/mortuary		
Hospital*		
Hospital, animal or veterinary*		
Hotel/motel		
Office*		
Restaurant		
Retail sales,* general		
Retail sales,* lumber and building materials		

<u>Retail Sales, marijuana*</u>		
Retail sales,* vehicles and equipment		
Services		
Shooting range*	CU²³	CU²³
Taverns		
Temporary sales office		
Vehicle/equipment service and repair*	P²²	
	Commercial Agriculture	Commercial Forest
D. Industrial		
Airport*	P²⁰	P²¹
Asphalt/concrete plants		
Forest product processing* (portable)		P
Forest product processing* (permanent)		CU
Freighting and trucking yard or terminal*		
Hazardous waste storage*		
Hazardous waste treatment*		
Junkyard*		
Manufacturing*		
Mini-warehouse		
Refuse disposal/recycle*	CU	CU
Research laboratories		
Wastewater treatment		
Warehousing and distribution	PA²⁷ /CU²⁶	
Wholesale business		
	Commercial Agriculture	Commercial Forest
E. Recreation		

Campground*		P18
Golf course*		
Guest Ranch*	CU	
Parks and playgrounds*		P15
Recreation, indoor*		
Recreation, outdoor*		P18
Recreational vehicle storage		
Stadium		
Trails	PA	PA
	Commercial Agriculture	Commercial Forest
F. Residential		
Accessory dwelling unit*	P4	
Accessory living quarters*	P5	
Adult family home*	P10	P10
Boarding house		
Convalescent home		
Dwelling, single-family*	P	P
Dwelling, two-family*	P	
Dwelling, multiple-family*		
Farm labor shelter*	CU2	
Group home*		
Home occupation*	P8	P8
Manufactured home*	P	P
Mobile home	P6	P6
Special care dwelling*	P7	P7
Temporary trailers	P11	P11
	Commercial	Commercial

	Agriculture	Forest
G. Resource		
Forestry*	P	P
Forest product sales*		P
Mining and excavation*	CU ¹⁴	P
Rock crushing*		P
	Commercial Agriculture	Commercial Forest
H. Utilities and Public Facilities		
Electric vehicle infrastructure*	P ³	P ³
Public facilities*	PA ¹⁹	PA ¹⁹
Utilities	P ¹	P ¹
Watershed management activities*	PA	PA

17.15.050.2 Footnotes Associated with Resource Use Table.

1. Pursuant to KCC Chapter [17.61](#), Utilities.
2. Provided:
 - a. The shelters are used to house farm laborers on a temporary or seasonal basis only, regardless of change of ownership, if it remains in farm labor-needed status;
 - b. The shelters must conform with all applicable building and health regulations;
 - c. The number of shelters shall not exceed four (4) per twenty (20) contiguous acres of land area;
 - d. The shelters are owned and maintained by the owner or operator of an agricultural operation which clearly demonstrates the need for farm laborers;
 - e. Should the parent agricultural operation cease or convert to non-agriculture use, then the farm labor shelters shall conform with all applicable buildings and health regulations.
3. Pursuant to KCC Chapter [17.66](#), Electric Vehicle Infrastructure.
4. Subject to the following requirements:
 - a. ADUs shall be allowed as a permitted use within designated UGAs;
 - b. ADUs shall be subject to obtaining an Administrative Use permit in areas outside UGAs;
 - c. Only one ADU shall be allowed per lot;
 - d. Owner of the property must reside in either the primary residence or the ADU;
 - e. The ADU shall not exceed the square footage of the habitable area of the primary residence;
 - f. All setback requirements for the zone in which the ADU is located shall apply;
 - g. The ADU shall meet the applicable health department standards for potable water and sewage disposal;
 - h. No mobile homes or recreational vehicles shall be allowed as an ADU;
 - i. The ADU shall provide additional off-street parking;
 - j. An ADU is not permitted on the same lot where a special care dwelling or an Accessory Living Quarters exists.
 - k. An ADU must have adequate acreage to meet maximum density within the zone classification.
5. Subject to the following requirements:

- a. Accessory Living Quarters shall be located within an owner occupied primary residence;
 - b. Accessory Living Quarters are limited in size to no greater than fifty percent (50%) of the habitable area of the primary residence;
 - c. The Accessory Living Quarters are subject to applicable health district standards for water and sewage disposal;
 - d. Only one (1) Accessory Living Quarters shall be allowed per lot;
 - e. Accessory Living Quarters are to provide additional off-street parking;
 - f. Accessory Living Quarters are not allowed where an Accessory Dwelling Unit or Special Care Dwelling exists.
6. As of September 1, 1998, mobile homes are no longer allowed to be transported and placed within Kittitas County. Those units presently located in Kittitas County that are to be relocated within Kittitas County must have a fire/life inspection approved by the Washington State Department of Labor and Industries.
7. Subject to the following requirements:
The Special Care Dwelling must meet all setback requirements for the zone in which it is located;
- a. The Special Care Dwelling must meet all applicable health department requirements for potable water and sewage disposal;
 - b. Placement is subject to obtaining a building permit for the manufactured home;
 - c. Owner must record a notice to title prior to the issuance of building permit which indicates the restrictions and removal requirements;
 - d. The Special Care Dwelling unit cannot be used as a rental unit;
 - e. The Special Care Dwelling unit must be removed when the need for care ceases;
 - f. A Special Care Dwelling is not permitted on the same lot where an Accessory Dwelling Unit or Accessory Living Quarter exists.
8. No sign advertising a home occupation shall exceed sixteen (16) square feet in size. Home occupations with no outdoor activities or noise are permitted; home occupations with outdoor activities or noise are a conditional use. In-home daycares shall be limited to no more than six (6) individuals receiving care in a twenty-four (24) hour period.
9. Maximum of four (4) boarders and two (2) bedrooms dedicated to the use.
10. Pursuant to RCW [70.128.140](#).
11. When used for temporary occupancy for a period not-to-exceed one (1) year related to permanent home construction or seasonal/temporary employment.
12. Existing schools are permitted; new schools require a conditional use permit.
13. No new cemeteries. Existing cemeteries may expand or enlarge in compliance with applicable standards and regulations.
14. Noncommercial sand and gravel excavation is permitted for on-site use without a conditional use permit.
15. Washington State Natural Area Preserves and Natural Resource Conservation Areas are permitted outright.
16. When located not less than forty-five (45) feet from the centerline of the public street or highway and selling goods produced on site.
17. Hay processing and small-scale processing of agricultural products produced on the premises are permitted outright.
18. Limited to dispersed recreation and recreational facilities such as primitive campsites.
19. Pursuant to KCC Chapter [17.62](#), Public Facilities Permits.
20. When used primarily in conjunction with agricultural activities.
21. For emergency and forest related management uses and practices only.
22. Limited to farm implement repair and maintenance.
23. Structures and facilities associated with the operation of shooting ranges are permitted and subject to all associated Kittitas County building codes and regulations. Shooting ranges may be operated in conjunction with other permitted or conditional uses for the specified zone. Shooting ranges are subject to periodic inspection and certification as deemed necessary by the Kittitas County Sheriff's Department. In considering

proposals for the location of shooting ranges a detailed site plan shall be required; the Hearings Examiner's review of said site plan and the proposal as a whole shall include, but not be limited, to the following criteria:

- a. The general health, safety, and welfare of surrounding property owners, their livestock, their agricultural products, and their property.
- b. Adherence to the practices and recommendations of the "NRA Range Sourcebook."
- c. Adherence to the practices and recommendations of the "EPA Best Management Practices for Lead at Outdoor Shooting Ranges."
- d. Proposed shooting ranges in areas designated as agricultural land of long-term commercial significance shall comply with [RCW 36.70A.177\(3\)](#) as currently existing or hereafter amended, and shall be limited to lands with poor soils or those unsuitable for agriculture.

24. Limited to facilities that serve traditional rural or resource activities (such as granges).

25. Use shall not exceed 10,000 square feet and no more than eight (8) events shall occur within a calendar year.

26. Existing facilities are permitted; new facilities require a conditional use permit. Limited to agricultural products. Excludes controlled atmosphere and cold storage warehouses.

27. Limited to seasonal, non-structural hay storage.

28. Marijuana production or processing on conforming legal lots of record are permitted outright and must:

- a. Meet all criteria and regulations found in WAC 314.55 and RCW 69.50.**
- b. Meet all International Fire Code and International Building Code requirements.**
- c. Agree to an annual fire protection inspection.**
- d. Provide 125% bonding or assignment of funds for insuring completion of fence plan and survival of any landscaping necessary to visually screen required fences. Bond will be held for five (5) years to insure the survival of any visual screening vegetation.**
- e. All buildings or planting operations requiring security by law must be setback at least 60 feet from any property boundary.**
- f. Security lighting shall be downward, directed away from adjoining property, and shall be installed with motion sensors.**

29. Marijuana production or processing on non-conforming legal lots of record must be at least 10 (ten) acres in size, are processed as an Administrative Conditional Use, and must:

- a. Meet all criteria and regulations found in WAC 314.55 and RCW 69.50.**
- b. Meet all International Fire Code and International Building Code requirements.**
- c. Agree to an annual fire protection inspection.**
- d. Provide 125% bonding or assignment of funds for insuring completion of fence plan and survival of any landscaping necessary to visually screen required fences. Bond will be held for five (5) years to insure the survival of any visual screening vegetation.**
- e. All buildings or planting operations requiring security by law must be setback at least 60 feet from any property boundary.**
- f. Security lighting shall be downward, directed away from adjoining property, and shall be installed with motion sensors.**

(Ord. 2013-012, 2013; Ord. 2013-008, 2013; Ord. 2013-001, 2013;)

17.15.060

17.15.060.1 Allowed Uses in Rural Non-LAMIRD Lands

P Permitted PA Permitted Administrative CU Conditional Use AC Admin. Conditional Use <i>* See KCC Chapter 17.08 Definitions</i>	Rural Non-LAMIRD							
	Rural Residential		Rural Working		Rural Recreation			Rural Residential & Rural Recreation
	Agriculture 5	Rural 5	Agriculture 20	Forest & Range	Master Planned	General Commercial	Rural Recreation	PUD
A. Agriculture								
Animal boarding*	CU		CU	CU ³⁷		CU	CU	
Agriculture processing*	CU ²³		CU ²³	CU ³⁷		P		
Agriculture production*	P ²⁴	P	P	P ²⁴	P ²⁴	P ²⁴	P ²⁴	P ²⁴
Agriculture sales,* Produce stand	P ²² /AC		P ²² /AC	P ²² /AC		P		
Agriculture Sales,* Other	CU		CU	CU				
Feedlot*			CU	CU ³⁷				
Grazing*	P	P	P	P	P	P	P	P
<u>Marijuana processing*</u>			<u>P⁴⁸/ACU⁴⁹</u>	<u>P⁴⁸/ACU⁴⁹</u>				
<u>Marijuana production*</u>			<u>P⁴⁸/ACU⁴⁹</u>	<u>P⁴⁸/ACU⁴⁹</u>				
Nurseries	P		P	CU ³⁷		P		

Riding academies	CU		CU	CU	CU		CU	
Small-scale event facility*	AC ⁴⁵ /CU	AC ⁴⁵ /CU	AC ⁴⁵ /CU	AC ⁴⁵ /CU				
	Agriculture 5	Rural 5	Agriculture 20	Forest & Range	Master Planned	General Commercial	Rural Recreation	PUD
B. Civic Uses/Community Services								
Cemetery	P ²¹	P ²¹	P ²¹	CU ³⁷				
Clubhouses, fraternities and lodges*	AC ⁴⁴	AC ⁴⁴	AC ³	AC ³⁵	AC		AC	
Cultural and education facilities					P		P	
Libraries			P ³			P		
Meeting facilities					P			
Museums and galleries						P		
Religious institutions	CU		CU	CU	CU	CU	CU	
Schools, public or private*	P ²⁵		P ²⁵	CU			CU	
	Agriculture 5	Rural 5	Agriculture 20	Forest & Range	Master Planned	General Commercial	Rural Recreation	PUD
C. Commercial								
Auction sales of non-agriculture products						CU		
Bank						CU		
Bed and breakfast*	AC	AC	AC	AC ³⁷			P	
Clinic*								
Day care facilities*						CU		

Funeral home/mortuary						CU		
Hospital*						CU		
Hospital, animal or veterinary*			CU			CU		
Hotel/motel					P ⁶			
Office*						P ¹⁷		
Restaurant				CU ³⁶	P	CU	CU	
Retail sales,* general				CU ³⁶	P	CU ¹⁸	CU ¹⁸	
Retail sales,* lumber and building materials								
<u>Retail Sales, marijuana*</u>								
Services					P ²⁰	CU		
Shooting range*			CU ³¹	CU ^{37, 31}			CU ³¹	
Tavern				CU ³⁶	P	CU		
Temporary sales office					P			
Vehicle/equipment service and repair*	P ¹⁶		P ¹⁶	CU ³⁶	P ⁴²	P ⁴²		
	Agriculture 5	Rural 5	Agriculture 20	Forest & Range	Master Planned	General Commercial	Rural Recreation	PUD
D. Industrial								
Airport*	CU		CU	CU	CU	CU	CU	
Asphalt/Concrete plants				CU ³⁷				
Forest product processing* (portable)	P	P	CU	CU ³⁵				

Forest product processing* (permanent)			CU	CU ³⁷				
Freighting and trucking yard or terminal*				CU		CU		
Hazardous waste storage*								
Hazardous waste treatment*								
Junkyard*								
Manufacturing*								
Mini-Warehouse						CU ¹⁵		
Refuse disposal/recycle*			CU ¹⁹	CU ^{19, 37}				
Research laboratories								
Wastewater treatment								
Warehousing and distribution	PA ⁴⁷	PA ⁴⁷	PA ⁴⁷ / CU ⁴⁶	PA ⁴⁷				
Wholesale business								
	Agriculture 5	Rural 5	Agriculture 20	Forest & Range	Master Planned	General Commercial	Rural Recreation	PUD
E. Recreation								
Campground*	CU ¹²	CU ¹²	CU ¹²	CU ^{12, 37}	CU ¹³	CU ¹²	CU ¹²	
Golf course*	CU	CU	CU	CU ³⁷	CU		CU	
Guest ranch*	CU	CU	CU	CU ³⁷			CU	
Parks and playgrounds*	P	P	P ³	P	P		P	P
Recreation, indoor*					P	CU	CU	P ²⁶

Recreation , outdoor*	AC	AC	CU	CU	AC	AC	AC	P ²⁶
Recreational vehicle park*	CU	CU			CU		CU	
Recreational vehicle storage							CU	P ²⁶
Stadiums								
Trails	PA	PA	PA	PA	PA	PA	PA	PA
	Agriculture 5	Rural 5	Agriculture 20	Forest & Range	Master Planned	General Commercial	Rural Recreation	PUD
F. Residential								
Accessory dwelling unit*	PA ²⁷	PA ²⁷	PA ²⁷	PA ^{27, 37}			PA ²⁷	PA ²⁷
Accessory living quarters*	P ²⁸	P ²⁸	P ²⁸	P ^{28, 37}	P ²⁸		P ²⁸	P ²⁸
Adult family home*	P ⁴¹	P ⁴¹	P ⁴¹	P ⁴¹	P ⁴¹	P ⁴¹	P ⁴¹	P ⁴¹
Boarding house			CU ²⁹	CU ^{29, 37}				
Convalescent home			CU	CU ³⁷				
Dwelling, single-family*	P ³³	P ⁴⁰	P	P ³⁴	P ¹	PA ²	P	P
Dwelling, two-family*	P		P ³	P ³⁴	P ¹		CU	P
Dwelling, multiple-family*					P ¹			P
Farm labor shelter*	CU ⁴		CU ⁴	CU ^{4, 37}				
Group home*	CU	CU		CU			CU	
Home occupation*	P/CU ⁵	P/CU ⁵	P/CU ⁵	P/CU ^{5, 37}	P/CU ⁵		P/CU ⁵	P/CU ⁵
Manufactured home*	P	P	P	P ³⁷			P	P
Mobile home	P ³⁸	P ³⁸		P ³⁴				
Special care dwelling*	P ³⁰	P ³⁰	P ³⁰				CU ³⁰	P ³⁰

Temporary trailer	P ⁷	P ⁷	P ⁷	P ^{7, 37}	P ⁷	P ⁷	P ⁷	P ⁷
	Agriculture 5	Rural 5	Agriculture 20	Forest & Range	Master Planned	General Commercial	Rural Recreation	PUD
G. Resource								
Forestry*	P	P	P	P ³⁴				
Forest product sales*				P				
Mining and excavation*	CU	CU ³⁹	CU	P ³⁴				
Rock crushing*		CU ³⁹		P ³⁴				
	Agriculture 5	Rural 5	Agriculture 20	Forest & Range	Master Planned	General Commercial	Rural Recreation	PUD
H. Utilities and Public Facilities								
Electric vehicle infrastructure*	P ³²	P ³²	P ³²	P ³²	P ³²	P ³²	P ³²	P ²⁶
Public facilities*	CU	CU	CU	CU ³⁷		CU		
Utilities	P ⁹	P ⁹	P ¹⁰	P ⁹	P ¹¹	P ⁹	P ⁹	P ⁹
Watershed management activities*	PA	PA	PA	PA	PA	PA	PA	

17.15.060.2 Footnotes Associated with Rural Non-LAMIRD Use Table.

1. Provided use is integrated into and supports the on-site recreational nature of the master planned resort and short-term visitor accommodation units constitute greater than fifty percent (50%) of the total resort accommodation units.
2. No new residence shall be permitted except that related to the business or enterprises allowed in this zone such as janitor or night watchman. Any such residence shall meet the requirements of the residential zone.
3. Not permitted in the Agriculture Study Overlay Zone. Clubhouses, fraternities and lodges limited to facilities that serve traditional rural or resource activities (such as granges).
4. Provided:
 - a. The shelters are used to house farm laborers on a temporary or seasonal basis only, regardless of change of ownership, if it remains in farm labor-needed status;
 - b. The shelters must conform with all applicable building and health regulations;
 - c. The number of shelters shall not exceed four (4) per twenty (20) contiguous acres of land area;
 - d. The shelters are owned and maintained by the owner or operator of an agricultural operation which clearly demonstrates the need for farm laborers;

- e. Should the parent agricultural operation cease or convert to non-agriculture use, then the farm labor shelters shall conform with all applicable buildings and health regulations.
- 5. No sign advertising a home occupation shall exceed sixteen (16) square feet in size. Home occupations with no outdoor activities or noise are permitted; home occupations with outdoor activities or noise are a conditional use. In-home daycares with six (6) or fewer individuals receiving care in a twenty-four (24) hour period are permitted; in-home daycares with seven to twelve (7-12) individuals receiving care in a twenty-four (24) hour period require a Conditional Use Permit.
- 6. Provided short-term visitor accommodation units constitute greater than fifty percent (50%) of the total resort accommodation units.
- 7. When used for temporary occupancy for a period not-to-exceed one (1) year related to permanent home construction or seasonal/temporary employment.
- 8. Public transportation deadhead stations permitted; passenger terminals are a Conditional Use.
- 9. Utilities are defined and regulated by KCC Chapter 17.61, Utilities.
- 10. Utilities are defined and regulated by KCC Chapter 17.61, Utilities. Not permitted in the Agriculture Study Overlay Zone.
- 11. Utilities are defined and regulated by KCC Chapter 17.61, Utilities. Limited to the capital facilities, utilities, and services necessary to maintain and operate the master planned resort.
- 12. In considering proposals for location of campgrounds, the Board shall consider at a minimum the following criteria:
 - a. Campgrounds should be located at sufficient distance from existing rural residential/residential development so as to avoid possible conflicts and disturbances;
 - b. Traffic volumes generated by such a development should not create a nuisance or impose on the privacy of nearby residences or interfere with normal traffic flow;
 - c. Landscaping or appropriate screening should be required and maintained where necessary for buffering;
 - d. Adequate and convenient vehicular access, circulation and parking should be provided;
 - e. Public health and safety of campers and those reasonably impacted by the campground (i.e. health, water, sanitation).
- 13. Campgrounds and Recreational vehicle sites with power and water are permitted; campgrounds and recreational vehicle sites without power and water require a conditional use permit.
- 14. The following standards shall apply to the approval and construction of mini-warehouses:
 - a. A mini-warehouse proposal (application) must include plans for aesthetic improvements and/or sight screening;
 - b. All buildings with storage units facing property boundaries shall have a minimum setback of thirty-five (35) feet;
 - c. No commercial or manufacturing activities will be permitted within any building or storage unit;
 - d. Lease documents shall spell out all conditions and restrictions of the use;
 - e. Signs, other than on-site direction aids, shall number not more than two (2) and shall not exceed forty (40) square feet each in area.
- 15. Permitted when conducted wholly within an enclosed building (excluding off-street parking and loading areas).
- 16. Limited to farm implement repair and maintenance.
- 17. Limited to offices directly related to tourism and recreation.
- 18. Retail sales are limited to groceries and sales directly related to tourism and recreation. Structural footprint containing all of these activities may not exceed 4,000 square feet.
- 19. Limited to composting facilities.
- 20. Limited to those services typically found on other destination resort properties and designed to serve the convenience needs of the users and employees of the master planned resort. Shall be designed to discourage use from non-resort users by locating such services well within the site rather than on its perimeter.

21. No new cemeteries. Existing cemeteries may expand or enlarge in compliance with applicable standards and regulations.
22. When located not less than forty-five (45) feet from the centerline of the public street or highway and selling goods produced on site.
23. Hay processing and small-scale processing of agricultural products produced on the premises are permitted without a conditional use permits.
24. Excluding swine and mink, provided a minimum of one (1) acre is available. When located in the Liberty Historic Overlay Zone, this use is subject to the provisions of KCC Chapter [17.59](#).
25. Existing schools are permitted; new schools require a conditional use permit. Not permitted in the Agriculture Study Overlay Zone.
26. Where the use is only serving a residential PUD and where all applicable standards are met. Electric Vehicle Infrastructure subject to provisions of KCC Chapter [17.66](#).
27. Subject to the following requirements:
 - a. ADUs shall be allowed as a permitted use within designated UGAs;
 - b. ADUs shall be subject to obtaining an Administrative Use permit in areas outside UGAs;
 - c. Only one ADU shall be allowed per lot;
 - d. Owner of the property must reside in either the primary residence or the ADU;
 - e. The ADU shall not exceed the square footage of the habitable area of the primary residence;
 - f. All setback requirements for the zone in which the ADU is located shall apply;
 - g. The ADU shall meet the applicable health department standards for potable water and sewage disposal;
 - h. No mobile homes or recreational vehicles shall be allowed as an ADU;
 - i. The ADU shall provide additional off-street parking;
 - j. An ADU is not permitted on the same lot where a special care dwelling or an Accessory Living Quarters exists.
 - k. An ADU must have adequate acreage to meet maximum density within the zone classification.
28. Subject to the following requirements:
 - a. Accessory Living Quarters shall be located within an owner-occupied primary residence;
 - b. Accessory Living Quarters are limited in size to no greater than fifty percent (50%) of the habitable area of the primary residence;
 - c. The Accessory Living Quarters are subject to applicable health district standards for water and sewage disposal;
 - d. Only one (1) Accessory Living Quarters shall be allowed per lot;
 - e. Accessory Living Quarters are to provide additional off-street parking;
 - f. Accessory Living Quarters are not allowed where an Accessory Dwelling Unit or Special Care Dwelling exists.
29. Maximum of four (4) boarders and two (2) bedrooms dedicated to the use.
30. Subject to the following requirements:
 - a. The Special Care Dwelling must meet all setback requirements for the zone in which it is located;
 - b. The Special Care Dwelling must meet all applicable health department requirements for potable water and sewage disposal;
 - c. Placement is subject to obtaining a building permit for the manufactured home;
 - d. Owner must record a notice to title prior to the issuance of building permit which indicates the restrictions and removal requirements;
 - e. The Special Care Dwelling unit cannot be used as a rental unit;
 - f. The Special Care Dwelling unit must be removed when the need for care ceases;
 - g. A Special Care Dwelling is not permitted on the same lot where an Accessory Dwelling Unit or Accessory Living Quarter exists.
31. Structures and facilities associated with the operation of shooting ranges are permitted and subject to all associated Kittitas County building codes and regulations. Shooting Ranges may be operated in conjunction

with other permitted or conditional uses for the specified zone. Shooting Ranges are subject to periodic inspection and certification as deemed necessary by the Kittitas County Sheriff's Department. In considering proposals for the location of Shooting Ranges a detailed site plan shall be required; the Board's review of said site plan and the proposal as a whole shall include, but not be limited, to the following criteria:

- a. The general health, safety, and welfare of surrounding property owners, their livestock, their agricultural products, and their property.
 - b. Adherence to the practices and recommendations of the "NRA Range Sourcebook."
 - c. Adherence to the practices and recommendations of the "EPA Best Management Practices for Lead at Outdoor Shooting Ranges."
 - d. Proposed shooting ranges in areas designated as agricultural land of long-term commercial significance shall comply with [RCW 36.70A.177\(3\)](#) as currently existing or hereafter amended, and shall be limited to lands with poor soils or those unsuitable for agriculture.
32. Subject to the provisions of KCC Chapter [17.66](#), Electric Vehicle Infrastructure.
 33. Single family homes located in Twin Pines Trailer Park, Central Mobile Home Park, or Swiftwater shall be subject to the provisions of KCC Chapter [17.24](#), Historic Trailer Court Zone.
 34. When located in the Liberty Historic Overlay Zone, this use is subject to the provisions of KCC Chapter [17.59](#).
 35. Limited to facilities that serve traditional rural or resource activities (such as granges). Allowed as a permitted use in the Liberty Historic Overlay Zone, subject to the provisions of KCC Chapter [17.59](#).
 36. Allowed only as a conditional use in the Liberty Historic Overlay Zone, subject to the provisions of KCC Chapter [17.59](#).
 37. Prohibited in the Liberty Historic Overlay Zone.
 38. As of September 1, 1998, mobile homes are no longer allowed to be transported and placed within Kittitas County. Those units presently located in Kittitas County that are to be relocated within Kittitas County must have a fire/life inspection approved by the Washington State Department of Labor and Industries. Mobile homes located in Twin Pines Trailer Park, Central Mobile Home Park, or Swiftwater shall be subject to the provisions of KCC Chapter [17.24](#), Historic Trailer Court Zone.
 39. Permitted when located within an established mining district; conditional use permit required when located outside established mining district.
 40. Single family homes located in Twin Pines Trailer Park, Central Mobile Home Park, or Swiftwater shall be subject to the provisions of KCC Chapter [17.24](#), Historic Trailer Court Zone.
 41. Pursuant to RCW [70.128.140](#).
 42. Permitted when conducted wholly within an enclosed building (excluding off-street parking and loading areas).
 43. Includes truck stop operations. Minor repair work permitted.
 44. Limited to facilities that serve traditional rural or resource activities (such as granges).
 45. Use shall not exceed 10,000 square feet and no more than eight (8) events shall occur within a calendar year.
 46. Existing facilities are permitted; new facilities require a conditional use permit. Limited to agricultural products. Excludes controlled atmosphere and cold storage warehouses.
 47. Limited to seasonal, non-structural hay storage.
 - 48. Marijuana production or processing on conforming legal lots of record are permitted outright and must:**
 - a. Meet all criteria and regulations found in WAC 314.55 and RCW 69.50.**
 - b. Meet all International Fire Code and International Building Code requirements.**
 - c. Agree to an annual fire protection inspection.**
 - d. Provide 125% bonding or assignment of funds for insuring completion of fence plan and survival of any landscaping necessary to visually screen required fences. Bond will be held for five (5) years to insure the survival of any visual screening vegetation.**
 - e. All buildings or planting operations requiring security by law must be setback at least 60 feet from any property boundary.**
 - f. Security lighting shall be downward, directed away from adjoining property, and shall be installed with motion sensors.**

49. Marijuana production or processing on non-conforming legal lots of record must be at least 10 (ten) acres in size, are processed as an Administrative Conditional Use, and must:

- a. Meet all criteria and regulations found in WAC 314.55 and RCW 69.50.**
- b. Meet all International Fire Code and International Building Code requirements.**
- c. Agree to an annual fire protection inspection.**
- d. Provide 125% bonding or assignment of funds for insuring completion of fence plan and survival of any landscaping necessary to visually screen required fences. Bond will be held for five (5) years to insure the survival of any visual screening vegetation.**
- e. All buildings or planting operations requiring security by law must be setback at least 60 feet from any property boundary.**
- f. Security lighting shall be downward, directed away from adjoining property, and shall be installed with motion sensors.**

(Ord. 2013-012, 2013; Ord. 2013-008, 2013; Ord. 2013-001, 2013;)

17.15.070 Allowed Uses in Rural LAMIRD Lands

17.15.070.1 Rural LAMIRD Use Table

P Permitted PA Permitted Administrative CU Conditional Use <i>*See KCC Chapter 17.08 Definitions</i>	Rural LAMIRD												
	Residential	Residential 2	Agriculture 3	Agriculture 20	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD
A. Agriculture													
Animal boarding*	CU ¹		CU	CU				CU				CU	
Agriculture processing*			P ²	CU ³				P		P ⁴	P ⁴	CU	
Agriculture production*	CU ¹		P ⁵	P	P	P				P ⁴	P ⁴	P ⁵	
Agriculture sales,* Produce stand			P ⁷ /AC	P ⁷ /AC			P	P	P			P ⁷ / AC	
Agriculture sales,* Other			CU	CU				CU				CU	
Feedlot*			CU ⁸	CU ⁸								CU ⁸	
Grazing*			P	P	P	P	P	P	P	P	P	P	

<u>Marijuana Processing*</u>													
<u>Marijuana Production*</u>													
Nurseries	CU		P	P								CU	
Riding academies			CU	CU								CU	
Small-scale event facility*													
	Residential	Residential 2	Agriculture 3	Agriculture 20	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD
B. Civil and Cultural													
Cemetery			P ²	P ²		P ²						CU	
Clubhouses, fraternities and lodges*	AC	P	P ¹⁰	P ¹⁰	P	P						AC	
Cultural and education facilities	CU												
Libraries			CU	P ¹⁰			P	P					
Meeting facilities													
Museums and galleries	CU		CU	CU				P ¹¹	P			CU	
Religious institutions*	CU	CU	CU	CU								CU	
Schools, public and private*			CU	P ¹⁰			P	P				CU	

	Residential	Residential 2	Agriculture 3	Agriculture 20	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD
C. Commercial													
Auction sales of non-agriculture products			CU	CU				P					
Bank								P	P				
Bed and breakfast*			AC	AC		AC						AC	
Clinic*	CU ¹²												
Day care facilities*			CU	CU			CU	CU	CU			CU	
Funeral home/mortuary								CU					
Hospital*	CU		CU	CU				P				CU	
Hospital, animal or Veterinary*				CU				CU					
Hotel/motel								P	P				
Office*								P	P ¹³				
Restaurant							P	P	P				
Retail sales,* general							P ¹¹	P ¹¹	P ¹⁴				
Retail sales,* lumber and building materials								P ¹⁵					
<u>Retail sales, marijuana*</u>													

Retail sales,* vehicles								P				
Services								P ¹¹	P			
Shooting range*				CU ⁴⁰				CU ⁴⁰				CU ⁴⁰
Tavern								P	P			
Temporary sales office												
Vehicle/equip ment service and repair*				CU ¹⁷			P ¹⁸	P ¹¹	P ¹⁹			
	Residential	Residential 2	Agriculture 3	Agriculture 20	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range PUD
D. Industrial												
Airport*			CU	CU ¹⁰				CU			CU	CU
Asphalt/Concr ete plants												CU
Forest product processing* (portable)			P	P	P	P						
Forest product processing* (permanent)			CU	CU								
Freighting and trucking yard or terminal*								CU			P	CU
Hazardous waste storage*								CU		CU	CU ²⁰	
Hazardous waste treatment*								CU		CU	CU ²⁰	

Junkyard*								CU			CU ²⁰		
Manufacturing*								P		P	P ²⁰		
Mini-warehouse				P	CU ²²	CU ²²	P ¹¹	P ¹¹		P		CU ²²	
Refuse disposal/recycle*											CU ²⁰	CU	
Research laboratories										P	P		
Wastewater treatment													
Warehousing and distribution													
Wholesale business								P		P	P		
	Residential	Residential 2	Agriculture 3	Agriculture 20	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD
E. Recreation													
Campgrounds			CU ²¹	CU ²¹	CU ²¹	CU ²¹			CU ²¹	CU ²¹		CU ²¹	
Golf courses			CU	CU	CU	CU						CU	
Guest Ranch			AC	AC	AC	AC						AC	
Parks and playgrounds*	P	P	P	P ¹⁰		P	P		P			P	P
Recreation, indoor*								P	P	P			P ³⁵
Recreation,								P ⁴¹	P ⁴¹	P ⁴¹			P ³⁵

outdoor*													
Recreational vehicle park*													P ³⁵
Recreational vehicle storage*													P ³⁵
Stadiums									CU				
Trails	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA
	Residential	Residential 2	Agriculture 3	Agriculture 20	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range PUD	
F. Residential													
Accessory dwelling unit	P ²⁴	P ²⁴	P ²⁴	P ²⁴	P ²⁴	P ²⁴	P ²⁴	P ²⁴	P ²⁵			P ³⁶	P ²⁴
Accessory living quarter	P ³⁶	P ³⁶	P ³⁶	P ³⁶	P ³⁶	P ³⁶	P ³⁶	P ³⁶	P ²⁵			P ³⁶	P ³⁶
Adult family home	P ⁴²	P ⁴²	P ⁴²	P ⁴²	P ⁴²	P ⁴²	P ⁴²	P ⁴²	P ⁴²			P ⁴²	P ⁴²
Boarding house	CU ³⁷		CU ³⁷	CU ³⁷								CU ³⁷	
Convalescent home				CU								CU	
Dwelling, single-family	P	P	P	P	P	P	P	P	P ²⁵			P	P
Dwelling, two-family	P	P	P	P ¹⁰			P	P	P ²⁵			P	P
Dwelling, multiple-family	CU							P					P
Farm Labor Shelter			CU ²⁶	CU ²⁶								CU ²⁶	

Group Home					CU	CU						CU	
Home occupation	P/CU ²⁷	P/CU ²⁸	P/CU ²⁸	P/CU ²⁸	P/CU ²⁸	P/CU ²⁸						P/CU ²⁸	P/CU ²⁸
Manufactured home	P	P	P	P	P	P	P	P	P			P	P
Mobile homes		P ³⁸			P ³⁸	P ⁶						P	
Special care dwelling	P ³⁹	P ³⁹	P ³⁹	P ³⁹	P ³⁹	P ³⁹	P ³⁹	P ³⁹	P ²⁵				P
Temporary trailers	P ²⁹	P ²⁹	P ²⁹	P ²⁹	P ²⁹	P ²⁹	P ²⁹	P ²⁹	P ²⁹	P ²⁹	P ²⁹	P ²⁹	P ²⁹
	Residential	Residential 2	Agriculture 3	Agriculture 20	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD
G. Resource													
Forestry*			P	P	P	P						P	
Forest product sales*												P	
Mining and excavation*			CU ³⁰	CU ³⁰	CU ³¹	CU ³¹						P	
Rock crushing*					CU ³¹	CU ³¹						P	
	Residential	Residential 2	Agriculture 3	Agriculture 20	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD
H. Utilities and Public Facilities													
Electric vehicle infrastructure	P ²³	P ²³	P ²³	P ²³	P ²³	P ²³	P ²³	P ²³	P ²³	P ²³	P ²³	P ²³	P ³⁵

Public facilities			CU	CU		CU		CU		P ³²		CU	
Utilities	P ³³	P ³³	P ³³	P ³⁴	P ³³	P ³³	P ³³	P ³³	P ³³	P ³³	P ³³	P ³³	P ³³
Watershed management activities	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA

17.15.070.2 Footnotes Associated with Rural LAMIRD Use Table.

1. Limited to the keeping of horses or cattle for personal enjoyment of the owner or occupant of the lot, provided that the lot contains one (1) acre or more.
2. Limited to products produced on the premises.
3. Hay processing and small-scale processing of agricultural products produced on the premises are permitted outright.
4. Feed yards, livestock sales yards and slaughterhouses require a conditional use permit.
5. Provided the lot contains one (1) acre or more. Agriculture production on smaller lots requires a conditional use permit. Raising of swine and mink prohibited.
6. As of September 1, 1998, mobile homes are no longer allowed to be transported and placed within Kittitas County. Those units presently located in Kittitas County that are to be relocated within Kittitas County must have a fire/life inspection approved by the Washington State Department of Labor and Industries. Single family and mobile homes located in Twin Pines Trailer Park, Central Mobile Home Park or Swiftwater shall be subject to the provisions of KCC Chapter [17.24](#), Historic Trailer Court Zone.
7. When located not less than forty-five (45) feet from the centerline of the public street or highway and selling goods produced on site.
8. Feedlots existing at the time of adoption of the ordinance codified herein may expand or be enlarged only in compliance with standards and regulations contained herein, and such operations shall comply with all state and/or county health regulations.
9. No new cemeteries. Existing cemeteries may expand or enlarge in compliance with applicable standards and regulations.
10. Not permitted in the Agriculture Study Overlay Zone.
11. Permitted when conducted wholly within an enclosed building (excluding off-street parking and loading areas).
12. Provided the minimum lot size shall be fifteen thousand (15,000) square feet.
13. When the office activities are directly related to tourism and recreation.
14. Retail sales limited to groceries and sales of souvenirs, gifts, novelties, curios and handcraft products. Grocery stores may not exceed four thousand (4,000) square feet.
15. Any open storage shall be enclosed by a sight-obscuring fence not less than six (6) feet and not more than seven (7) feet high.
16. Not to exceed two (2) years.
17. Limited to farm implement repair and maintenance, but not to include automobiles, trucks or bikes
18. Limited to service stations, provided there shall be no repairing, repainting, reconstruction or sale of motor vehicles from the premises.
19. Includes truck stop operations. Minor repair work permitted.
20. Because of considerations of odor, dust, smoke, noise, fumes, vibration or hazard, the following uses shall not be permitted in the industrial zone unless a conditional use permit authorizing such use has been granted by the Board:
 - a. All chemical manufacture, storage and/or packaging;
 - b. Asphalt manufacture, mixing, or refining;

- c. Automobile dismantling, wrecking or junk yards;
- d. Blast furnaces or coke ovens;
- e. Cement, lime, gypsum or plaster of Paris manufacture;
- f. Drop forge industries;
- g. Explosives, storage or manufacture;
- h. Reduction or disposal of garbage, offal or similar refuse;
- i. Oil refining; alternative energy refinery (i.e. biofuels, ethanol)
- j. Rubber reclaiming;
- k. Feed yards, livestock sales yards or slaughterhouses;
- l. Smelting, reduction or refining of metallic ores;
- m. Tanneries;
- n. Wineries;
- o. Manufacturing of industrial or household adhesives, glues, cements, or component parts thereof, from vegetable, animal or synthetic plastic materials;
- p. Waste (refuse) recycling and processing;
- q. On-site and off-site hazardous waste storage and/or treatment. Off-site materials shall be accepted only from Kittitas County source sites.

In considering the issuance of conditional use permits for the foregoing listed uses, the Board shall:

- r. Assure that the degree of compatibility enunciated as the purpose of this title shall be maintained with respect to the particular use on the particular site and in consideration of other existing and potential uses within the general area in which such use is proposed to be located;
- s. Recognize and compensate for variations and degree of technological processes and equipment as related to the factors of noise, smoke, fumes, vibration, odors, and hazards. Unless substantial proof is offered showing that such process and/or equipment has reduced the above factors so as to be negligible, use is located not less than one thousand (1,000) feet from any church, school, park, playground or occupied dwelling on the same lot or parcel as such use.

21. In considering proposals for location of campgrounds, the Board shall consider at a minimum the following criteria:

- a. Campgrounds should be located at sufficient distance from existing rural residential/residential development so as to avoid possible conflicts and disturbances;
- b. Traffic volumes generated by such a development should not create a nuisance or impose on the privacy of nearby residences or interfere with normal traffic flow;
- c. Landscaping or appropriate screening should be required and maintained where necessary for buffering;
- d. Adequate and convenient vehicular access, circulation and parking should be provided;
- e. Public health and safety of campers and those reasonably impacted by the campground (i.e. health, water, sanitation).

22. The following standards shall apply to the approval and construction of mini-warehouses:

- a. A mini-warehouse proposal (application) must include plans for aesthetic improvements and/or sight screening;
- b. All buildings with storage units facing property boundaries shall have a minimum setback of thirty-five (35) feet;
- c. No commercial or manufacturing activities will be permitted within any building or storage unit;
- d. Lease documents shall spell out all conditions and restrictions of the use;
- e. Signs, other than on-site direction aids, shall number not more than two (2) and shall not exceed forty (40) square feet each in area;

23. Subject to provisions of KCC Chapter [17.66](#), Electric Vehicle Infrastructure.

24. Subject to the following requirements:

- a. ADUs shall be allowed as a permitted use within designated UGAs;
- b. ADU's shall be subject to obtaining an Administrative Use permit in areas outside of UGAs;

- c. Only one (1) ADU shall be allowed per lot;
 - d. Owner of the property must reside in either the primary residence or the ADU;
 - e. The ADU shall not exceed the square footage of the habitable area of primary residence;
 - f. The ADU shall be designed to maintain the appearance of the primary residence;
 - g. All setback requirements for the zone in which the ADU is located shall apply;
 - h. The ADU shall meet the applicable health department standards for potable water and sewage disposal;
 - i. No mobile homes or recreational vehicles shall be allowed as an ADU;
 - j. The ADU shall provide additional off-street parking;
 - k. An ADU is not permitted on the same lot where a special care dwelling or an Accessory Living Quarters exists.
 - l. An ADU must have adequate acreage to meet maximum density within the zone classification.
25. No new residence shall be permitted except that related to the business or enterprises allowed in this zone such as janitor or night watchman. Any such residence shall meet the requirements of the residential zone.
26. Provided that:
- a. The shelters are used to house farm laborers on a temporary or seasonal basis only, regardless of change of ownership, if it remains in farm labor-needed status;
 - b. The shelters must conform with all applicable building and health regulations;
 - c. The number of shelters shall not exceed four (4) per twenty (20) contiguous acres of land area;
 - d. The shelters are owned and maintained by the owner or operator of an agricultural operation which clearly demonstrates the need for farm laborers;
 - e. Should the parent agriculture operation cease or convert to non-agriculture use, then the farm labor shelters shall conform with all applicable building, zoning, and platting requirements or be removed
27. Home occupations with no outdoor activities or noise are permitted; home occupations with outdoor activities or noise are a conditional use. Offices of a physician, dentist or other professional person when located in his or her dwelling as well as home occupations engaged in by individuals within their dwellings are allowed provided that no window display is made or any sign shown other than one (1) not exceeding two (2) square feet in area and bearing only the name and occupation of the occupant.
28. Home occupations with no outdoor activities or noise are permitted; home occupations with outdoor activities or noise are a conditional use.
29. When used for temporary occupancy for a period not-to-exceed one (1) year related to permanent home construction or seasonal/temporary employment.
30. Noncommercial sand and gravel excavation is permitted for on-site use without a conditional use permit.
31. Permitted when located within an established mining district; requires conditional use permit outside an established mining district.
32. Public transportation deadhead stations permitted; passenger terminals are a Conditional Use.
33. Utilities are defined and regulated by KCC Chapter [17.61](#), Utilities.
34. Utilities are defined and regulated by KCC Chapter [17.61](#), Utilities. Not permitted in the Agriculture Study Overlay Zone.
35. Where the use is only serving a residential PUD and where all applicable standards are met. Electric Vehicle Infrastructure subject to KCC Chapter [17.66](#).
36. Subject to the following requirements:
- a. Accessory Living Quarters shall be located within an owner occupied primary residence;
 - b. Accessory Living Quarters are limited in size to no greater than fifty percent (50%) of the habitable area of the primary residence;
 - c. The Accessory Living Quarters are subject to applicable health district standards for water and sewage disposal;
 - d. Only one (1) Accessory Living Quarters shall be allowed per lot;
 - e. Accessory Living Quarters are to provide additional off-street parking;

- f. Accessory Living Quarters are not allowed where an Accessory Dwelling Unit or Special Care Dwelling exists.
37. Maximum of four (4) boarders and two (2) bedrooms dedicated to the use.
 38. As of September 1, 1998, mobile homes are no longer allowed to be transported and placed within Kittitas County. Those units presently located in Kittitas County that are to be relocated within Kittitas County must have a fire/life inspection approved by the Washington State Department of Labor and Industries.
 39. Subject to the following requirements:
 - a. The Special Care Dwelling must meet all setback requirements for the zone in which it is located;
 - b. The Special Care Dwelling must meet all applicable health department requirements for potable water and sewage disposal;
 - c. Placement is subject to obtaining a building permit for the manufactured home;
 - d. Owner must record a notice to title prior to the issuance of building permit which indicates the restrictions and removal requirements;
 - e. The Special Care Dwelling unit cannot be used as a rental unit;
 - f. The Special Care Dwelling unit must be removed when the need for care ceases;
 - g. A Special Care Dwelling is not permitted on the same lot where an Accessory Dwelling Unit or Accessory Living Quarter exists.
 40. Structures and facilities associated with the operation of shooting ranges are permitted and subject to all associated Kittitas County building codes and regulations. Shooting ranges may be operated in conjunction with other permitted or conditional uses for the specified zone. Shooting Ranges are subject to periodic inspection and certification as deemed necessary by the Kittitas County Sheriff's Department. In considering proposals for the location of shooting ranges a detailed site plan shall be required; the Hearings Examiner's review of said site plan and the proposal as a whole shall include, but not be limited, to the following criteria:
 - a. The general health, safety, and welfare of surrounding property owners, their livestock, their agricultural products, and their property.
 - b. Adherence to the practices and recommendations of the "NRA Range Sourcebook."
 - c. Adherence to the practices and recommendations of the "EPA Best Management Practices for Lead at Outdoor Shooting Ranges."
 - d. Proposed shooting ranges in areas designated as agricultural land of long-term commercial significance shall comply with RCW [36.70A.177 \(3\)](#) as currently existing or hereafter amended, and shall be limited to lands with poor soils or those unsuitable for agriculture.
 41. Outdoor recreation activities that cause noise require a conditional use permit.
 42. Subject to provisions of RCW [70.128.140](#).
 43. Use shall not exceed 10,000 square feet and no more than eight (8) events shall occur within a calendar year.
 44. Existing facilities are permitted; new facilities require a conditional use permit. Limited to agricultural products. Excludes controlled atmosphere and cold storage warehouses.
- ([Ord. 2013-012](#), 2013; [Ord. 2013-008](#), 2013; [Ord. 2013-001](#), 2013;)

17.15.080 Allowed Uses in Urban Lands

P Permitted PA Permitted Administrative CU Conditional Use *See KCC Chapter <u>17.08</u> Definitions	Rural												
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD
A. Agriculture													
Animal boarding*	CU ¹			CU				CU				CU	
Agriculture processing*				P ²				P		P ⁴	P ⁴	CU	
Agriculture production*	CU ¹	CU ⁵		P ⁵	P	P				P ⁴	P ⁴	P ⁵	
Agriculture sales,* Produce stand				P ² /A C					P			P ² /A C	
Agriculture sales,* Other		CU		CU				CU				CU	
Feedlot*				CU ²								CU ²	
Grazing*		P		P	P	P	P	P	P	P	P	P	
<u>Marijuana Processing*</u>										P ^{44, 45}			
<u>Marijuana Production*</u>										P ^{44, 45}			
Nurseries	CU	CU		P								CU	

Riding Academies		CU		CU		CU						CU	
Small-scale event facility*				AC ⁴² / CU	AC ⁴² / CU	AC ⁴² / CU						AC ⁴² / CU	
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD
B. Civic and Cultural													
Cemetery				P ²		P ²						CU	
Clubhouses, fraternities and lodges*	AC	AC		P	P	P						AC	
Cultural and educational facilities	CU												
Libraries				CU			P	P					
Meeting facilities													
Museums and galleries	CU	CU		CU				P ¹¹	P			CU	
Religious institutions*	CU	CU		CU								CU	
Schools, public or private*		CU		CU			P	P				CU	

	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD
C. Commercial													
Auction sales of non-agriculture products				CU				P				CU	
Bank								P	P				
Bed and breakfast*				AC		AC						AC	
Clinic*	CU ¹²												
Day care facilities*				CU			CU	CU	CU			CU	
Funeral home/mortuary								CU					
Hospital*	CU			CU				P				CU	
Hospital, animal or veterinary*								CU					
Hotel/motel								P	P				P
Office*								P	P ¹³				
Restaurant							P	P	P				P
Retail sales,* general							P ¹¹	P ¹¹	P ¹⁴				P
Retail sales,* lumber and building materials								P ¹⁵					P
Retail sales,													

<u>marijuana*</u>													
Services							P¹¹	P¹¹	P¹¹				
Shooting range*								CU⁶				CU⁶	
Tavern								P	P				P
Temporary sales office													
Vehicle/equipment service and repair*							P¹⁸	P¹¹	P¹⁹				
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD
D. Industrial													
Airport*				CU				CU				CU	
Asphalt/Concrete plants												CU	
Forest product processing* (portable)				P	P	P						P	
Forest product processing* (permanent)				CU								CU	
Freighting and trucking yard or terminal*								CU		P	P	CU	
Hazardous waste								CU		CU	CU²⁰		

storage*													
Hazardous waste treatment*								CU		CU	CU ²⁰		
Junkyard*								CU			CU ²⁰		
Manufacturing*								P		P	P ²⁰		
Mini-Warehouse					CU ²²	CU ²²	P ¹¹	P ¹¹		P		CU ²²	
Refuse disposal/recycle*										CU	CU ²⁰	CU	
Research laboratories										P	P		
Wastewater treatment													
Warehousing and distribution	PA ⁴³	PA ⁴³	PA ⁴³	PA ⁴³	PA ⁴³	PA ⁴³	PA ⁴³	PA ⁴³	PA ⁴³	P	P	PA ⁴³	
Wholesale business								P		P	P		
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD
E. Recreation													
Campground*				CU ²¹	CU ²¹	CU ²¹		CU ²¹	CU ²¹			CU ²¹	
Golf course*				CU	CU	CU						CU	
Guest ranch*				AC	AC	AC						AC	
Parks and	P			P		P	P	P				P	P

playgrounds*													
Recreation, indoor*				CU	CU	CU		P	P			CU	P ³⁵
Recreation, outdoor*				AC	AC	AC		P ³⁹	P ³⁹			AC	P ³⁵
Recreational vehicle park*													
Recreational vehicle storage													P
Stadiums								CU					
Trails	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD
F. Residential													
Accessory dwelling unit*	P ²⁴	P ²⁴		P ²⁴	P ²⁴	P ²⁴		P ²⁵					P ²⁴
Accessory living quarters*	P ³⁶	P ³⁶		P ³⁶	P ³⁶	P ³⁶		P ²⁵					P ³⁶
Adult family home*	P ⁴¹	P ⁴¹	P ⁴¹	P ⁴¹	P ⁴¹	P ⁴¹	P ⁴¹	P ⁴¹	P ⁴¹			P ⁴¹	P ⁴¹
Boarding house	CU ³⁷			CU ³⁷								CU ³⁷	
Convalescent home												CU	
Dwelling, single-	P	P	P ⁴⁰	P	P	P	P	P ²⁵				P	P

family*													
Dwelling, two-family*	P	P		P			P	P ²⁵				P	P
Dwelling, multiple-family*	AC												P
Farm labor shelter*				CU ²⁶								CU ²⁶	
Group home*					CU	CU						CU	
Home occupation*	P/C U ²⁷	P/CU ²⁸		P/CU ²⁸	P/CU ²⁸	P/CU ²⁸						P/CU ²⁸	P/C U ²⁸
Manufactured home*	P	P	P	P	P	P	P	P				P	P
Mobile home		P ³⁸	P ⁴⁰		P ³⁸							P ³⁸	P ³⁸
Special care dwelling*	P ¹⁷	P ¹⁷		P ¹⁷	P ¹⁷	P ¹⁷	P ¹⁷						P ¹⁷
Temporary trailer	P ²⁹	P ²⁹	P ²⁹	P ²⁹	P ²⁹	P ²⁹	P ²⁹	P ²⁹	P ²⁹	P ²⁹	P ²⁹		CU ²⁹
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD
G. Resource													
Forestry*				P	P	P						P	
Forest product sales*												P	
Mining and excavation*				CU ³⁰	CU ³¹	CU ³¹						P	
Rock crushing"					CU ³¹	CU ³¹						P	

	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD
H. Utilities and Public Facilities													
Electric vehicle infrastructure*	P10	P10	P10	P10	P10	P10	P10	P10	P10	P10	P10	P10	P10
Public facilities*		CU		CU	CU			CU	P32			CU	
Utilities	P33	P33		P33	P33	P33	P33	P33	P33	P33	P33	P33	P33
Watershed management activities*	PA	PA		PA	PA	PA	PA	PA	PA	PA	PA	PA	PA

17.15.080.2 Footnotes Associated with Urban Use Table.

1. Limited to the keeping of horses or cattle for personal enjoyment of the owner or occupant of the lot, provided that the lot contains one (1) acre or more.
2. Limited to products produced on the premises.
3. Hay processing and small-scale processing of agricultural products produced on the premises are permitted outright.
4. Feed yards, livestock sales yards, and slaughterhouses require a conditional use permit.
5. Provided the lot contains one (1) acre or more. Agriculture production on smaller lots requires a conditional use permit. Raising of swine and mink prohibited.
6. Structures and facilities associated with the operation of shooting ranges are permitted and subject to all associated Kittitas County building codes and regulations. Shooting Ranges may be operated in conjunction with other permitted or conditional uses for the specified zone. Shooting Ranges are subject to periodic inspection and certification as deemed necessary by the Kittitas County Sheriff's Department. In considering proposals for the location of Shooting Ranges a detailed site plan shall be required; the Board review of said site plan and the proposal as a whole shall include, but not be limited to the following criteria:
 - a. The general health, safety, and welfare of surrounding property owners, their livestock, their agricultural products, and their property.
 - b. Adherence to the practices and recommendations of the "NRA Range Sourcebook."
 - c. Adherence to the practices and recommendations of the "EPA Best Management Practices for Lead at Outdoor Shooting Ranges."
 - d. Proposed shooting ranges in areas designated as agricultural land of long term commercial significance shall comply with RCW [36.70A.177\(3\)](#) as currently existing or hereafter amended, and shall be limited to lands with poor soils or those unsuitable for agriculture.

7. When located not less than forty-five (45) feet from the centerline of the public street or highway and selling goods produced on site.
8. Feedlots existing at the time of adoption of the ordinance codified herein may expand or be enlarged only in compliance with standards and regulations contained herein, and such operations shall comply with all state and/or county health regulations.
9. No new cemeteries. Existing cemeteries may expand or enlarge in compliance with applicable standards and regulations.
10. Subject to provisions of KCC Chapter [17.66](#), Electric Vehicle Infrastructure.
11. Permitted when conducted wholly within an enclosed building (excluding off-street parking and loading areas).
12. Provided the minimum lot size shall be fifteen thousand (15,000) square feet.
13. When the office activities are directly related to tourism and recreation.
14. Retail sales limited to groceries and sales of souvenirs, gifts, novelties, curios and handicraft products. Grocery stores may not exceed four thousand (4,000) square feet.
15. Any open storage shall be enclosed by a sight-obscuring fence not less than six (6) feet and not more than seven (7) feet high.
16. Not to exceed two (2) years.
17. Subject to the following requirements:
 - a. The Special Care Dwelling must meet all setback requirements for the zone in which it is located.
 - b. The Special Care Dwelling must meet all applicable health department requirements for potable water and sewage disposal.
 - c. Placement is subject to obtaining a building permit for the manufactured home.
 - d. Owner must record a notice to title prior to the issuance of building permit which indicates the restrictions and removal requirements.
 - e. The Special Care Dwelling unit cannot be used as a rental unit.
 - f. The Special Care Dwelling unit must be removed when the need for care ceases.
 - g. A Special Care Dwelling is not permitted on the same lot where an Accessory Dwelling Unit or Accessory Living Quarter exists.
18. Limited to service stations, provided there shall be no repairing, repainting, reconstruction or sale of motor vehicles from the premises.
19. Includes truck stop operations. Minor repair work permitted.
20. Because of considerations of odor, dust, smoke, noise, fumes, vibration or hazard, the following uses shall not be permitted in the industrial zone unless a conditional use permit authorizing such use has been granted by the Board:
 - a. All chemical manufacture, storage and/or packaging;
 - b. Asphalt manufacture, mixing, or refining;
 - c. Automobile dismantling, wrecking or junk yards;
 - d. Blast furnaces or coke ovens;
 - e. Cement, lime, gypsum or plaster of Paris manufacture;
 - f. Drop forge industries;
 - g. Explosives, storage or manufacture;
 - h. Reduction or disposal of garbage, offal or similar refuse;
 - i. Oil refining; alternative energy refinery (i.e. biofuels, ethanol)
 - j. Rubber reclaiming;
 - k. Feed yards, livestock sales yards or slaughterhouses;
 - l. Smelting, reduction or refining of metallic ores;
 - m. Tanneries;
 - n. Wineries;
 - o. Manufacturing of industrial or household adhesives, glues, cements, or component parts thereof, from vegetable, animal or synthetic plastic materials;

- p. Waste (refuse) recycling and processing;
- q. On-site and off-site hazardous waste storage and/or treatment. Off-site materials shall be accepted only from Kittitas County source sites.

In considering the issuance of conditional use permits for the foregoing listed uses, the Board shall:

- r. Assure that the degree of compatibility enunciated as the purpose of this title shall be maintained with respect to the particular use on the particular site and in consideration of other existing and potential uses within the general area in which such use is proposed to be located;
- s. Recognize and compensate for variations and degree of technological processes and equipment as related to the factors of noise, smoke, fumes, vibration, odors and hazards. Unless substantial proof is offered showing that such process and/or equipment has reduced the above factors so as to be negligible, use is located not less than one thousand (1,000) feet from any church, school, park, playground or occupied dwelling on the same lot or parcel as such use.

21. In considering proposals for location of such campgrounds, the Board shall consider at a minimum the following criteria:

- a. Campgrounds should be located at sufficient distance from existing rural residential/residential development so as to avoid possible conflicts and disturbances.
- b. Traffic volumes generated by such a development should not create a nuisance or impose on the privacy of nearby residences or interfere with normal traffic flow.
- c. Landscaping or appropriate screening should be required and maintained where necessary for buffering.
- d. Adequate and convenient vehicular access, circulation and parking should be provided.
- e. Public health and safety of campers and those reasonably impacted by the campground (i.e. health, water, sanitation)

22. The following standards shall apply to the approval and construction of mini-warehouses:

- a. A mini-warehouse proposal (application) must include plans for aesthetic improvements and/or sight screening;
- b. All buildings with storage units facing property boundaries shall have a minimum setback of thirty-five (35) feet;
- c. No commercial or manufacturing activities will be permitted within any building or storage unit;
- d. Lease documents shall spell out all conditions and restrictions of the use;
- e. Signs, other than on-site direction aids, shall number not more than two (2) and shall not exceed forty (40) square feet each in area;

23. Subject to all state and/or county health regulations and to regulations in this title, provided a minimum of one (1) acre is available. Excluding swine and mink.

24. Accessory Dwelling Unit (ADU) subject to the following requirements:

- a. ADUs shall be allowed as a permitted use within designated UGAs.
- b. ADUs shall be subject to obtaining an Administrative Use permit in areas outside of UGAs.
- c. Only one (1) ADU shall be allowed per lot.
- d. Owner of the property must reside in either the primary residence or the ADU.
- e. The ADU shall not exceed the square footage of the habitable area of primary residence.
- f. The ADU shall be designed to maintain the appearance of the primary residence.
- g. All setback requirements for the zone in which the ADU is located shall apply.
- h. The ADU shall meet the applicable health department standards for potable water and sewage disposal.
- i. No mobile homes or recreational vehicles shall be allowed as an ADU.
- j. The ADU shall provide additional off-street parking.
- k. An ADU is not permitted on the same lot where a special care dwelling or an Accessory Living Quarters exists.
- l. An ADU must have adequate acreage to meet maximum density within the zone classification.

25. No new residence shall be permitted except that related to the business or enterprises allowed in this zone such as janitor or night watchman. Any such residence shall meet the requirements of the residential zone.
26. Provided that:
- a. The shelters are used to house farm laborers on a temporary or seasonal basis only, regardless of change of ownership, if it remains in farm labor-needed status;
 - b. The shelters must conform with all applicable building and health regulations;
 - c. The number of shelters shall not exceed four (4) per twenty (20) contiguous acres of land area;
 - d. The shelters are owned and maintained by the owner or operator of an agricultural operation which clearly demonstrates the need for farm laborers;
 - e. Should the parent agriculture operation cease or convert to non-agriculture use, then the farm labor shelters shall conform with all applicable building, zoning, and platting requirements or be removed
27. Home occupations with no outdoor activities or noise are permitted; home occupations with outdoor activities or noise are a conditional use. Offices of a physician, dentist or other professional person when located in his or her dwelling as well as home occupations engaged in by individuals within their dwellings are allowed provided that no window display is made or any sign shown other than one (1) not exceeding two (2) square feet in area and bearing only the name and occupation of the occupant.
28. Home occupations with no outdoor activities or noise are permitted; home occupations with outdoor activities or noise are a conditional use. No sign advertising a home occupation shall exceed sixteen (16) square feet in size.
29. When used for temporary occupancy for a period not to exceed one (1) year related to permanent home construction or seasonal/temporary employment.
30. Noncommercial sand and gravel excavation is permitted for on-site use without a conditional use permit.
31. Permitted when located within an established mining district; requires conditional use permit outside an established mining district.
32. Public transportation deadhead stations permitted; passenger terminals are a Conditional Use.
33. Utilities are defined and regulated by KCC Chapter [17.61](#), Utilities.
34. Utilities are defined and regulated by KCC Chapter [17.61](#), Utilities. Not permitted in the Agriculture Study Overlay Zone.
35. Where the use is only serving a residential PUD and where all applicable standards are met.
36. Subject to the following requirements:
- a. Accessory Living Quarters shall be located within an owner occupied primary residence.
 - b. Accessory Living Quarters are limited in size to no greater than fifty percent (50%) of the habitable area of the primary residence.
 - c. The Accessory Living Quarters are subject to applicable health district standards for water and sewage disposal.
 - d. Only one (1) Accessory Living Quarters shall be allowed per lot.
 - e. Accessory Living Quarters are to provide additional off-street parking.
 - f. Accessory Living Quarters are not allowed where an Accessory Dwelling Unit or Special Care Dwelling exists.
37. Maximum of four (4) boarders and two (2) bedrooms dedicated to the use.
38. As of September 1, 1998, mobile homes are no longer allowed to be transported and placed within Kittitas County. Those units presently located in Kittitas County that are to be relocated within Kittitas County must have a fire/life inspection approved by the Washington State Department of Labor and Industries.
39. Outdoor recreation activities that cause noise require a conditional use permit.
40. Pursuant to KCC Chapter [17.24](#), Historic Trailer Court Zones.
41. Pursuant to RCW [70.128.140](#).
42. Use shall not exceed 10,000 square feet and no more than eight (8) events shall occur within a calendar year.
43. Limited to seasonal, non-structural hay storage.
- 44. Activities requiring security must:**
- a. **Meet all criteria and regulations found in WAC 314.55 and RCW 69.50.**

b. Meet all International Fire Code and International Building Code requirements.

c. Agree to an annual fire protection inspection.

e. All production must take place within a fully enclosed secure indoor facility.

45. Allowed marijuana production and processing must be operated within an entirely enclosed structure.