

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

ORDINANCE

NO. 2022 - 017

**REVISIONS OF KITTITAS COUNTY CODE AND COMPREHENSIVE PLAN
AS PART OF THE 2022 ANNUAL COMPREHENSIVE PLAN AMENDMENT CYCLE.**

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

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

**SECTION I
PROCEDURAL FINDINGS**

- Whereas,** Kittitas County opted into the Growth Management Act, RCW 36.70A, voluntarily on December 27, 1990, through Resolution 90-138; and
- Whereas,** The Kittitas County GMA Comprehensive Plan was originally adopted on July 26, 1996 by the Kittitas County Board of County Commissioners; and
- Whereas,** Kittitas County Code 15B.03.030 indicates that any interested person, including applicants, citizens, county commission and board members, and staff of other agencies may suggest plan or development regulation amendments for annual consideration by the Kittitas County Planning Commission and Board of County Commissioners; and
- Whereas,** Kittitas County Code 15B.03.030 requires amendments to the comprehensive plan or development regulations that are docketed by June 30th must be approved or denied by the Board of County Commissioners on or before December 31st of that same calendar year; and
- Whereas,** Kittitas County Community Development Services docketed a list of suggested changes to the Kittitas County Code and Comprehensive Plan and made these proposals readily available for review by the public in Community Development Services and within the County's official website; and
- Whereas,** Kittitas County submitted its proposed docketed items on October 19, 2022 to the Department of Commerce as required by statute and received a letter of receipt on October 19, 2022 that the docket proposal had been received and was sent to other agencies for comment; and
- Whereas,** Comments were received from state agencies and members of the public; and
- Whereas,** Kittitas County filed its overall docket SEPA checklist and SEPA checklist for five citizen-initiated comprehensive plan amendments and rezone applications on September 8, 2022 and issued a Determination of Non-significance (DNS) for the annual docket items on September 8, 2022 through authority of WAC 197-11-340; and
- Whereas,** One timely SEPA appeal was received for the Mardee Lake comprehensive plan amendment and rezone applications (CP-22-00005 & RZ-22-00005); and
- Whereas,** Due public notice was placed upon the County official website and in the Northern Kittitas County Tribune on October 27, 2022 and November 3, 2022, and in the Daily Record on October 27, 2022 and November 3, 2022 regarding the Planning Commission public hearing; and
- Whereas,** The Planning Commission conducted a public hearing on November 8, 2022 and November 9, 2022 to hear testimony and take public comment on the items considered for amendment and after deliberation made recommendations to the Board of County Commissioners, taking due consideration of the public benefit involved in the proposals; and

- Whereas,** After due notice and publication on official website and in the Northern Kittitas County Tribune on November 3, 2022 and November 10, 2022, and in the Daily Record on November 3, 2022 and November 10, 2022, the Kittitas County Board of County Commissioners held an open public hearing on November 29, 2022; and
- Whereas,** After deliberation, the Board of County Commissioners made decisions on each docket item presented; and
- Whereas,** Following the decisions on the docket items the Kittitas County Board of Commissioners instructed County staff to prepare an ordinance for their signature to adopt changes to the Kittitas County Code and Comprehensive Plan; and
- Whereas,** The Kittitas County Board of County Commissioners considered enabling documents before the public on December 20, 2022.

SECTION II – BOARD OF COUNTY COMMISSIONERS FINDINGS

General Findings:

The Kittitas County Board of County Commissioners held a public hearing on November 29, 2022, to hear testimony and accept written comments regarding proposed amendments to the Kittitas County Code and Comprehensive Plan. All members of the public who wanted to testify were allowed to speak or submit written correspondence into the record.

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

2022 Proposed AMENDMENTS to Kittitas County Code and Comprehensive Plan				
<i>Number</i>	<i>Applicant Name</i>	<i>Project Description</i>	<i>Planning Commission Recommendation</i>	<i>Staff Recommendation</i>
22-01	Kittitas County	Amend KCC 17.11, 17.08, 17.15, 17.16, 17.22, 17.24, 17.32, 17.36, 17.40, 17.44, 17.48, and 17.52 to implement Interlocal Agreement (ILA) between Kittitas County and the City of Ellensburg regarding development in the Ellensburg Urban Growth Area (Resolution 2022-013).	The Planning Commission unanimously recommended approval of the amendments as proposed and recommended that comments from Steve Willard be forwarded to the Board of County Commissioners for consideration.	Staff recommended approval of the amendment as proposed.
22-02	Kittitas County CDS Staff	Amend KCC 17.08 to add definitions of “Construction Business and Trades” and “Contractor Yard” and amend KCC 17.15 to add “Contractor Yard” to land use tables.	The Planning Commission unanimously recommended denial of the amendment as proposed.	Staff recommended approval of the amendment as proposed.

22-03	Kittitas County CDS Staff	Housekeeping amendments to KCC Title 15, 16, and 17.	The Planning Commission unanimously recommended approval of the amendment as proposed.	Staff recommended approval of the amendment as proposed.
22-04	Kittitas County CDS Staff	Amend KCC 17.08 to update definitions of “Accessory dwelling unit,” “Accessory living quarters,” and “Guesthouse.”	The Planning Commission unanimously recommended approval of the amendment as proposed.	Staff recommended approval of the amendment as proposed.
22-05	Kittitas County CDS Staff	Amend KCC 17.08.195 to redefine “Daycare facilities” and amend KCC 17.15.070.1 and KCC 17.15 to allow daycare facilities in Residential, Residential 2, and Urban Residential zoning districts.	The Planning Commission unanimously recommended approval with a minor amendment and recommended these provisions be extended to the Rural 5 and Rural 3 zoning districts.	Staff recommended approval of the amendment as proposed.
22-06	Commissioner Osiadacz	Amend KCC 17.44.060 to increase maximum building height in the Highway Commercial Zone to 40 feet and remove the reference to “stories.”	The Planning Commission unanimously recommended approval of the amendment as proposed	Staff recommended approval of the amendment as proposed.
22-07	Commissioner Wright	Amend KCC 12.05 to allow for vesting of existing driveway accesses established prior to county road access permits.	The Planning Commission unanimously recommended approval of the amendment as proposed	Staff recommended approval of the amendment as proposed.
22-08	Commissioner Wright	Amend KCC 16.12.040 to allow for lots smaller than the zoning minimum lot size in Commercial Ag, Ag 5, and Ag 20 zones where a residence has existed for at least five years and where the lot has not been divided for at least 15 years.	The Planning Commission recommended approval as originally proposed but with a minor amendment, by a vote of 4 to 0 with one abstention.	Staff recommended a revision of the proposed amendment that would perpetually limit the remainder lot’s use to agricultural purposes.
22-09	Kittitas County CDS Staff	Amend KCC 17.08 to exclude retaining walls of up to four feet in height from structural setbacks when necessary for access permits and to allow for a maximum 18-inch structural	The Planning Commission unanimously recommended approval of the amendment as proposed	Staff recommended approval of the amendment as proposed.

		encroachment into setbacks.		
22-10	WITHDRAWN			
22-11	Kittitas County CDS Staff	Amend KCC 17.80.010 to clarify that alterations or expansions of nonconforming residential structures shall not increase their nonconformity.	The Planning Commission unanimously recommended approval of the amendment as proposed.	Staff recommended approval of the amendment as proposed.
22-12	Kittitas County CDS Staff	Amend 17.16.080, 17.18.080, 17.28.060, 17.28A.060, 17.29.070, 17.31.070, and 17.56.060 to remove "to the main building" language.	The Planning Commission unanimously recommended approval of the amendment as proposed.	Staff recommended approval of the amendment as proposed.
22-13	WITHDRAWN			
22-14	Kittitas County CDS Staff	Amend KCC Title 15A Table A to include Reasonable Use and Public Agency and Utility Exception that were adopted with new critical areas ordinance in 2021.	The Planning Commission unanimously recommended approval with the proposed staff revision.	Staff recommended approval of the amendment with one minor revision.
22-15	Kittitas County Solid Waste	New Chapter 8.21 that would expand recycling and yard waste services in Kittitas County.	The Planning Commission unanimously recommended approval of the amendment with revisions.	Staff recommended approval of the amendment with revisions as proposed by Waste Management.
22-16	WITHDRAWN			
22-17	Kittitas County CDS Staff	Amend KCC 17.08 to clarify which lot lines and yards are considered "front."	The Planning Commission unanimously recommended approval of the amendment as proposed.	Staff recommended approval of the amendment as proposed.
22-18	Kittitas County CDS Staff	Amend KCC 17.84.010(4) to add definition of "substantial construction."	The Planning Commission unanimously recommended approval of the amendment with revision to allow extensions when conditions are outside of applicant's control.	Staff recommended approval of the amendment as proposed.
22-19	Kittitas County CDS Staff	Amend KCC 17.08.290 to provide limitations for employees and customers for home occupations.	The Planning Commission unanimously recommended denial of the amendment.	Staff recommended approval of the amendment as proposed.

22-20	Kittitas County Prosecutor and CDS Staff	Amend KCC 17.15.060(1) to be consistent with WAC 365-196-550(3)(a).	The Planning Commission unanimously recommended approval of the amendment as proposed.	Staff recommended approval of the amendment as proposed.
22-21 CP-22-00001 RZ-22-00001	Citizen Request – Fiorito Brothers	Comprehensive Plan Amendment from Rural Working to Commercial Agriculture and Rezone from Agriculture 20 to Commercial Agriculture.	The Planning Commission unanimously recommended approval of the proposed comprehensive plan amendment and rezone.	Staff recommended approval of the proposed comprehensive plan amendment and rezone.
22-22 CP-22-00002 RZ-22-00002	Citizen Request – Thorp Landing	Comprehensive Plan Amendment from Rural Working to Rural Residential and Rezone from Agriculture 20 to Agriculture 5.	The Planning Commission unanimously recommended approval of the proposed comprehensive plan amendment and rezone.	Staff recommended approval of the proposed comprehensive plan amendment and rezone.
22-23 CP-22-00003 RZ-22-00003	Citizen Request – Flying A Land	Comprehensive Plan Amendment from Rural Working to Rural Residential and Rezone from Agriculture 20 to Agriculture 5.	The Planning Commission unanimously recommended approval of the proposed comprehensive plan amendment and rezone.	Staff recommended approval of the proposed comprehensive plan amendment and rezone.
22-24 CP-22-00004 RZ-22-00004	Citizen Request – Teanaway Ridge	Comprehensive Plan Amendment from Rural Working to Rural Residential and Rezone from Forest & Range and Rural 5 to Rural 5.	The Planning Commission unanimously recommended approval of the proposed comprehensive plan amendment and rezone.	Staff recommended approval of the proposed comprehensive plan amendment and rezone.
22-25 CP-22-00005 RZ-22-00005	Citizen Request – Mardee Lake	Comprehensive Plan Amendment from Rural Working to Rural Recreation and Rezone from Forest & Range to Recreation.	The Planning Commission recommended approval of the proposed comprehensive plan amendment and rezone by a vote of 4 to 1.	Staff recommended approval of the proposed comprehensive plan amendment and rezone.
22-26	WITHDRAWN			

22-01 Kittitas County Proposal:

Amend KCC 17.11, 17.08, 17.15, 17.16, 17.22, 17.24, 17.32, 17.36, 17.40, 17.44, 17.48, and 17.52 to implement Interlocal Agreement (ILA) between Kittitas County and the City of Ellensburg regarding development in the Ellensburg Urban Growth Area (Resolution 2022-013).

The proposed amendments would implement Resolution 2022-013.

The Board of County Commissioners held a public hearing on November 29, 2022, and **approved the request with AMENDMENTS** by a 3-0 vote, finding that:

- I. The Planning Commission recommended approval as presented by staff to the Board of County Commissioners with a vote of 5-0.
- II. Public testimony was received for this proposal.
- III. The change meets the Growth Management Act and the objectives of the Comprehensive Plan.

22-02 Kittitas County Proposal:

Amend KCC 17.08 to add definitions of “Construction Business and Trades” and “Contractor Yard” and amend KCC 17.15 to add “Contractor Yard” to land use tables

The proposed amendment to KCC 17.08 and KCC 17.15 would allow contractor yards by conditional use permit in the Ag 5, Rural 5, Ag 20, and Forest & Range zones and by administrative conditional use permit in the General Commercial and Highway Commercial zones. Contractor yards would be a permitted use in General Industrial zones. Contractor yards would be permitted in Light Industrial zones but would require an administrative conditional use permit when abutting a residential zoning district. Standards for contractor yards would be added to each land use table to minimize impacts to adjacent uses.

The Board of County Commissioners held a public hearing on November 29, 2022, and **denied the request as presented** by a 3-0 vote, finding that:

- I. The Planning Commission recommended denial as presented by staff to the Board of County Commissioners with a vote of 5-0.
- II. Public testimony was received for this proposal.
- III. The change meets the Growth Management Act and the objectives of the Comprehensive Plan.

The Board of County Commissioners remanded this item for community outreach and to bring recommendations as a part of the 2023 Annual Docket.

22-03 Kittitas County Proposal:

Housekeeping amendments to KCC Title 15, 16, and 17.

The proposed amendments to KCC Title 15, 16, and 17 would revise the definition of “Family” for compliance with SB 5235 and correct typos and incorrect references.

The Board of County Commissioners held a public hearing on November 29, 2022, and **approved the request as presented** by a 3-0 vote, finding that:

- I. The Planning Commission recommended approval to the Board of County Commissioners with a vote of 5-0.
- II. No public testimony for this proposal was received.
- III. The change meets the Growth Management Act and the objectives of the County’s Comprehensive Plan.

22-04 Kittitas County Proposal:

Amend KCC 17.08 to update definitions of “Accessory dwelling unit,” “Accessory living quarters,” and “Guesthouse.”

This amendment would amend these definitions to clarify that these uses contain an installed cook source.

The Board of County Commissioners held a public hearing on November 29, 2022, and **approved the request as presented** by a 3-0 vote, finding that:

- I. The Planning Commission recommended approval to the Board of County Commissioners with a vote of 5-0.
- II. No public testimony for this proposal was received.
- III. The change meets the Growth Management Act and the objectives of the Comprehensive Plan.

22-05 Kittitas County Proposal

Amend KCC 17.08.195 to redefine “Daycare facilities” and amend KCC 17.15.070.1 and KCC 17.15 to allow daycare facilities in Residential, Residential 2, and Urban Residential zoning districts.

Daycare facilities serving less than 13 people in a 24-hour period would be permitted outright, and daycare facilities serving 13 or more people in a 24-hour period would require a conditional use permit.

The Board of County Commissioners held a public hearing on November 29, 2022, and **approved the Planning Commission recommendation** by a 3-0 vote, finding that:

- I. The Planning Commission recommended approval with a minor revision and recommended that these provisions be extended to the Rural 5 and Rural 3 zoning districts by a vote of 5-0.
- II. Public testimony was received for this proposal.
- III. The change meets the Growth Management Act and the objectives of the Comprehensive Plan.

21-06 Kittitas County Proposal:

Amend KCC 17.44.060 to increase maximum building height in the Highway Commercial Zone to 40 feet and remove the reference to “stories.”

Currently the maximum height is two and one-half stories, or 35 feet, whichever is less. The amendment would remove the references to stories, which are not a standard unit of measurement, and would increase the overall height limit from 35 feet to 40 feet.

The Board of County Commissioners held a public hearing on November 29, 2022, and **approved the request as presented** by a 3-0 vote, finding that:

- I. The Planning Commission recommended approval to the Board of County Commissioners with a vote of 5-0.
- II. No public testimony for this proposal was received.
- III. The change meets the Growth Management Act and the objectives of the Comprehensive Plan.

22-07 Kittitas County Proposal:

Amend KCC 12.05 to allow for vesting of exiting driveway accesses established prior to county road access permits.

The proposed amendment to KCC 12.05 would allow for vesting of existing driveway accesses established prior to county road access permits.

The Board of County Commissioners held a public hearing on November 29, 2022, and **approved the request as presented** by a 3-0 vote, finding that:

- I. The Planning Commission recommended approval of the proposal to the Board of County Commissioners with a vote of 5-0.
- II. No public testimony for this proposal was received.
- III. The change meets the Growth Management Act and the objectives of the Comprehensive Plan.

22-08 Kittitas County Proposal:

Amend KCC 16.12.040 to allow for lots smaller than the zoning minimum lot size in Commercial Ag, Ag 5, and Ag 20 zones.

This amendment would allow for lots smaller than the zoning minimum lot size in Commercial Ag, Ag 5, and Ag 20 zones where a residence has existed for at least five years and where the lot has not been divided for at least 15 years.

The Board of County Commissioners held a public hearing on November 29, 2022, and **approved the request with AMENDMENTS** by a 3-0 vote, finding that:

- I. The Planning Commission recommended approval to the Board of County Commissioners with a vote of 4-0 with one abstention.
- II. Public testimony was received for this proposal.
- III. The change meets the Growth Management Act and the objectives of the Comprehensive Plan.

22-09 Kittitas County Proposal:

Amend KCC 17.08 to exclude retaining walls of up to four feet in height from structural setbacks when necessary for access permits and to allow for a maximum 18-inch structural encroachment into setbacks.

The overhang encroachment amendment would codify current practice. The retaining wall amendment would remove setback requirements for retaining walls for access permits which logically need to be located within required setbacks.

The Board of County Commissioners held a public hearing on November 29, 2022, and **approved the request as presented** by a 3-0 vote, finding that:

- I. The Planning Commission recommended approval to the Board of County Commissioners with a vote of 5-0.
- II. No public testimony for this proposal was received.
- III. The change meets the Growth Management Act and the objectives of the Comprehensive Plan.

22-10 WITHDRAWN

22-11 Kittitas County Proposal:

Amend KCC 17.80.010 to clarify that alterations or expansions of nonconforming residential structures shall not increase their nonconformity.

Currently, this section of code does not allow nonconforming structures to be altered, expanded, etc., but this limitation does not apply to residential structures. The proposed amendment would still allow expansion of nonconforming residential structures but would not allow expansion that increased the nonconformity.

The Board of County Commissioners held a public hearing on November 29, 2022, and **approved the request as presented** finding that:

- I. The Planning Commission recommended approval to the Board of County Commissioners with a vote of 5-0.
- II. No public testimony for this proposal was received.
- III. The change meets the Growth Management Act and the objectives of the Comprehensive Plan.

22-12 Kittitas County Proposal:

Amend 17.16.080, 17.18.080, 17.28.060, 17.28A.060, 17.29.070, 17.31.070, and 17.56.060 to remove “to the main building” language.

The proposed amendments would establish a standard setback requirement.

The Board of County Commissioners held a public hearing on November 29, 2022, and **approved the request as presented** by a 3-0 vote, finding that:

- I. The Planning Commission recommended approval to the Board of County Commissioners with a vote of 5-0.
- II. No public testimony for this proposal was received.
- III. The change meets the Growth Management Act and the objectives of the Comprehensive Plan.

21-13 WITHDRAWN

22-14 Kittitas County Proposal:

Amend KCC Title 15A Table A to include Reasonable Use and Public Agency and Utility Exception that were adopted with new critical areas ordinance in 2021.

The proposed amendment to KCC Title 15A Table would include Reasonable Use and Public Agency and Utility Exceptions that were adopted with new critical areas ordinance in 2021.

The Board of County Commissioners held a public hearing on November 29, 2022, and **approved the request with an AMENDMENT** by a 3-0 vote, finding that:

- I. The Planning Commission recommended approval with a staff-recommended revision to the Board of County Commissioners with a vote of 5-0.
- II. No public testimony for this proposal was received.
- III. The change meets the Growth Management Act and the objectives of the Comprehensive Plan.

22-15 Kittitas County Proposal:

New Chapter 8.21 that would expand recycling and yard waste services in Kittitas County.

The proposed amendment would create a new Chapter 8.21 that would expand recycling and yard waste services in Kittitas County.

The Board of County Commissioners held a public hearing on November 29, 2022, and **approved the request with revisions as presented** by a 3-0 vote, finding that:

- I. The Planning Commission recommended approval to the Board of County Commissioners with a vote of 5-0.
- II. Public testimony was received for this proposal.
- III. The change meets the Growth Management Act and the objectives of the Comprehensive Plan.

22-16 WITHDRAWN

22-17 Kittitas County Proposal:

Amend KCC 17.08 to clarify which lot lines and yards are considered “front.”

The proposed amendment to KCC 17.08 would clarify which lot lines are considered front.

The Board of County Commissioners held a public hearing on November 29, 2022, and **approved the request as presented** by a 3-0 vote, finding that:

- I. The Planning Commission recommended approval to the Board of County Commissioners with a vote of 5-0.
- II. No public testimony was received for this proposal.
- III. The change meets the Growth Management Act and the objectives of the Comprehensive Plan.

22-18 Kittitas County Proposal:

Amend KCC 17.84.010(4) to add definition of “substantial construction.”

The proposed amendment to KCC 17.84.010(4) would amend the variance criteria in KCC 17.84.010(4) to include a definition of “substantial construction.” Currently, an approved variance becomes void after one year if no substantial construction has taken place, but “substantial construction” is not defined. The new definition would require one or more building inspection approvals in order to be considered “substantial construction.”

The Board of County Commissioners held a public hearing on November 29, 2022, and **approved the request as recommended** by a 3-0 vote, finding that:

- I. The Planning Commission recommended approval to the Board of County Commissioners with a vote of 5-0 with a revision to allow extensions where conditions are outside of applicant’s control.
- II. No public testimony for this proposal was received.
- III. The change meets the Growth Management Act and the objectives of the Comprehensive Plan.

22-19 Kittitas County Proposal:

Amend KCC 17.08.290 to provide limitations for employees and customers for home occupations.

The proposed amendment to KCC 17.08.290 would provide limitations for employees and customers for home occupations in order to limit impacts on surrounding residential uses.

The Board of County Commissioners held a public hearing on November 29, 2022, and **denied the request as presented** by a 3-0 vote, finding that:

- I. The Planning Commission recommended denial to the Board of County Commissioners with a vote of 5-0.
- II. No public testimony for this proposal was received.
- III. The change meets the Growth Management Act and the objectives of the Comprehensive Plan.

22-20 Kittitas County Proposal:

Amend KCC 17.15.060(1) to be consistent with WAC 365-196-550(3)(a).

The proposed amendment to KCC 17.15.060(1) would remove footnote 58 because it is in conflict with WAC 365-196-550(3)(a), which states, "Cities and counties may not use their comprehensive plan or development regulations to preclude the siting of essential public facilities. Comprehensive plan provisions or development regulations preclude the siting of an essential public facility if their combined effects would make the siting of an essential public facility impossible or impracticable."

The Board of County Commissioners held a public hearing on November 29, 2022, and **approved the request as presented** by a 3-0 vote, finding that:

- I. The Planning Commission recommended approval to the Board of County Commissioners with a vote of 5-0.
- II. No public testimony was received for this proposal.
- III. The change meets the Growth Management Act and the objectives of the Comprehensive Plan.

22-21 Citizen-Initiated Proposal:

Comprehensive Plan Amendment and Rezone

This amendment was proposed by a private citizen and has been assigned file numbers CP-22-00001 and RZ-22-00001. Fiorito Brothers Inc. is proposing a comprehensive plan land use map amendment from Rural Working to Commercial Agriculture and a rezone of 27.20 acres from Agricultural 20 to Commercial Agriculture to match surrounding properties. A comprehensive plan amendment (CP-22-00001), rezone application (RZ-22-00001), and SEPA checklist were submitted as part of the application packet. The processing of this non-project specific rezone is consistent with Kittitas County Code 15B.03 Amendments to Comprehensive Plan.

The Board of County Commissioners held a public hearing on November 29, 2022 and **approved the request as presented** by a 3-0 vote, finding that:

- I. The Planning Commission recommended approval to the Board of County Commissioners with a vote of 5-0.
- II. No public testimony for this proposal was received.
- III. The change meets the Growth Management Act and the objectives of the Comprehensive Plan.

**22-22 Citizen-Initiated Proposal:
Comprehensive Plan Amendment and Rezone**

This amendment was proposed by a private citizen and has been assigned file numbers CP-22-00002 and RZ-22-00002. Thorp Landing LLC is proposing a comprehensive plan land use amendment from Rural Working to Rural Residential and a rezone of 72.78 acres from Agricultural 20 to Agricultural 5. A comprehensive plan amendment (CP-22-00002), rezone application (RZ-22-00002), and SEPA checklist were submitted as part of the application packet. The processing of this non-project specific rezone is consistent with Kittitas County Code 15B.03 Amendments to Comprehensive Plan.

The Board of County Commissioners held a public hearing on November 29, 2022 and **approved the request as presented** by a 2-1 vote, finding that:

- I. The Planning Commission recommended approval to the Board of County Commissioners with a vote of 5-0.
- II. Public testimony was received for this proposal.
- III. The change meets the Growth Management Act and the objectives of the Comprehensive Plan.

**22-23 Citizen-Initiated Proposal:
Comprehensive Plan Amendment and Rezone**

This amendment was proposed by a private citizen and has been assigned file numbers CP-22-00003 and RZ-22-00003. Flying A Land LLC is proposing a comprehensive plan land use map amendment from Rural Working to Rural Residential and a rezone of 18 parcels, equaling 127.52 acres from Agriculture 20 to Agriculture 5 to match adjacent properties. The rezone will allow the current use of the property to be consistent and compatible with the zoning code, as well as allow future expansion of existing uses. A comprehensive plan amendment (CP-22-00003), rezone application (RZ-22-00003), and SEPA checklist were submitted as part of the application packet. The processing of this non-project specific rezone is consistent with Kittitas County Code 15B.03 Amendments to Comprehensive Plan.

The Board of County Commissioners held a public hearing on November 29, 2022 and **approved the request as presented** by a 3-0 vote, finding that:

- I. The Planning Commission recommended approval to the Board of County Commissioners with a vote of 5-0.
- II. No public testimony for this proposal was received.
- III. The change meets the Growth Management Act and the objectives of the Comprehensive Plan.

**22-24 Citizen-Initiated Proposal:
Comprehensive Plan Amendment and Rezone**

This amendment was proposed by a private citizen and has been assigned file numbers CP-22-00004 and RZ-22-00004. Teanaway Ridge LLC is proposing a comprehensive plan land use map amendment from Rural Working to Rural Residential and a rezone of 2 parcels, equaling 86.58 acres, from Forest & Range and Rural 5 to Rural 5 to match adjacent properties. The rezone will allow the current use of the property to be consistent and compatible with the zoning code, as well as allow future expansion of existing uses. A comprehensive plan amendment (CP-22-00004), rezone application (RZ-22-00004), and SEPA checklist were submitted as part of the application packet. The processing of this non-project specific rezone is consistent with Kittitas County Code 15B.03 Amendments to Comprehensive Plan.

The Board of County Commissioners held a public hearing on November 29, 2022 and **approved the request as presented** by a 3-0 vote, finding that:

- I. The Planning Commission recommended approval to the Board of County Commissioners with a vote of 4-0.
- II. Public testimony was received for this proposal.
- III. The change meets the Growth Management Act and the objectives of the Comprehensive Plan.

**22-25 Citizen-Initiated Proposal:
Comprehensive Plan Amendment and Rezone**

This amendment was proposed by a private citizen and has been assigned file numbers CP-22-00005 and RZ-22-00005. Terra Design Group Inc. (Chad Bala), agent for Mardee Lake Inc., is proposing a rezone and map amendment to four parcels (808335, 818335, 828335 and 838335) currently zoned Forest and Range with a Rural Working Land Use, rezoned to Rural Recreation zoning and land use designation. The rezone will allow the current use of the property to be consistent and compatible with the zoning code of rural recreation, as well as allow future expansion of existing uses. A comprehensive plan amendment (CP-22-00005), rezone application (RZ-22-00005), and SEPA checklist were submitted as part of the application packet. Kittitas County issued a Determination of Non-Significance (DNS) on September 8, 2022. A timely SEPA appeal was filed on October 27, 2022. The SEPA appeal was considered by the Board of County Commissioners prior to considering comprehensive plan amendment and rezone applications. The processing of this non-project specific rezone is consistent with Kittitas County Code 15B.03 Amendments to Comprehensive Plan.

Prior to considering the comprehensive plan amendment and rezone applications, the Board of County Commissioners conducted an appeal hearing and **denied the SEPA appeal**, finding that:

- I. No public testimony was taken for this proposal
- II. The comprehensive plan amendment and rezone do not have environmental impacts.
- III. The County's Critical Areas Ordinance and other environmental regulations would still apply to future development of the property.
- IV. The County's authority to conduct SEPA reviews would still apply to future development of the property.
- V. Upholding the appeal would have negative effects on future non-project comprehensive plan and rezone applications.

The Board of County Commissioners then held a public hearing on November 29, 2022 and **approved the request as presented** by a 3-0 vote, finding that:

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

SECTION III - FINAL DECISION AND SIGNATURES

BE IT ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendments to KCC 17.11, 17.08, 17.15, 17.16, 17.22, 17.24, 17.32, 17.36, 17.40, 17.44, 17.48, and 17.52, as shown in **Exhibit A**.

BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves housekeeping amendments to KCC Title 15, 16, and 17, as shown in **Exhibit B**.

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

BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendments to KCC 17.08 and 17.15, as shown in **Exhibit D**.

BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendment to 17.44.060, as shown in **Exhibit E**.

BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendment to KCC 12.05, as shown in **Exhibit F**.

BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendments to KCC 16.12.040, as shown in **Exhibit G**.

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

BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendments to KCC 17.80.010, as shown in **Exhibit I**.

BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendments to KCC 17.16.080, 17.18.080, 17.28.060, 17.28A.060, 17.29.070, 17.31.070, and 17.56.060, as shown in **Exhibit J**.

BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendments to Title 15A Table A, as shown in **Exhibit K**.

BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves an amendment to KCC Title 8, creating a new KCC Chapter 8.21, as shown in **Exhibit L**.

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

BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendments to KCC 17.84.010(4), as shown in **Exhibit N**.

BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendments to KCC 17.15.060(1), as shown in **Exhibit O**.

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

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

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

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

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

NOW, BE IT FURTHER ORDAINED that the Board of County Commissioners, after due deliberation, hereby approves the adoption of the 2022 Amendments to the Kittitas County Code as shown in Exhibits A through Q attached hereto and incorporated by reference. Information Services is hereby directed to make these changes to the regulations on the County website. The Community Development Services Director and Prosecuting Attorney are authorized to correct any scrivener's errors without Board approval.

Adopted this 20th day of December 2022, at Ellensburg, Washington.

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



Laura Osinadacz, Chairman



Cory Wright, Vice-Chairman



Brett Wachsmith, Commissioner

APPROVED AS TO FORM:

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



Neil Caulkins, Deputy Prosecuting Attorney
signing for Gregory L. Zempel Prosecuting Attorney

Exhibit A: Docket Item 22-01

City of Ellensburg UGA Interlocal Agreement

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

1. Renumbered from 17.08.225 by [Ord. 2018-021](#), 2018

17.08.010 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. (Res. 83-10, 1983)

17.08.011 Definitions within Ellensburg Urban Growth Area (UGA).

Within the City of Ellensburg UGA, the definitions in KCC 17.11.036 shall apply. Where terms are not defined KCC 17.11.036, the definitions in KCC 17.08 shall apply.

17.08.020 Accessory building or accessory use.

"Accessory building" or "accessory use" means a subordinate building or use which is incidental to that of the main building or use and located on the same tract or lot as the main building or use.

([Ord. 2013-001](#), 2013; Res. 83-10, 1983)

17.08.022 Accessory dwelling unit.

"Accessory dwelling unit" means separate living quarters detached from the primary residence. ([Ord. 2013-008](#), 2013; [Ord. 2013-001](#), 2013; [Ord. 2010-014](#), 2010; Ord. O-2006-01, 2006)

17.08.023 Accessory living quarters.

"Accessory living quarters" means separate living quarters fully contained within a single structure that contains the primary dwelling. ([Ord. 2013-008](#), 2013; [Ord. 2013-001](#), 2013; Ord. O-2006-01, 2006)

17.08.030 Access road.

"Access road" means any road, public or private, except a county arterial road. (Res. 83-10, 1983)

17.08.030 Administrative

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

17.08.031 Adult family home.

"Adult family home" means a residential home in which a person or persons provide personal care, special care, room, and board to more than one (1) but not more than six (6) adults who are not related by blood or marriage to the person or persons providing the services. (Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.08.032 Agriculture processing

"Agriculture processing" includes but is not limited to feed mills, canneries, preparation of agriculture product (produce washing, boxing, bulk packaging, baling, etc.), animal slaughter and meat preparation. (Ord. 2013-001, 2013)

17.08.033 Agriculture production

"Agriculture production" means raising of crops, animals and other agricultural products. Definition excludes feedlots, which are defined separately. (Ord. 2014-005, 2014; Ord. 2013-001, 2013)

17.08.034 Agriculture sales

"Agriculture sales" includes, but is not limited to, private or public sales (including auctions) of agricultural products such as fruit/produce, eggs, milk cheese, and livestock that expand beyond the restrictions for "agricultural direct marketing activities.. (Ord. 2021-015, 2021; Ord. 2013-001, 2013)

17.08.034A Agriculture sales-enhanced

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

17.08.034B Agricultural enhanced uses (AEU)

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

17.08.034C Agricultural direct marketing activities

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

17.08.034D Agricultural seasonal harvest festivities

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

17.08.034E Agricultural expanded seasonal harvest festivities

Expanded Seasonal Harvest Festivities allow a farming activity to expand beyond the restrictions for Seasonal Harvest Festivities. The purpose and intent of the conditional use for Expanded Seasonal

Harvest Festivities is to allow direct marketing of crops to the public. It is not to provide alternative ways to create permanent or semi-permanent sales businesses that would otherwise require a zone reclassification to a commercial zone. (Ord. 2021-015, 2021)

17.08.035 Agriculture Study Overlay Zone.

"Agriculture Study Overlay Zone" means properties containing prime farmland soils, as defined by United States Department of Agriculture Soil Conservation Service in Agriculture Handbook No. 210, and located in the former Thorp Urban Growth Node Boundaries and outside of LAMIRD boundaries. (Ord. 2013-001, 2013; Ord. 2009-25, 2009)

17.08.040 Airport.

"Airport" means any area of land or water designed and set aside for landing and taking off of aircraft. (Res. 83-10, 1983)

17.08.050 Alteration.

"Alteration" means a change in construction or a change of occupancy. Where the term alteration is applied to a change in construction, it is intended to apply to any change, addition or modification in construction. Where the term is used in connection with a change of occupancy, it is intended to apply to changes of occupancy from one (1) trade or use to another or from one (1) division of a trade or use to another. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.08.060 Amendment.

"Amendment" means a change in the wording, context, boundaries or maps which are a part of this title by the county commissioners in the manner prescribed by law. (Res. 83-10, 1983)

17.08.063 Amenity funds.

"Amenity funds" means cash payments to cities to help offset the costs of taking additional density. (Ord. 2009-25, 2009)

17.08.067 Animal boarding.

"Animal boarding" means a facility where animals are housed, fed, and cared for, excluding a veterinary clinic, for a period greater than twenty-four (24) hours for commercial purposes. Such uses shall include, but are not limited to, kennels and boarding stables. (Ord. 2019-013, 2019; Ord. 2013-001, 2013; Ord. 2009-25, 2009; Ord. 2007-22, 2007)

17.08.068 Animal Crematory.

Animal Crematory: A dedicated area within a building approved for animal cremation services or an accessory building wherein animal remains are cremated. (Ord. 2021-015, 2021)

17.08.070 Repealed.

(Ord. 2013-001, 2013; Res. 83-10, 1983)

17.08.100 Auto wrecking yard.

"Auto wrecking yard" means any place in the business of buying, selling or dealing in vehicles of a type required to be licensed under the laws of this state, for the purpose of wrecking, dismantling, disassembling or substantially changing the form of any motor vehicle, or which buys or sells integral secondhand parts of component material thereof. (Res. 83-10, 1983)

17.08.101 Battery charging station.

"Battery charging station" means an electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles, which meet or exceed any standards, codes, and regulations set forth by chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540. (Ord. 2011-013, 2011; Res. 83-10, 1983)

17.08.102 Battery electric vehicle (BEV).

"Battery electric vehicle (BEV)" means any vehicle that operates exclusively on electrical energy from

an off-board source that is stored in the vehicle's batteries, and produces zero tailpipe emissions or pollution when stationary or operating. (Ord. 2013-001, 2013; Ord. 2011-013, 2011; Res. 83-10, 1983)

17.08.103 battery exchange station.

"Battery exchange station" means a fully automated facility that will enable an electric vehicle with a swappable battery to enter a drive lane and exchange the depleted battery with a fully charged battery through a fully automated process, which meets or exceeds any standards, codes, and regulations set forth by chapter 19.27 RCW and consistent with rules adopted under RCW 19.27.540. (Ord. 2013-001, 2013; Ord. 2011-013, 2011; Res. 83-10, 1983)

17.08.105 Bed and breakfast.

"Bed and breakfast" means any establishment located in a structure designed for a single family residence that has more than two (2) rooms for rent on a daily basis and offers a meal as part of the cost of a room, regardless of whether the owner or operator of the establishment resides in any of the structures. Excludes rehabilitation centers, group homes, clinics, nursing homes, church camps, and other similar uses. (Ord. 2013-001, 2013; Ord. 93-21 (part), 1993)

17.08.110 Board.

"Board" means Kittitas County Board of County Commissioners. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.08.120 Repealed. (Ord. 2012-009, 2012; Res. 83-10, 1983)

17.08.130 Building.

"Building" means a structure having roof supported by columns or walls for the shelter, support or enclosure of persons, animals or chattels. (Res. 83-10, 1983)

17.08.135 Building height.

"Building height" means the vertical distance from grade plane to the average height of the highest roof surface. Grade plain is the reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than six (6) feet (1829 mm) from the building, between the building and a point six (6) feet (1829 mm) from the building. (Ord. 2013-001, 2013; Ord. 2010-014, 2010)

17.08.140 Building line.

"Building line" means a line established at a minimum distance a building may be located from any property line as determined by the standards of this title. (Res. 83-10, 1983)

17.08.150 Repealed.

(Ord. 2013-001, 2013; Res. 83-10, 1983)

17.08.155 Campground.

"Campground" means any parcel or tract of land under the control of any person, organization, or governmental entity wherein two (2) or more recreational vehicle, recreational park trailer or other camping unit sites are offered for the use of the public or members of an organization. Typically the length of stay for a majority of the guests will range from one (1) to fourteen (14) days. The purpose of a campground use shall relate primarily to vacation, recreation and similar pursuits, and is not a place of permanent residence for the campers. A single-family residence may be allowed for the owner or caretaker. Very limited service commercial activities may be allowed which are intended for campers of the campground and must be approved as part of a conditional use permit. Youth Camps may offer additional education and child-care assistance elements as secondary uses to the Campground. These secondary uses shall comply with all applicable Federal, State and local regulations. (Ord. 2021-015, 2021; Ord. 2013-012, 2013; Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.08.155A Campground, primitive.

"Campground, primitive" means dispersed camping outside of a designated campground or a campground without full amenities. Dispersed camping means there are no designated campsites, no toilets, no picnic tables, no trash cans, no treated water, and no fire grates. Dispersed camping is not allowed in the vicinity of developed recreation sites such as campgrounds, boat ramps, picnic areas, or trailheads. A campground without full amenities means that sanican/vault toilets, campfire rings, picnic tables, and graveled/identified campsites are allowed; however no utilities such as water, septic, and power, or pavement are allowed except for paved road aprons or similar. ([Ord. 2018-021](#), 2018; [Ord. 2015-010](#), 2015)

17.08.156 Camp site.

"Camp site" means a specific area within an RV park or campground that is set aside for use by a camping unit. ([Ord. 2013-001](#), 2013; Ord. 2007-22, 2007)

17.08.157 Camping unit.

Camping unit means any portable structure, shelter or vehicle designed and intended for occupancy by persons engaged in RV activities or camping. The basic units are: recreational vehicle, tent, portable camping cabin, teepee, yurt or other portable shelter. ([Ord. 2013-001](#), 2013; Ord. 2007-22, 2007)

17.08.158 Charging levels.

"Charging levels" means the standardized indicators of electrical force, or voltage, at which an electric vehicle's battery is recharged. The terms "1," "2," and "3" are the most common EV charging levels, and include the following specifications:

- Level 1 is considered slow charging.
- Level 2 is considered medium charging.
- Level 3 is considered fast or rapid charging. ([Ord. 2013-001](#), 2013; [Ord. 2011-013](#), 2011; Res. 83-10, 1983)

17.08.160 Clinic.

"Clinic" means any building or portion of any building containing offices for providing medical, dental or psychiatric services for outpatients only. (Res. 83-10, 1983)

17.08.161 Clubhouses, fraternities and lodges.

"Clubhouses, fraternities and lodges" means associations of persons organized for social, education, literary or charitable purposes. This definition includes community meeting halls, clubhouses and lodges for philanthropic institutions, private clubs, fraternal or nonprofit organizations, and social service organizations. This definition excludes religious institutions. ([Ord. 2013-001](#), 2013)

17.08.162 Repealed.

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

17.08.163 Repealed.

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

17.08.165 Commercial Activities Associated with Agriculture.

"Commercial Activities Associated with Agriculture" means any commercial endeavor including the custom fabrication and construction of products or materials, as well as services which are in support of, or supplemental to agricultural activities. Such use 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. ([Ord. 2018-001](#), 2018; Ord. 2009-25, 2009)

17.08.170 Commission.

"Commission" means the Kittitas County Planning Commission. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.08.171 Common area

"Common area" means land commonly owned to include open space, landscaping or recreation facilities (e.g., typically owned by a homeowners' association or by the State through conservation easements). (Ord. 2013-001, 2013)

17.08.180 Conditional uses.

For the definition of "Conditional uses" see "Use" (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.08.183 Conservation easement.

"Conservation easement" means a legal agreement between a landlord and a land trust or government agency that permanently limits uses of the land in order to protect its nondevelopment values. It allows the landowner to continue to own and use the land, to sell it, or to pass it on to heirs. A conservation easement is placed on a sending site at the time development rights are sold from the property. The conservation easement typically prohibits any further development of the property but allows resource uses, such as farming and forestry, to continue. (Ord. 2009-25, 2009)

17.08.187 Conservation or resource values.

Conservation or resource values means the use and suitability of the land for farm, agricultural, or forest production and the perpetual retention of the land for such purpose. (Ord. 2013-001, 2013; Ord. 2009-25, 2009)

17.08.188 County

"County" means the County of Kittitas, Washington. (Ord. 2013-001, 2013)

17.08.190 County arterial road.

"County arterial road" means any county road designated by resolution at any time as a county arterial road by the Board. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.08.191 Critter pad.

"Critter pad" means livestock flood sanctuary areas. (Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.08.195 Day care.

"Day care facilities" means any home used for the daily care and supervision of thirteen (13) or more individuals in any twenty-four (24) hour period or any number of individuals in a nonresidential structure. (Ord. 2013-001, 2013; Ord. 90-15 § 1, 1990)

17.08.197 Density(ies).

"Density(ies)" means a measurement of the number of dwelling units in relationship to a specified amount of land. As used in this Code, density is determined based on the gross parcel or lot area, which includes land that will be dedicated as right-of-way through the development process. It does not include land previously dedicated as right-of-way. Density is a measurement used generally for residential uses. (Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.08.198 Repealed.

(Ord. 2013-012, 2013; Ord. 2013-001, 2013; Ord. 2007-22, 2007; Ord. 98-22 (part), 1998)

17.08.198A Develop

"Develop" means to construct or alter a structure or to make a physical change to the land including excavations and fills. (Ord. 2013-001, 2013)

17.08.198B Development

"Development" means all improvements on a site, including buildings, other structures, parking and loading areas, landscaping, paved or graveled areas, and areas devoted to exterior display or storage activities. Development includes improved open areas such as plazas and walkways, but does not

include natural geologic forms or unimproved land. See also Exterior Improvements. (Ord. 2013-008, 2013; Ord. 2013-001, 2013)

17.08.199 Development right.

"Development right" means an interest in and the right under current law to use and subdivide a lot for any and all residential, commercial, and industrial purposes. (Ord. 2009-25, 2009)

17.08.199A Director

"Director" means the director of Kittitas County Community Development Services department or designee. (Ord. 2013-001, 2013)

17.08.200 Dwelling.

"Dwelling" means a building or portion thereof designed exclusively for residential occupancy. (Res. 83-10, 1983)

17.08.210 Dwelling, multiple-family.

"Multiple family dwelling" means a dwelling designed or used for occupancy by more than two (2) families. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.08.211 Dwelling, single-family

"Single-family dwelling" means a dwelling designed or used for occupancy by one (1) family. (Ord. 2013-001, 2013)

17.08.220 Dwelling, two-family.

"Two family dwelling" means a building designed exclusively for occupancy by two (2) families living independently of each other. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.08.221 Electric scooters and motorcycles.

"Electric scooters and motorcycles" means any two-(2)-wheel vehicle that operates exclusively on electrical energy from an off-board source that is stored in the vehicle's batteries and produces zero emissions or pollution when stationary or operating. (Ord. 2013-001, 2013; Ord. 2011-013, 2011; Res. 83-10, 1983)

17.08.222 Electric vehicle.

"Electric vehicle" means any vehicle that operates, either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on-board for motive purpose. "Electric vehicle" includes: (1) a battery electric vehicle; (2) a plug-in hybrid electric vehicle; (3) a neighborhood electric vehicle; and (4) a medium-speed electric vehicle. (Ord. 2011-013, 2011; Res. 83-10, 1983)

17.08.223 Electric vehicle charging station.

"Electric vehicle charging station" means a public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle. An electric vehicle charging station equipped with Level 1 or Level 2 charging equipment is permitted outright as an accessory use to any principal use. (Ord. 2011-013, 2011; Res. 83-10, 1983)

17.08.223A Electric vehicle charging station - restricted.

"Electric vehicle charging station - restricted" means an electric vehicle charging station that is (1) privately owned and restricted access (e.g., single-family home, executive parking, designated employee parking) or (2) publicly owned and restricted (e.g., fleet parking with no access to the general public). (Ord. 2011-013, 2011; Res. 83-10, 1983)

17.08.223B Electric vehicle charging station - public.

"Electric vehicle charging station - public" means an electric vehicle charging station that is (1) publicly owned and publicly available (e.g., Park & Ride parking, public library parking lot, on-street parking) or (2) privately owned and publicly available (e.g., shopping center parking, non-reserved parking in multi-family parking lots). (Ord. 2011-013, 2011; Res. 83-10, 1983)

17.08.224 Electric vehicle infrastructure.

"Electric vehicle infrastructure" means structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations, rapid charging stations, and battery exchange stations. ([Ord. 2011-013](#), 2011; Res. 83-10, 1983)

17.08.224A Electric vehicle parking space.

"Electric vehicle parking space" means any marked parking space that identifies the use to be exclusively for the parking of an electric vehicle. ([Ord. 2011-013](#), 2011; Res. 83-10, 1983)

17.08.225 Explosives.

Any chemical compound, mixture, or device, the primary or common purpose of which is to function by explosion. In addition the term "explosives" shall include all material which is classified as division 1.1, 1.2, 1.3, 1.4, 1.5, or 1.6 explosives by the United States department of transportation. For the purposes of this chapter, small arms ammunition, small arms ammunition primers, smokeless powder not exceeding fifty pounds, and black powder not exceeding five pounds shall not be defined as explosives, unless possessed or used for a purpose inconsistent with small arms use or other lawful purpose. ([Ord. 2018-021](#), 2018)

17.08.226 Explosives magazine.

Any building or other structure, other than an explosives process building, used for the storage of explosives. The term "magazine" may be used in KCC to refer to an explosives magazine. ([Ord. 2018-021](#), 2018)

17.08.227 Explosives process building.

Any building or other structure (excepting magazines) containing explosives, in which the manufacturer of explosives, or any processing involving explosives, is carried on, and any building where explosives are used as a component part or ingredient in the manufacture of any article or device. ([Ord. 2018-021](#), 2018)

17.08.228 Explosives storage or manufacture.

Any site, with any explosives process building, and/or magazine situated thereon, used in connection with the manufacturing or processing of explosives or in which any process involving explosives is carried on, or the storage of explosives thereat, as well as any premises where explosives are used as a component part or ingredient in the manufacture of any article or device. ([Ord. 2018-021](#), 2018)

17.08.229 Extremely hazardous waste.

"Extremely hazardous waste" means those dangerous wastes designated in [WAC 173-303-070](#) through [173-303-103](#) as extremely hazardous. The abbreviation "EHW" may be used in this title to refer to those dangerous wastes which are extremely hazardous. ([Ord. 2018-021](#), 2018; Ord. 93-1(part), 1993)

17.08.230 Family.

"Family" means a number of related individuals or not more than five (5) unrelated individuals living together as a single housekeeping unit, and doing their cooking on the premises exclusively as one (1) household. ([Ord. 2013-001](#), 2013; Res. 83-10, 1983)

17.08.240 Repealed.

([Ord. 2013-001](#), 2013; Res. 83-10, 1983)

17.08.250 Farm.

"Farm" means an area of land devoted to the production of field or truck crops, livestock or livestock products, which constitute the major use of such property. (Res. 83-10, 1983)

17.08.255 Farm labor shelter.

"Farm labor shelter" means an accessory dwelling unit used exclusively as temporary or seasonal housing of farm laborers who are doing farm labor on the farm on which the shelters are located.

This definition shall include all manufactured housing and travel trailers provided all trailers are served by the full range of utilities including water, sewerage and power. (Ord. 2007-22, 2007; Ord. 93-6 (part), 1993)

17.08.255A Farm visit.

"Farm visit" means a farm or ranch providing customers a day-use learning experience about the practice of farming or ranching. A Farm Visit operation does not include overnight accommodations. Enhanced agricultural sales are allowed. (Ord. 2014-015, 2014;)

17.08.256 Farm Stands.

"Farm stands" means a temporary use which is primarily engaged in the sale of fresh agricultural products, grown on- or off-site, but may include limited prepackaged food products and nonfood items. This use is to be seasonal in duration, open for the duration of the local harvest season. Enhanced agricultural sales are allowed. (Ord. 2015-010, 2015; Ord. 2014-015, 2014; Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.08.260 Feedlot.

"Feedlot" means any area used for the continuous feeding of five hundred 500 or more head of cattle destined for slaughter, confined at a density of less than five hundred 500 square feet per head on a year round basis. This shall not be interpreted to include dairy operations with a Washington State Grade A license. (Ord. 2013-001, 2013; Ord. 91-4, 1991; Res. 83-10, 1983)

17.08.261 Forestry. "Forestry" means the management , growing and harvesting of forest products, including but not limited to fuel woods, cones, Christmas trees, salal, berries, ferns, greenery, mistletoe, herbs, and mushrooms in accordance with the Washington Forest Practices Act of 1974 as amended, and regulations adopted pursuant thereto.

(Ord. 2013-001, 2013)

Repealed by Ord. 2009-25. (Ord. 2009-25, 2009; Ord. 200113 (part), 2001)

17.08.261A Forest product processing.

"Forest product processing" means the harvesting and commercial production of forest products including but not limited to saw mills, chippers, log sorting and storage. (Ord. 2013-001, 2013)

17.08.261B Forest product sales.

"Forest product sales" means wholesaling and retailing of vegetation from forest lands including but not limited to fuel woods, cones, Christmas trees, salal, berries, ferns, greenery, mistletoe, herbs, and mushrooms. (Ord. 2013-001, 2013)

17.08.261C Freight and trucking yard or terminal.

"Freight and trucking yard or terminal" means an area in which trucks, tractor and/or trailer units, and semitrailers are parked for seventy two (72) hours or less, and dispatched. (Ord. 2013-001, 2013)

17.08.262 Golf course.

"Golf course" means a recreational facility designed and developed for golf activities. May include as accessory uses a pro shop, snack bar (not including restaurants), and caddy shack/maintenance buildings. (Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.08.262A Grade.

"Grade" means the lowest point of elevation of the finished surface of the ground, paving, or sidewalk within the area between the building and the property line or, when the property line is more than five (5) feet from the building, between the building and a line five (5) feet from the building. (Ord. 2013-001, 2013)

17.08.262B Grading

"Grading" means all cuts, fills, embankments, stockpile areas, and equipment maneuvering areas associated with development. (Ord. 2013-001, 2013)

17.08.262C Grazing

"Grazing" means providing herbage for cattle, sheep, goats or horses, including the supplementary feeding of such animals, as a discrete activity not part of nor conducted in conjunction with any dairy, livestock feed yard, livestock sales yard, or commercial riding academy. (Ord. 2013-001, 2013)

17.08.263 Group care facility.

"Group care facility" means living quarters for children or adults meeting applicable Federal and State standards that function as a single housekeeping unit and provide supporting services, including but not limited to counseling, rehabilitation, and medical supervision, not exceeding more than twenty (20) residents including staff. If staffed by nonresident staff, each twenty-four (24) staff hours per day equals one (1) full-time residing staff member for purposes of determining number of staff. (Ord. 2018-001, 2018; Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.08.265 Group home.

"Group home" means a home for at least seven (7) and not more than fifteen (15) persons, plus house parents, providing residential facilities in a homelike environment directed to allow a degree of community participation and human dignity not provided in an institutional atmosphere. (Ord. 2013-001, 2013; Ord. 87-9 § 1, 1987)

17.08.266 Guest house.

"Guest house means" an accessory building designed, constructed, and used for the purpose of providing temporary sleeping accommodations for guests, or for members of the same family as that occupying the main structure, and containing no kitchen facilities (Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.08.270 Guest ranch or guest farm.

"Guest ranch or guest farm" means a business or an organization providing overnight lodging, dining and recreational facilities in a rural setting. The purpose of a guest ranch or guest farm shall relate primarily to vacation, recreation and similar pursuits, and does not include rehabilitation centers, group homes, clinics, nursing homes, churches and church camps, and other similar uses. Events such as auctions, barbecues and similar gatherings which do not provide overnight lodging or which are not conducted on a continuous basis shall not be considered as guest ranches or guest farms. Enhanced agricultural sales are allowed.

(Ord. 2014-015, 2014; Ord. 93-21 (part), 1993; Ord. 83-Z-5, 1983)

17.08.280 Hazardous waste.

"Hazardous waste" means those solid wastes designated by 40 CFR Part 261 and regulated as hazardous waste by the United States EPA. (Ord. 93-1 (part), 1993)

17.08.281 Hazardous waste facility.

"Hazardous waste facility" means all contiguous land, and structures, other appurtenances, and improvements on the land used for recycling, reusing, reclaiming, transferring, storing, treating, or disposing of dangerous waste. Unless otherwise specific in this chapter, the terms "facility," "treatment," "storage," "disposal facility" or "waste management facility" shall be used interchangeably. (Ord. 93-1 (part), 1993)

17.08.282 Hazardous waste storage.

"Hazardous waste storage" means the holding of dangerous waste for a temporary period. Accumulation of dangerous waste by the generator on the site of generation is not storage as long as the generator complies with the applicable requirements of WAC 173-303-200 and 173-303-201. (Ord. 93-1 (part), 1993)

17.08.283 Hazardous waste treatment.

"Hazardous waste treatment" means the physical, chemical, or biological processing of dangerous

waste to make such wastes non-dangerous or less dangerous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume. (Ord. 93-1 (part), 1993)

17.08.290 Home occupation.

"Home occupation" means any lawful profession, craft or service commonly carried on within a dwelling or accessory building provided such activity is secondary to the use of said dwelling for residential purposes, and provided that there is no outdoor display of merchandise. Home occupations include operations that provide care to twelve (12) or fewer individuals in any twenty-four (24) hour period within the caregiver's place of residence. This definition shall not be interpreted to include the sale of firewood, farm produce, or similar activities. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.08.300 Hospital.

"Hospital" means an institution specializing in and providing facilities and services in surgery, obstetrics, and general medical practice for human beings and licensed by state law for that purpose. (Res. 8310, 1983)

17.08.310 Hospital, animal or veterinary.

"Animal or veterinary hospital" means an establishment in which veterinary services, clipping, bathing, boarding and other services are rendered to animals and domestic pets. (Ord. 2007-22, 2007)

17.08.320 Impound/towing Yard.

"Impound/towing Yard" means a fully enclosed area which is designed to hold and store vehicles for a period not more than ninety (90) days which have been impounded by a jurisdiction or private party. (Ord. 2014-015, 2014; Ord. 2013-001, 2013; Res. 83-10, 1983)

17.08.321 Infill.

"Infill" means the development of new housing or other buildings on scattered vacant sites in a built-up area. (Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.08.324 Interlocal agreement.

"Interlocal agreement" means a legal contract between two (2) or more local jurisdictions (cities and counties) that specifies the condition under which TDR credits may be transferred (typically from an unincorporated county into an incorporated city). Interlocal agreements must be endorsed by the legislative bodies of both jurisdictions. (Ord. 2013-001, 2013; Ord. 2009-25, 2009)

17.08.326 Interpretive Center.

An institution for dissemination of knowledge of natural or cultural heritage of the surrounding area. (Ord. 2018-001, 2013)

17.08.327 Repealed.

A parcel of land which is physically separated from a main tract by a public road or ownership by utility, including irrigation entities. Identification of intervening ownership shall be processed consistent with Kittitas County Code 17.60B Administrative Uses. (Ord. 2013-001, 2013; Ord. 2009-25, 2009; Ord. 2007-22, 2007)

17.08.329 Junk.

"Junk" means of inoperable motor vehicles or equipment, vehicle or equipment parts, used lumber and building materials, pipe, appliances, demolition waste, or any used material. This shall not be interpreted to include the normal storage or accumulation of viable and/or operable agricultural equipment. (Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.08.330 Junkyard.

"Junkyard" means any lot, parcel, building, structure or portion thereof, used for the storage,

collection, processing, purchase, sale, exchange, salvage or disposal of junk, including scrap materials, unlicensed or inoperable vehicles, vehicle parts, used appliances, machinery or parts thereof. This shall not be interpreted to include the normal storage or accumulation of viable and/or operable agricultural equipment. (Ord. 2013-001, 2013; Ord. 2007-22, 2007; Res. 83-10, 1983)

17.08.340 Repealed.

(Ord. 2013-001, 2013; Ord. 2007-22, 2007; Res. 83-10, 1983)

17.08.360 Lot.

"Lot" means any area, tract or parcel of land owned by or under the control and in the lawful possession of one distinct ownership. The term means any type of land holding and includes, but is not limited to, lots platted in subdivisions. (Res. 83-10, 1983)

17.08.361 Lot, flag.

"Lot, flag" means a lot with two distinct parts:

- The flag, which is the only building site; and is located behind another lot; and
- The pole, which connects the flag to the street or road, provides the only street frontage for the lot, and is less than the minimum lot width for the zone in which it is located.

(Ord. 2013-001, 2013)

17.08.370 Lot line, front.

"Lot line, front" means a lot line that abuts any public street, private street, right-of-way or other means of vehicular access, other than an alley. (Ord. 2019-013, 2019; Res. 83-10, 1983)

17.08.380 Lot line, rear.

"Rear lot line" means any boundary opposite and most distant from front lot line and not intersecting a front lot line. (Res. 83-10, 1983)

17.08.390 Lot line, side.

"Side lot line" means any boundary line not a front or rear lot line. (Res. 83-10, 1983)

17.08.390B Lot, through.

"Lot, through" means a lot that has frontage on two (2) easements (public or private) for access. (Ord. 2019-013, 2019; Ord. 2013-001, 2013)

17.08.390C Street frontage.

"Street frontage" means the linear frontage of a parcel or property abutting a street or vehicular access easement. (Ord. 2019-013, 2019;)

Note: A scrivener's error in Ord. 2019-013, Exhibit D, incorrectly numbered this section as 17.08.790C, and incorrectly references Res. 2012-78 (part).

17.08.391 Manufactured home.

"Manufactured home" means a single-family residence constructed after June 15, 1976, and in accordance with the U.S. Department of Housing and Urban Development (HUD) requirements for manufactured housing and bearing the appropriate insignia indication for such compliance. The unit must be transportable in one (1) or more sections, which in the traveling mode, is eight (8) body feet or more in width or forty (40) body width in length, or when erected on site exceeds four hundred (400) square feet and which is built on a permanent chassis. A manufactured home shall be affixed to a foundation system in accordance with Chapter 296-150M WAC as administered by the Washington State Department of Labor and Industries. The manufacturer's requirements shall be followed for placement and if there are no manufacturer instructions, the Kittitas County department of building and fire safety requirements shall be imposed. A manufactured home has a red insignia from the Department of Labor and Industries. (Ord. 2013-001, 2013; Ord. 9822 (part), 1998)

17.08.392 Manufacturing

"Manufacturing" includes, but is not limited to, assembly, storage, packaging or treatment of products and merchandise such as drugs, food, beverages, cosmetics and toiletries, and products made from materials such as textiles, metals, paper, plastics, stone, wood, and paint. ([Ord. 2013-001](#), 2013)

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. ([Ord. 2014-004](#), 2014;)

17.08.392B Marijuana production

"Marijuana production" means any operation to raise or produce marijuana. ([Ord. 2014-004](#), 2014;)

17.08.392C Marijuana, retail sales

"Marijuana, retail sales" 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. ([Ord. 2014-015](#), 2014;)

17.08.393 Medium-speed electric vehicle.

"Medium-speed electric vehicle" means a self-propelled, electrically powered four-(4)-wheeled motor vehicle, equipped with a roll cage or crush-proof body design, whose speed attainable in one (1) mile is more than twenty-five (25) miles per hour but not more than thirty-five (35) miles per hour and otherwise meets or exceeds the Federal regulations set forth in 49 C.F.R. Sec. 571.500. ([Ord. 2013-001](#), 2013; [Ord. 2011-013](#), 2011; Res. 83-10, 1983)

17.08.395 Repealed.

([Ord. 2014-015](#), 2014; [Ord. 2014-004](#), 2014; [Ord. 2013-001](#), 2013; Res. 83-10, 1983)

17.08.396 Repealed.

([Ord. 2013-001](#), 2013; Ord. 2007-22, 2007)

17.08.397 Mini warehouse.

"Mini warehouse" means a building or group of buildings containing individual compartmentalized access stalls or lockers for the dead storage of customers' goods or wares. ([Ord. 2013-001](#), 2013; Ord. 83-Z-2 (part), 1983)

17.08.397A Mining and Excavation.

"Mining and excavation" means extraction of earth materials including but not limited to clay, coal, gravel, minerals, metallic substances, peat, sand, stone, topsoil, and any other similar solid material or substance to be excavated from natural deposits on or in the earth for commercial, industrial, or construction use. ([Ord. 2013-001](#), 2013)

17.08.398 Mobile home.

"Mobile home" means a structure transportable in one (1) or more sections that are eight (8) feet or more in width and thirty-two (32) feet or more in length, built on a permanent chassis, designed to be used as a permanent dwelling and constructed before June 15, 1976. Beginning September 1, 1998, mobile homes will no longer be 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. ([Ord. 2013-001](#), 2013; Ord. 98-22 (part), 1998; Res. 83-10, 1983)

17.08.399 Modular home.

"Modular home" means a manufactured structure originally designed for initial movement without benefit of an undercarriage frame or its own wheels to a site of permanent placement on a full perimeter foundation, used for residential purposes, and exceeds eight hundred sixty-four (846)

square feet of enclosed living area. A modular home shall be considered a "dwelling" or "single-family residence". A "modular home" constructed to International Building Code standards and bearing the gold insignia from the Washington State Department of Labor and Industries shall be considered to be a single-family residence. ([Ord. 2013-001](#), 2013; Ord. 2007-22, 2007; Ord. 98-22 (part), 1998; Ord. 93-21 (part), 1993)

17.08.400 Repealed.

([Ord. 2013-001](#), 2013; Res. 83-10, 1983)

17.08.408 Neighborhood electric vehicle.

"Neighborhood electric vehicle" means a self-propelled, electrically powered four-(4)-wheeled motor vehicle whose speed attainable in one (1) mile is more than twenty (20) miles per hour and not more than twenty-five (25) miles per hour and conforms to federal regulations under Title 49 C.F.R. Part 571.500. ([Ord. 2013-001](#), 2013; [Ord. 2011-013](#), 2011; Res. 83-10, 1983)

17.08.410 Nonconforming use.

For more information on "nonconforming use" see "Use". ([Ord. 2013-001](#), 2013; Ord. 2007-22, 2007; Res. 83-10, 1983)

17.08.412 Non-electric vehicle.

"Non-electric vehicle" means any motor vehicle that does not meet the definition of "electric vehicle." ([Ord. 2013-001](#), 2013; [Ord. 2011-013](#), 2011; Res. 83-10, 1983)

17.08.415 Nurseries.

An establishment for the growth, display, and/or sale of plants, shrubs, trees, and materials used in indoor or outdoor planting such as but not limited to beauty bark, round landscape rock, topsoil, and mulch, conducted within or without an enclosed building. ([Ord. 2018-021](#), 2018;)

17.08.420 Nursing home.

"Nursing home" means a home, place or institution which operates or maintains facilities providing convalescence or chronic care or both for a period in excess of twenty-four (24) consecutive hours for three (3) or more patients not related by blood or marriage to the operator, who by reason of illness or infirmity are unable properly to care for themselves, and is licensed by the State Department of Health as a nursing home. ([Ord. 2013-001](#), 2013; Res. 83-10, 1983)

17.08.421 Office

"Office" means a place at which the affairs of a business, profession, service, or industry are conducted and generally furnished with desks, tables, files and communication equipment. ([Ord. 2013-001](#), 2013)

17.08.424 Off-site hazardous waste facilities.

"Off-site hazardous waste facilities" means hazardous waste treatment and storage facilities that treat and store waste from generators on properties other than those on which the off-site facilities are located. (Ord. 93-1 (part), 1993)

17.08.427 On-site hazardous waste facilities.

"On-site hazardous waste facilities" means hazardous waste treatment and storage facilities that treat and store waste from generators located on the same property or from contiguous property within Kittitas County. (Ord. 93-1 (part), 1993)

17.08.428 Open space

"Open space" means land within a development that has been dedicated in common to the ownership within the development or to the public specifically for the purpose of providing places for recreation, conservation or other open space uses. May include public or private lands. ([Ord. 2013-001](#), 2013)

17.08.430 Outdoor advertising signs and billboards.

1. "Outdoor advertising signs and billboards" means any card, paper, cloth, metal, wooden or other display or device of any kind or character, including but not limiting the same to any poster, bill, printing, painting or other advertisement of any kind whatsoever, including statuary, placed for outdoor advertising purposes on or to the ground or any tree, wall, rack, fence, building, structure or thing.
2. "Outdoor advertising signs and billboards" does not include:
 - a. Official notices issued by any court or public body or officer;
 - b. Notices posted by any public officer in performance of a public duty or by any person in giving legal notice;
 - c. Directional, warning or information structures required by or authorized by law or by federal, state, county or city authority. (Res. 83-10, 1983)

17.08.430A Overlay Zone/district

"Overlay zone/district" means overlay zones that impose and/or relax requirements of an underlying land use district, or base zone, where characteristics of the land or neighborhood, or the types of development planned for an area, require special regulations. (Ord. 2013-001, 2013)

17.08.430B Ownership

"Ownership" means an ownership is one (1) or more contiguous lots that are owned by the same person, partnership, association, or corporation. Ownership also includes lots that are in common ownership but are separated by a right-of-way. (Ord. 2013-001, 2013)

17.08.431 Park model trailer.

"Park model trailer" means a trailer designed to provide seasonal or temporary living quarters which may be used with temporary connections to utilities necessary for operation of installed fixtures and appliances. It has a gross trailer area not exceeding four hundred (400) square feet. (Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.08.440 Parking space.

"Parking space" means a minimum gross area available for the parking of a standard American automobile. (Res. 83-10, 1983)

17.08.445 Parks and playgrounds.

"Parks and playgrounds" means sites designed or developed for recreational use including, but not limited to playfields, picnic facilities, outdoor activity areas, trails, play structures, and facilities for on-site maintenance. (Ord. 2013-012, 2013; Ord. 2013-001, 2013; Ord. 2005-35, 2005)

17.08.450 Planned unit development.

"Planned unit development" means a development that departs from strict compliance with the zoning and subdivision standards in order to accomplish objectives that serve the public welfare pursuant to standards in KCC Chapter 17.36. (Ord. 2013-001, 2013; Ord. 2005-35, 2005, Ord. 90-6 (part), 1990; Ord. 83-Z-2 (part), 1983)

17.08.455 Planning commission or commission.

"Planning commission" or "commission" means the Kittitas County planning commission. (Ord. 2005-35, 2005, Res. 83-10, 1983)

17.08.455A Plug-in hybrid electric vehicle (PHEV).

"Plug-in hybrid electric vehicle (PHEV)" means an electric vehicle that (1) contains an internal combustion engine and also allows power to be delivered to drive wheels by an electric motor; (2) charges its battery primarily by connecting to the grid or other off-board electrical source; (3) may additionally be able to sustain battery charge using an on-board internal-combustion-driven generator; and (4) has the ability to travel powered by electricity. (Ord. 2011-013, 2011; Res. 83-10, 1983)

17.08.456 Repealed.

(Ord. 2015-010, 2015)

17.08.457 Public facilities.

"Public facilities" means capital improvements and systems to support transportation, law enforcement, fire protection, and recreation. Facilities include but are not limited to fire stations, police stations, and bus stops. (Ord. 2013-001, 2013)

17.08.460 Public office building.

"Public office building" means a structure used as the office or for the purpose of conducting official business by an agency of the federal government, state government or a political sub-division of the state of Washington. (Res. 83-10, 1983)

17.08.461 Rapid charging station.

"Rapid charging station" means an industrial grade electrical outlet that allows for faster recharging of electric vehicle batteries through higher power levels and that meets or exceeds any standards, codes, and regulations set forth by chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540 (Ord. 2011-013, 2011)

17.08.462 Receiving site.

"Receiving site" means those lots where the procurement of TDR credits facilitate a permissible change in the allowed intensity on the property pursuant to the TDR chapter and all other controlling policies and law. (Ord. 2009-25, 2009)

17.08.463 Recreation, indoor.

"Recreation, indoor" means a place designed and equipped for the conduct of sports and leisure-time activities within an enclosed space. Examples include gymnasium, bowling alley, dance hall, billiard hall, theaters, indoor tennis and racquetball courts, and indoor swimming pools. This definition excludes stadiums. Indoor recreation uses for the private use of the landowner are permitted outright. (Ord. 2013-012, 2013)

17.08.464 Recreation, outdoor

"Recreation, outdoor" means a place designed and equipped for the conduct of sports and leisure-time activities with little or no enclosed space. Examples include: outdoor theaters, tennis courts, swimming pools, batting cages, amusement parks, miniature golf courses, boat launches and driving ranges. This definition excludes golf courses and stadiums. Outdoor recreation uses for the private use of the landowner are permitted outright. (Ord. 2013-012, 2013)

17.08.465 Recreational vehicle.

"Recreational vehicle" means a vehicular type unit designated as temporary living quarters for recreation camping, travel or seasonal use which has its own power or is mounted on or towed by another vehicle. The vehicle has a gross floor area of not more than three hundred twenty (32) square feet. This definition includes vehicles such as travel trailers, camping trailers, truck campers and motor homes. A recreational vehicle is not considered a mobile or manufactured home and is not constructed to the International Building Code standards. A recreational vehicle has a green and silver insignia from the Department of Labor and Industries. (Ord. 2013-001, 2013; Ord. 2007-22, 2007; Ord. 98-22 (part), 1998)

17.08.465A Recreational vehicle park.

"Recreational vehicle park" means land designed to accommodate predominantly recreational vehicles (RVs) used as temporary living quarters for recreation or vacation purposes with sewage facilities approved by the County Health Department and a maximum allowable stay of one hundred eighty (180) days in a calendar year. (Ord. 2013-012, 2013)

17.08.465B Recreational vehicle/equipment service and repair.

This definition is the same as "Vehicle/equipment service and repair" (KCC 17.08.560A) except that it is limited to recreational vehicles, not limited to motorized vehicles and equipment and does not include gas and service stations stay of one hundred eighty (180) days in a calendar year. (Ord. 2019-013, 2019;)

17.08.466 Refuse disposal/recycling.

"Refuse collection/recycling" means a facility for the collection of solid waste or recyclables for sorting, compaction, composting, processing (including changing the form of materials) or transfer to a landfill. This definition excludes concrete recycling. (Ord. 2013-001, 2013)

17.08.467 Religious institutions.

"Religious institutions" means churches, synagogues, temples and other places where gathering for worship is the principle purpose of the use. (Ord. 2013-001, 2013)

17.08.468 Resource based industry.

"Resource based industry" means an industry based on natural resources including but not limited to recreation-related tourism, agriculture, fisheries, forestry and mining. (Ord. 2013-001, 2013)

17.08.469 Restaurant.

"Restaurant" means a retail establishment selling food and/or drink for consumption on the premises or for take-out, including accessory on-site food preparation, This definition excludes taverns. (Ord. 2013-001, 2013)

17.08.469A Retail sales

"Retail sales" means selling goods or services to the general public for personal or household consumption and rendering services incidental to the sale of such goods. This definition excludes agriculture sales.

(Ord. 2014-015, 2014; Ord. 2014-004, 2014; Ord. 2013-001, 2013)

* Publisher's Note: § 17.08.469A was erroneously included. This section should refer to 17.08.395.

17.08.470 Rezone.

"Rezone" means an amendment to the zoning ordinance, requiring the same enactment as an original zoning. (Res. 83-10, 1983)

17.08.471 Rock Crushing.

"Rock crushing" means an activity which reduces the size and weight of rock material into useable building or landscaping material. (Ord. 2013-001, 2013)

17.08.469 RV Storage.

A commercial indoor and or outdoor space/area used to store recreational vehicle for any amount of time.. (Ord. 2018-001, 2013)

17.08.472 Services.

"Services" means establishments primarily engaged in providing individual or professional services within the place of business, such as beauty and barber shops, retail laundry and dry-cleaning including coin-operated, garment alterations and repair, photo studios, shoe repair, pet grooming, photography and photo reproduction, real estate offices, personal accountants, entertainment media rental or other indoor rental services, and repair of personal or household items. (Ord. 2013-001, 2013)

17.08.480 School, public or private.

"Public or private school" means an institution which offers instruction and study required to be taught in the public schools of the state of Washington. Trade schools are specifically excluded from this definition. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.08.485 Shooting range.

"Shooting range" means an area or facility designated or operated for archery (including crossbows), and/or the discharging and operation of lawfully possessed, lawful firearms, as defined in [RCW Chapter 9.41](#); with the exception of:

1. Any law enforcement or military shooting range; or
2. Incidental target practice areas on private property.

([Ord. 2013-001](#), 2013; Ord. 2009-25, 2009)

17.08.487 Sending site.

"Sending site" means designated lot or lots from where landowners may sell their development rights in exchange for placing a conservation easement on the property. (Ord. 2009-25, 2009)

17.08.490 Small-scale event facility.

"Small-scale event facility" means a facility that is open to the public for events, seminars, wedding or other social gatherings. May include eating and food preparation facilities provided meals are only served to guests attending events.

([Ord. 2013-012](#), 2013; [Ord. 2013-001](#), 2013; Ord. 98-22 (part), 1998)

17.08.500 Special care dwelling.

"Special care dwelling" means a Manufactured Home or Park Model Trailer providing separate living quarters for the purpose of providing care to an immediate family member. ([Ord. 2013-001](#), 2013; Ord. 2007-22, 2007; Ord. O-2006-01, 2006)

17.08.510 Structural alteration.

"Structural alteration" means any change or repair which would tend to prolong the life of the supporting members of a building or of structures, such as bearing walls, columns, beams or girders. (Res. 83-10, 1983)

17.08.520 Structure.

"Structure" means that which is built or constructed, an edifice or building of any kind, or any place of work artificially built up or composed of parts joined together in some definite manner. Fences that are 7 feet or less in height are excluded from this definition. ([Ord. 2015-010](#), 2015; Res. 83-10, 1983)

17.08.530 Repealed.

([Ord. 2013-001](#), 2013; Res. 83-10, 1983)

17.08.535 Repealed.

([Ord. 2013-001](#), 2013; Res. 83-10, 1983)

17.08.540 Repealed.

([Ord. 2013-001](#), 2013; Res. 83-10, 1983)

17.08.541 Trails.

"Trails" means man-made pathways designed and intended for use by pedestrians, bicyclists, equestrians, snowmobiles and other recreational users together with associated parking and trailhead facilities. ([Ord. 2013-012](#), 2013)

17.08.542 Transfer of development rights (TDR).

"Transfer of development rights (TDR)" means the transfer of the right to develop or build from sending sites to receiving sites. ([Ord. 2013-001](#), 2013; Ord. 2009-25, 2009)

17.08.543 TDR certificate.

"TDR certificate" means a form of currency that displays how many TDR credits are available for sale and use. (Ord. 2009-25, 2009)

17.08.544 TDR certificate letter of intent.

"TDR certificate letter of intent" means a document issued to a landowner upon an approved TDR

sending site application. The letter contains a determination of the number of development rights calculated for the sending site and an agreement by the County to issue a corresponding number of TDR certificates in conversion for a conservation easement. The sending site owner may use the TDR certificate letter of intent to market development rights to potential purchasers, but the document has no value itself and cannot be transferred or used to obtain increased development rights within receiving areas. (Ord. 2009-25, 2009)

17.08.545 TDR credit.

"TDR credit" means for the TDR commodity used in receiving sites. TDR credits reflect the number of units a seller has a right to build or sell on a sending site based on zoning. TDR credits may also reflect the number of TDR certificates required for a given development project. (Ord. 2013-001, 2013; Ord. 2009-25, 2009)

17.08.546 TDR program.

"TDR program" means a market-based program that provides a public benefit by permanently conserving rural resource lands by establishing a means to transfer development rights from eligible sending sites to eligible receiving sites through a voluntary process that fairly compensates landowners while providing a public benefit for communities. (Ord. 2009-25, 2009)

17.08.547 TDR sending site application.

"TDR sending site application" means an application that a sending site landowner must file in order to be eligible for consideration for designation as a TDR sending site. (Ord. 2009-25, 2009)

17.08.550 Use.

"Use" means the purpose for which land or building is arranged, designed or intended.

1. "Permitted use" means a use allowed outright within a zone classification.
2. "Permitted Administrative use" means a use which may be permitted within a zone classification following review under the provisions of KCC Chapter 17.60B.
3. "Administrative Conditional use" means a use which may be permitted in a zone classification following review under the provisions of KCC Chapter 17.60A.
4. "Conditional use" means a use which may be permitted in a zone classification following review and hearing under the provisions of KCC Chapter 17.60A.
5. "Nonconforming use" means a use or structure, that was legally established according to the applicable zoning and/or building regulations of the time, but which does not meet current zoning and/or building regulations.
6. "Prohibited use" means those uses not specifically enumerated as allowed uses under the provisions of KCC Chapter 17.15. (Ord. 2018-001, 2018; Ord. 2013-012, 2013; Ord. 2013-001, 2013; Res. 83-10, 1983)

17.08.550A U-Pick/U-Cut operation

"U-Pick/U-Cut operation" means farms or orchards where customers come to purchase fruit or agricultural products which they have harvested themselves. Enhanced agricultural sales are allowed. (Ord. 2014-015, 2014;)

17.08.560 Variance.

"Variance" means a waiver of the strict interpretation of the requirements. It is a special dispensation given to the petitioner to disregard certain stipulations in the zoning code in order to develop his property. (Res. 83-10, 1983)

17.08.560A Vehicle/equipment service and repair.

"Vehicle/equipment service and repair" means maintenance of motorized vehicles and equipment including exchange of parts, installation of lubricants, tires, batteries, and similar vehicle accessories,

minor customizing and detail operations, and body shops. This definition includes gas and service stations. ([Ord. 2013-001](#), 2013)

17.08.560B Warehouse and Distribution.

A building where bulk raw materials or manufactured goods may be stored and distributed for commercial purposes. Warehouse and Distribution uses do not include on-site manufacturing and generally service manufacturing and retail establishments. Agriculture products and Hay Storage are not included in this definition. ([Ord. 2021-015](#), 2021;)

17.08.560C Watershed management facilities.

"Watershed management facilities" include, but are not limited to, diversion devices, impoundments, dams for water storage, flood control, fire control, and stock watering. (Renamed by [Ord. 2021-015](#), 2021; [Ord. 2013-001](#), 2013)

17.08.561 Winery.

"Winery" means a facility where fruit or other products are processed (i.e., crushed, fermented, decanted, stored, bottled and shipped) into wine. This may include the sale of wine and limited ancillary items, tourist facilities, or tasting rooms. ([Ord. 2013-001](#), 2013; Ord. 2007-22, 2007)

17.08.570 Yard.

"Yard" means an open space, other than a court or a lot, unoccupied and unobstructed from the ground upward, except as otherwise provided in this title. (Res. 83-10, 1983)

17.08.580 Yard depth.

"Yard depth" means the minimum perpendicular distance between any point on a lot line and the nearest part of any structure or building. (Res. 83-10, 1983)

17.08.590 Yard, front.

"Front yard" means any yard abutting a public or private street. (Res. 83-10, 1983)

17.08.600 Yard, rear.

"Rear yard" means an open unoccupied space on the same lot with a building between the rear line of the building (exclusive of steps, porches and accessory building) and the rear line of the lot.

For triangular lots the rear yard shall be the area of the lot lying within a circle having a radius equal to the depth of the required rear yard and its center at a point therein defined as the rear property line for such lots. (Res. 83-10, 1983)

17.08.610 Yard, side.

"Side yard" means an open unoccupied space on the same lot with a building, between the side wall line of the building and the side line of the same lot. (Res. 83-10, 1983)

17.08.620 Yurt.

"Yurt" means a circular, domed, portable tent for temporary use. ([Ord. 2013-001](#), 2013; Ord. 2007-22, 2007)

Chapter 17.11

URBAN GROWTH AREAS

Sections

[17.11.010](#) Purpose and Intent.

[17.11.020](#) Intergovernmental Review.

[17.11.030](#) City of Ellensburg Urban Growth Area Interlocal Agreements.

[17.11.031](#) Conflicts

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17.11.039 Off-Street Parking

17.11.040 Infrastructure.

17.11.050 Minimum Density.

17.11.060 Maximum Lot Coverage.

ADD SECTION ADDITIONS ONCE COMPLETED

17.11.010 Purpose and Intent.

The purpose and intent of the Urban Growth areas is to provide for areas that are suitable and desirable for urban densities as determined by the sponsoring city's ability to provide urban services, and to allow for alternative methods of development that allows for infill and development at urban levels. (Ord. 2007-22, 2007)

17.11.020 Intergovernmental Review

Proposed projects occurring within the Urban Growth Area shall be jointly reviewed with the associated city. (Ord. 2007-22, 2007)

17.11.030 City of Ellensburg Urban Growth Area Interlocal Agreements (ILA). {reserved}

Kittitas County and the City of Ellensburg have adopted an interlocal agreement to facilitate the orderly transition of urban services from the County to the City throughout the Urban Growth Area (UGA) and to coordinate and manage growth and development within the UGA. Permit process and development standards outlined in KCC 17.11.030 through KCC 17.11.039 are adopted for application to properties within the City of Ellensburg Urban Growth Area. These sections shall take effect on June 30, 2023. These provisions shall not apply to the Airport Overlay or properties not requesting City of Ellensburg water and sewer utility extensions.
(Ord. 2007-22, 2007)

17.11.031 – Conflicts

If there is a conflict between the provisions within KCC 17.11 or the ILA and other sections of Kittitas County Code, KCC 17.04.020 and 17.04.040 shall be utilized to resolve the conflict. When 17.04 is utilized to resolve a conflict, the county will notify the city.

17.11.032 – Adoption by reference and modified code sections

Resolution No. 2022-1, a resolution authorizing execution of an interlocal agreement with the City of Ellensburg regarding development in its Urban Growth Area (UGA), is adopted by reference except as amended by the provisions 17.11.030 through 17.11.039. Provisions shall apply to City of Ellensburg code sections as currently adopted as of the date of Resolution No. 2022-1 or hereby amended in the future by the City. This includes the following Chapters of the City of Ellensburg code:

Exhibits A (Ellensburg UGA map) and B (Future Land Use Map) within Resolution No. 2022-1 are provided for reference only and do not modify the UGA boundary or change the land use designation of any property. The UGA boundary and land use designations of properties are identified within the Kittitas County Comprehensive Plan.

The following City of Ellensburg code sections have been modified as provided for within this code section. They include:

1. Chapter 15.130 – Land Development Code – Definitions
2. Chapter 15.310 – Land Development Code – Permitting Uses
3. Chapter 15.320 – Land Development Code – Building Setback and Intensity Standards
4. Chapter 15.550 – Land Development Code – Off-Street Parking

17.11.033 Applicability

This Agreement applies to the lands within the Ellensburg Urban Growth Area as currently adopted and identified in the County Comprehensive Plan, as of the date of execution of Resolution No. 2022-1 and hereby amended in the future. Where the ILA does not identify development standards to be utilized for development within the UGA, existing Kittitas County Code standards apply.

The City of Ellensburg agrees to notify Kittitas County and provide the opportunity to comment on any code changes which would modify this interlocal agreement. Further, the City of Ellensburg shall delay implementation of new ordinances for 30 days after adoption to give Kittitas County time to implement the new standards. The City of Ellensburg shall provide a copy of the signed ordinance within 7 days of adoption.

17.11.034 Airport Zone

KCC 17.58, Airport Zone, applies to all projects within the City of Ellensburg Urban Growth Area which are located within the Bowers Field Airport Overlay Zone.

17.11.035 County/City Zoning conversion chart

Where City of Ellensburg zoning designations are referred to within the adopted ILA or this chapter, the following conversion chart shall be utilized.

<u>County Zone</u>	<u>Applicable City Zone</u>
<u>R-Residential</u> <u>UR-Urban Residential</u>	<u>R-S Residential Suburban</u>
<u>I-L Light Industrial</u>	<u>I-L Light Industrial</u>
<u>I-G General Industrial</u>	<u>I-H Heavy Industrial</u>
<u>C-G General Commercial</u>	<u>C-H Commercial Highway</u>
<u>C-H Highway Commercial</u> <u>C-L Limited Commercial</u>	<u>C-H Commercial Highway</u>
<u>PUD Planned Unit Dev. (Bender/Reecer)</u>	<u>R-S Residential Suburban</u>
<u>PUD Planned Unit Dev. (the Verge)</u>	<u>R-H Residential High</u>

HTC Historic Trailer Court	MHP Manufactured Home Park
F-R Forest and Range	Refer to County standards

17.11.036 Definitions

The following definitions shall apply and be utilized for projects located within the Ellensburg UGA. Where terms are not defined, the definitions in KCC 17.08 shall apply.

"Accessory dwelling unit" means a self-contained residential unit that is accessory to a single-family dwelling on a lot and may be added to, created within, or detached from the primary single-family dwelling unit. An accessory dwelling unit has its own bathroom, kitchen facilities, living and sleeping areas, though it can share other features with the single-family dwelling including the yard, parking, or storage.

"Accessory use" means on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

"Adult family home" means a residential home in which a person or persons provide personal care, special care, room and board to more than one but not more than six adults who are not related by blood or marriage to the person or persons providing the services.

"Agriculture" means the use of land for farming, dairying, pasturing and grazing, horticulture, floriculture, viticulture, apiaries, animal and poultry husbandry, Christmas trees not subject to the excise tax imposed by RCW 84.33.100 through 84.33.140, finfish in upland hatcheries, and accessory activities, including, but not limited to, storage, harvesting, feeding or maintenance of equipment, but excluding stockyards, slaughtering or commercial food processing.

"Boarding houses, lodging houses, sororities, fraternities" means an establishment with lodging for five or more persons on a weekly or longer basis with a central kitchen and dining area maintained exclusively for residents and their guests.

"Community residential facility" means a facility that provides, on a regular basis, personal care, including dressing and eating and health-related care and services for at least five, but not more than 15 functionally disabled persons and which is not licensed under Chapter 70.128 RCW. A residential care facility shall not provide the degree of care and treatment that a hospital or long-term care facility provides.

"Conference center" means an establishment developed primarily as a meeting facility, including only facilities for recreation, overnight lodging, and related activities provided for conference participants.

"Cooperative" means a group of more than one, but no more than four qualified medical marijuana patients and/or designated providers who share responsibility for growing and processing marijuana only for the medical use of the members of the cooperative.

"Day care" means an establishment for group care of nonresident adults or children. Specifically:

1. Day care shall include child day care services, adult day care centers, and the following:
 - a. Adult day care, such as adult day health centers or social day care as defined by the Washington State Department of Social and Health Services;
 - b. Nursery schools for children under minimum age for education in public schools.
 - c. Privately conducted kindergartens or pre-kindergartens when not a part of a public or parochial school; and
 - d. Programs covering after-school care for school children.
2. Day care establishments are subclassified as follows:
 - a. Day care I - a maximum of 12 adults or children in any 24-hour period; and
 - b. Day care II - over 12 adults or children in any 24-hour period.

Dwelling, Cottage. "Cottage" means a small single-family dwelling that is clustered with other similar units surrounding a common open space. See ECC 15.540.050 for special cottage housing provisions.

Dwelling, Duplex. "Duplex" refers to a building that is entirely surrounded by open space on the same lot and contains two dwelling units or two dwelling units that are physically separated but on the same lot. A duplex will not be considered a duplex for purposes of the land development code standards if more than one duplex building is located on one lot.

Dwelling, Live-Work Unit. "Live-work unit" means an individual dwelling unit that is used for residential and nonresidential use types. The dwelling unit type may be any type that is permitted in the applicable zoning district. Permitted nonresidential uses may be those that are permitted in the applicable zoning district.

Dwelling, Multifamily. See definition of "Multifamily,"

Dwelling, Single-Family. "Single-family dwelling" means one dwelling unit or one dwelling unit with an attached or detached accessory dwelling unit used, intended, or designed to be used, rented, leased, let, or hired out to be occupied for living purposes.

Dwelling, Townhouse. "Townhouse" is a single-family dwelling constructed in a group of three or more attached units in which each unit extends from the foundation to the roof and with open space on at least two sides. Ownership of a townhouse includes the unit's building and associated property.

"Farmers' market" means a public market at which farmers and other vendors sell agricultural products, crafts, and food and beverages.

"Fruit stand" means a building, structure, or land area used for the sale of fresh fruit or vegetables grown on-site.

"Heavy service" includes service activities that may have regular exterior service, or storage areas. This use category includes, but is not limited to, contractors, heating fuels, truck stops, breweries and warehousing. Heavy service uses are limited to buildings no larger than 50,000 gross square feet in area.

"Home occupation" means any activity undertaken for gain or profit that results in a product or service and is carried on in a dwelling, or building accessory to a dwelling.

"Hospital" means an institution receiving inpatients and outpatients and rendering medical, surgical and/or obstetrical care and associated support facilities such as administrative offices, information technology department, or other similar facilities.

"Hotel" means any building or portion thereof in which lodging is provided and offered to the public for compensation, and which is open to transient guests and is not a boarding, lodging, sorority or fraternity house.

"Kennel" or "shelter" means any outdoor or indoor facility which houses four or more small domestic animals (that number not including one unweaned litter) for periods longer than 24 hours as a commercial venture, as a nonprofit organization, or for a governmental purpose. The facility may be either a separate business or an accessory use. A kennel is to be distinguished from a veterinary clinic which houses animals for periods that may exceed 24 hours as a commercial venture that is accessory to the primary medical activity performed in a veterinary clinic.

"Manufactured home park" means a lot, parcel, or tract of land having as its principal use the rental of space for occupancy by two or more manufactured homes, including any accessory buildings, structures or uses customarily incidental thereto.

"Marijuana processor" means a person licensed by the State Liquor and Cannabis Board to process marijuana into marijuana concentrates, useable marijuana and marijuana-infused products, package and label marijuana concentrates, useable marijuana and marijuana-infused products for sale in retail outlets, and sell marijuana concentrates, useable marijuana and marijuana-infused products at wholesale to marijuana retailers (as defined in RCW 69.50.101 and provided herein for reference).

"Marijuana producer" means a person licensed by the State Liquor and Cannabis Board to produce and sell marijuana at wholesale to marijuana processors and other marijuana producers (as defined in RCW 69.50.101 and provided herein for reference).

"Marijuana retailer" means a person licensed by the State Liquor and Cannabis Board to sell marijuana concentrates, useable marijuana and marijuana-infused products in a retail outlet (as defined in RCW 69.50.101 and provided herein for reference).

"Miniwarehouse" means an enclosed single-story building(s) designed and constructed to provide individual compartmentalized controlled access stalls or lockers which shall be used only for the storage of personal property. Ministorage is synonymous with miniwarehouse.

Motel. See definition for "Hotel".

"Nursery and greenhouses" means an establishment for the growth, display, and/or sale of plants, shrubs, trees, and materials used in indoor or outdoor plantings conducted within or without an enclosed building.

"Nursing home" means any facility licensed by the Washington State Department of Social and Health Services or other appropriate state agencies, providing convalescent, chronic or domiciliary care for a period in excess of 24 consecutive hours, for three or more patients or residents not related by blood or marriage to the licensee.

Office, Business or Professional. "Business or professional office" means an office wherein business, technical or scientific services are rendered involving labor, skill, education and special knowledge for certain compensation or profit, but such labor, skill, education and special knowledge being predominantly mental or intellectual, rather than physical, manual or mercantile in nature. Examples of such uses would include, but not be limited to, the offices of lawyers, accountants, brokers, and insurance agents.

Office, Medical. "Medical office" means an office or clinic used primarily by physicians, dentists, optometrists, and similar personnel for the treatment and examination of patients solely on an outpatient basis; provided, that no overnight patients shall be kept on the premises.

"Personal services" means services rendered to individuals for their personal physical appearance and conditioning needs. Examples would include but not be limited to the following types of services: barber, beautician, masseur, and steam and sauna baths.

"Places of assembly" means a structure for groups of people to gather for an event or regularly scheduled program. Examples include but are not limited to arenas, religious institutions, lecture halls, banquet facilities, and similar facilities.

"Public agency or utility office" means a building or portion thereof used primarily for administration purposes by a public agency or utility.

"Recreation - indoor commercial" means a commercial recreation land use conducted entirely within a building, including, but not limited to, athletic and health clubs, pool or billiard halls, skating rinks, swimming pools, and tennis courts.

"Recreation - outdoor commercial" means a commercial recreation land use conducted primarily outdoors, including, but not limited to, water parks, amusement parks, and miniature golf courses.

"Regional retail commercial" refers to any use which involves the display and sale of retail consumer goods as part of a regional retail master site plan. Permitted uses and exceptions are described within ECC 15.390.030. Regional retail commercial developments contain a minimum of 100,000 square feet of enclosed gross floor area of allowable uses; provided, that at least 50,000 square feet must be used by one retailer.

Senior citizen assisted housing" means housing in a building consisting of two or more dwelling units restricted to occupancy by at least one occupant 62 years of age or older per unit, and must include at least two of the following support services:

1. Common dining facilities or food preparation service;
2. Group activity areas separate from dining facilities;
3. A vehicle exclusively dedicated to providing transportation services to housing occupants;

4. Have a boarding home (assisting living) license from Washington State Department of Social and Health Services.

"Tow vehicle storage area" means the approved yard and buildings where stored vehicles are kept. The storage areas and fencing must comply with the requirements established by the Washington State Department of Licensing, Washington State Patrol, and all local zoning rules and regulations. All tow vehicle storage areas must be physically located within the tow zone assigned to the operator.

"Utility facility" means any privately, publicly, or cooperatively owned line, facility, or system for producing, transmitting, or distributing communications, power, electricity, light, heat, gas, oil, crude products, water, steam, waste, stormwater not connected with highway drainage, or any other similar commodity, including any fire or police signal system or street lighting system, which directly or indirectly serves the public. For commercial wireless communication support towers, antenna arrays, and facilities,

"Wrecking yard, vehicle" means any area, lot, land, parcel, building, structure, or part thereof where buying, selling, or dealing in vehicles of a type required to be registered under Washington State law, for the purpose of wrecking, dismantling, disassembling, or substantially changing the form of a vehicle, or buying or selling integral secondhand parts, in whole or in part is taking place.

17.11.037 Permitted Uses

1. Purpose:
 - a. The purpose of this chapter is to establish the uses generally permitted in each zone which are compatible with the purpose of the zone and other uses allowed within the zone.
 - b. The use of a property is defined by the activity for which the building or lot is intended, designed, arranged, occupied, or maintained.
 - c. This section only applies to uses within those zones identified within use tables in 17.11.037(4)(a) below. See KCC 17.22.035 for County/City conversation chart. For those zones within the UGA that are not listed in the tables below, the use tables 17.16 through 17.57 shall apply.
2. Interpretation of Land Use Tables:
 - a. The land use tables in this chapter determine whether a use is allowed in a zoning district. The zoning district is located on the vertical column and the use is located on the horizontal row of these tables.
 - b. If no symbol appears in the box at the intersection of the column and the row, the use is not allowed in that district, except for certain temporary uses. For temporary use requirements, see KCC 17.92.010.
 - c. If the letter "P" appears in the box at the intersection of the column and the row, the use is allowed in that district. If allowed, the use would follow the Kittitas County process for permitting.
 - d. If the letter "C" appears in the box at the intersection of the column and the row, the use is allowed subject to the conditional use review procedures specified in KCC 17.60A and the general requirements of the code.
 - e. Clarification of Uses and Special Conditions.
 - i. If a * appears after the use, then the use is defined in KCC 17.11.036

- ii. Uses are subject to footnote requirements in KCC 17.15.080.2 except where they conflict with the tables in 17.11.037(4)(a-c) regarding the permit process.
3. Accessory Uses. An accessory use, as defined in KCC 17.11.036 and identified on the use tables in KCC 17.11.037(4)(a) by an "A" is permitted in any zone if:
 - a. It is on the same lot as the principal use to which it is accessory; and
 - b. It is of a nature customarily incidental and subordinate to, the principal use or structure.
4. Use Tables:

Table 17.11.037(4)(a) Residential-based uses.

<u>Use</u>	<u>R-S</u>	<u>C-H</u>	<u>I-L</u>	<u>I-H</u>
<u>RESIDENTIAL, GENERAL</u>				
<u>Dwelling, single-family*</u>	<u>P</u>			
<u>Dwelling, cottage*</u>	<u>P</u>			
<u>Dwelling, duplex*</u>	<u>P</u>			
<u>Dwelling, townhouse*</u>	<u>P</u>			
<u>Dwelling, multifamily*</u>	<u>P</u>			
<u>Dwelling, live-work*</u>	<u>P</u>			
<u>Manufactured home park*</u>				
<u>GROUP RESIDENCES</u>				
<u>Boarding houses, lodging houses, sororities, fraternities*</u>				
<u>Adult family home*</u>	<u>P</u>			
<u>Community residential facility*</u>				
<u>Senior citizen assisted housing*</u>				
<u>RESIDENTIAL ACCESSORY USES</u>				
<u>Accessory dwelling unit*</u>	<u>P</u>			
<u>Home occupations* (KCC 17.15.080.2)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Yard sale use</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>TEMPORARY LODGING</u>				
<u>Bed and breakfast</u>				

Table 17.11.037(4)(b) Nonresidential uses

<u>Use</u>	<u>R-S</u>	<u>C-H</u>	<u>I-L</u>	<u>I-H</u>
<u>RETAIL</u>				
<u>Auto sales, new and used</u>		<u>P</u>		
<u>Farmers' markets*</u>				
<u>Fruit stands*</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Heavy retail</u>		<u>P</u>	<u>P</u>	<u>P</u>
<u>Heavy service</u>		<u>P</u>	<u>P</u>	<u>P</u>
<u>Nurseries and greenhouses that are ancillary to a retail use*</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Restaurants, bars, and brewpubs*</u>		<u>P</u>	<u>P</u>	
<u>Coffee house, espresso bar</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Retail, small scale (<2,000 sf floor area)</u>	<u>P</u>	<u>P</u>		
<u>Retail, medium scale (2,000 - 20,000 sf floor area)</u>		<u>P</u>		
<u>Retail, large scale (20,001 - 60,000 sf floor area)</u>		<u>P</u>		
<u>Retail, super scale (>60,000 sf floor area)</u>				
<u>Outlet center</u>		<u>P</u>		
<u>Regional retail commercial projects*</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Marijuana retailer*</u>		<u>P</u>		
<u>PERSONAL AND SERVICES</u>				
<u>Day care I facilities*</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Day care II facilities*</u>	<u>C</u>	<u>P</u>		
<u>General service establishments</u>		<u>P</u>	<u>P</u>	
<u>Heavy services</u>		<u>P</u>	<u>P</u>	<u>P</u>
<u>Hotels/motels*</u>		<u>P</u>		
<u>Hospitals*</u>	<u>C</u>			
<u>Offices, medical*</u>	<u>P</u>	<u>P</u>		
<u>Kennels*</u>		<u>P</u>	<u>P</u>	
<u>Nursing homes*</u>	<u>C</u>			
<u>Marijuana cooperative*</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Personal service establishments*</u>	<u>P</u>	<u>P</u>		

<u>Use</u>	<u>R-S</u>	<u>C-H</u>	<u>I-L</u>	<u>I-H</u>
<u>Places of assembly*</u>	<u>C</u>		<u>C</u>	
<u>Radio station (commercial)</u>		<u>C</u>	<u>C</u>	<u>C</u>
<u>Veterinary clinic</u>		<u>P</u>	<u>C</u>	
<u>BUSINESS SERVICE</u>				
<u>Conference center*</u>		<u>P</u>		
<u>Offices, business or professional*, small scale (<2,000 sf floor area)</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Offices, business or professional*, medium scale (2,000 - 20,000 sf floor area)</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Offices, business or professional*, large scale (20,001 - 60,000 sf floor area)</u>		<u>P</u>	<u>P</u>	
<u>Miniwarehouse facility*</u>		<u>C</u>	<u>P</u>	<u>P</u>
<u>INDUSTRIAL</u>				
<u>Light industry</u>			<u>P</u>	<u>P</u>
<u>Hazardous waste treatment (off-site)</u>			<u>C</u>	<u>C</u>
<u>Hazardous waste treatment (on-site)</u>		<u>C</u>	<u>C</u>	<u>C</u>
<u>Heavy industry</u>				<u>C</u>
<u>Marijuana processor*</u>			<u>P</u>	<u>P</u>
<u>Marijuana producer*</u>			<u>P</u>	<u>P</u>
<u>Tow vehicle storage area*</u>			<u>P</u>	<u>P</u>
<u>Vehicle wrecking yard*</u>				<u>C</u>

Table 17.11.037(4)(c) Special uses.

<u>Use</u>	<u>R-S</u>	<u>C-H</u>	<u>I-L</u>	<u>I-H</u>
<u>PARK, OPEN SPACE AND RECREATIONAL</u>				
<u>Cemeteries, columbarium or mausoleums</u>	<u>P</u>			
<u>Golf course</u>	<u>P</u>			
<u>Golf driving range (not associated with a golf course)</u>	<u>C</u>	<u>C</u>		
<u>Recreation - outdoor (commercial)*</u>		<u>P</u>	<u>C</u>	
<u>Recreation - indoor (commercial)*</u>		<u>P</u>	<u>C</u>	

<u>Use</u>	<u>R-S</u>	<u>C-H</u>	<u>I-L</u>	<u>I-H</u>
<u>Parks, playgrounds (public or private)</u>	<u>P</u>	<u>P</u>	<u>P</u>	
CULTURAL AND ENTERTAINMENT				
<u>Art, performing arts, and recording studios</u>		<u>P</u>		
EDUCATIONAL				
<u>Schools</u>	<u>C</u>	<u>C</u>		
GOVERNMENTAL				
<u>Court</u>		<u>P</u>		
<u>Fire facility</u>		<u>P</u>		
<u>Police facility</u>		<u>P</u>	<u>P</u>	
<u>Public agency or utility office*</u>		<u>P</u>	<u>P</u>	<u>P</u>
<u>Public agency or utility yard</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Utility facility*</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Public transportation passenger terminals</u>		<u>P</u>		
RESOURCE				
<u>Gardening or fruit raising (accessory use or noncommercial)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Agriculture*</u>	<u>P</u>			
<u>Small wind energy systems</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

17.11.038 Building Setback and Intensity Standards

1. Purpose:
 - a. To promote forms of development that reinforce and/or enhance the desired character of Ellensburg neighborhoods;
 - b. To promote compatibility between developments; and
 - c. To minimize environmental impacts of development.
2. Interpretation of Tables:
 - a. The building setback and intensity standards tables address the building setback and intensity of development specific to individual zoning districts. The zoning district is located on the vertical column and the form/intensity topic being addressed is located on the horizontal row of these tables.
 - b. Where a code reference/link appears after the building setback and intensity topic, then the use is subject to standards set forth in that section or chapter.

- c. If a number appears in the box at the intersection of the column and the row, refer to the development condition with the corresponding number immediately following the table. If there are multiple numbers, then all development conditions apply.
- d. KCC 17.11.038(4) through 17.11.038(10) provide clarification and exceptions to the building setback and intensity standards herein.

3. Use Tables:

Table 17.11.038(3)(a). Building setback and intensity standards table - Residential zones.

Topic	R-S	R-H
DEVELOPMENT INTENSITY AND CONFIGURATION		
Minimum lot area	<u>None</u> ¹	<u>None</u> ¹
Minimum frontage	<u>None</u> ¹	<u>None</u> ¹
Density, minimum (KCC 17.11.038(4)) ⁸	<u>None</u>	<u>15 du/acre</u>
Density, maximum (KCC 17.11.038(4))	<u>6 du/acre</u>	<u>No limit</u>
Maximum building height	<u>35 ft</u>	<u>45 ft²</u>
Minimum front yard setback ^{3 4}	<u>15 ft</u>	<u>15 ft</u>
Garage front yard setback	<u>22 ft</u>	<u>22 ft</u>
Minimum rear yard setback	<u>20 ft</u>	<u>20 ft</u>
Minimum rear yard setback, accessory buildings (including garages)	<u>5 ft⁶</u>	<u>5 ft⁶</u>
Minimum rear yard setback, detached accessory dwelling unit (see KCC 17.11.038(6)(c))	<u>5 ft⁶</u>	<u>5 ft⁶</u>
Minimum side yard setback (includes corner lot interior lot line) ⁵	<u>5 ft/10 ft⁷</u>	<u>5 ft/10 ft⁷</u>
Minimum side yard setback (corner lot exterior lot line)	<u>10 ft</u>	<u>10 ft</u>
Minimum garage side yard setback (corner lot exterior lot line)	<u>22 ft</u>	<u>22 ft</u>

17.11.038.1 Development condition footnotes associated with Table:

1. Lot sizes may be variable provided they are sized and shaped sufficient to accommodate permitted uses and conform to applicable design and density standards.

2. For buildings, or portions thereof, with pitched roofs, the maximum height may be increased by five feet. Applicable roof slopes must be at least 4:12 to qualify for this additional height.
3. Porches and covered entries may project up to six feet into the front yard.
4. No front yard is required for buildings adjacent to designated "storefront streets." Townhouses and zero lot line homes are exempt from side yard standards internal to a development. However, such uses shall meet applicable side yard standards for adjacent lots outside of the development.
5. Townhouses and zero lot line homes are exempt from side yard standards internal to a development. However, such uses shall meet applicable side yard standards for adjacent lots outside of the development.
6. Accessory buildings or accessory dwelling units, where built on top of an existing garage, may be built to a property line abutting an alley, provided sufficient turning movement and emergency vehicle access is provided within the alley.
7. For lots 6,000 square feet or less, the minimum side yard shall be five feet on each side.
8. Minimum densities apply except when limited due to Airport overlay requirements in KCC 17.58.

Table 17.11.038(3)(b) Building setback and intensity standards table - Nonresidential zones.

Standard	C-H	I-L	I-H
DEVELOPMENT INTENSITY AND CONFIGURATION			
Minimum lot area	<u>None¹</u>	<u>None¹</u>	<u>None¹</u>
Density, minimum (KCC 17.11.038(4))	<u>NA</u>	<u>NA</u>	<u>NA</u>
Density, maximum (KCC 17.11.038(4))	<u>None</u>	<u>NA</u>	<u>NA</u>
Maximum building height (see KCC 17.11.038(5) for height exceptions)	<u>35 ft</u>	<u>35 ft</u>	<u>None</u>
BUILDING PLACEMENT (see KCC 17.11.038(5) through 17.11.038(10))			
Minimum front yard	<u>10 ft</u>	<u>10 ft</u>	<u>10 ft</u>
Garage front yard setback	<u>22 ft</u>	<u>22 ft</u>	<u>22 ft</u>
Minimum rear yard	<u>None²</u>	<u>None²</u>	<u>None²</u>
Minimum side yard	<u>None²</u>	<u>None²</u>	<u>None²</u>

17.11.038.2 Development condition footnotes associated with Table:

1. Lot sizes may be variable provided they are sized and shaped sufficient to accommodate permitted uses and conform to applicable design and density standards. For areas within 100 feet of a residential zone, the maximum building height shall be 35 feet.
2. Where the subject property borders a residential zone, the minimum side or rear setbacks shall be the same as the adjacent residential zone.

End of footnotes

3. Critical Areas as defined by Kittitas County Code. Calculations for Determining Maximum Density - Gross Developable Acreage.
 - a. All site areas may be used in the calculation of the maximum allowed residential density or project floor area except as outlined under the provisions of subsection (B)(2) of this section.
 - b. Critical Areas as defined by Kittitas County Code shall not be credited toward the maximum density or floor area calculations. Property used for new roadways, trails, stormwater facilities, or other features used by residents may be counted as part of the site area for density calculations. Property transferred to the city for the construction of public roadways or other public feature shall be counted as part of the site area if the city and property owner reach such an agreement as part of the transfer.
4. Density Calculations.
 - a. Maximum density for an individual site shall be calculated by multiplying the gross developable acreage by the applicable number of dwelling units. When calculation results in a fraction, the fraction shall be rounded to the nearest whole number as follows:
 - b. Fractions of 0.50 and above shall be rounded up.
 - c. Fractions below 0.50 shall be rounded down.
 - d. Prohibited Reduction. Any portion of a lot that was used to calculate compliance with the standards and regulations of this title shall not be subsequently subdivided or segregated from such lot.
5. Height exceptions. The following structures may be erected above the height limits set forth in KCC 17.11.038(3)(a) and KCC 17.11.038(3)(b):
 - a. An additional two feet in height is allowed for structures with green roofs occupying at least 50 percent of the area of the roof;
 - b. Skylights, flagpoles, chimneys, church steeples, crosses, spires, communication transmission and receiving structures, and similar structures.
6. Setback measurements.
 - a. Front Yard Setback. The front yard is measured from the street right-of-way or the edge of a surface improvement (sidewalk) which extends beyond a right-of-way, whichever is closer to the proposed structure, to a line parallel to and measured perpendicularly from the street right-of-way or the edge of the surface improvement at the depth prescribed for each zone. For dual frontage properties, the front yard is measured from the street right-of-way that is the property's street address and primary access.
 - b. Side Yard Setback. The side yard setback is measured from the side lot line adjacent to another private property to a line parallel to and measured perpendicularly from the side lot lines at the depth prescribed for each zone.
 - c. Rear Yard Setback. The rear yard setback is measured from the rear lot line adjacent to another private property or an alley to a line parallel to and measured perpendicularly from the rear lot lines at the depth prescribed for each zone.

- d. Corner Lots. For corner lots with two street frontages, setbacks from the addressed street side shall conform to the front yard setback for the underlying zoning district. The setbacks for the flanking side shall conform to the exterior side yard setbacks for the underlying zoning district.
- e. For measurements on a pointed or irregular lot refer to definition of lot line in KCC 17.11.036.
- 7. Permitted projections into yards. The following structures may extend into or be located in required setbacks:
 - a. Fireplace structures, bay or garden windows, enclosed stair landings, closets, or similar structures may project 30 inches into a front or rear yard, provided such projections are:
 - i. Limited to two per facade; and
 - ii. Not wider than 10 feet;
 - b. Eaves, cornices, and signs may not project more than:
 - i. Three feet into a front or rear yard; and
 - ii. Two feet into the side yard;
 - c. Porches and covered entries may project up to six feet into the front yard subject to conformance with any required site vision standards set forth in Section 3, Street Standards, of the city's public works development standards applicable to the lot;
 - d. Uncovered porches and decks, which exceed 18 inches above the finished grade, may project up to six feet into the front or rear yards;
 - e. Storefront weather protection projections into the public right-of-way are acceptable, provided they don't interfere with street trees or extend beyond the edge of the sidewalk;
 - f. The following features may project into any front yard:
 - i. Unenclosed porches and entry features may project six feet into the front yard;
 - ii. Mailboxes and newspaper boxes;
 - iii. Fire hydrants and associated appendages;
 - iv. Bus shelters; and
 - v. Monument signs;
 - g. The following features may project into any yard:
 - i. Telephone poles and lines;
 - ii. Power poles and lines;
 - iii. Cable TV and internet lines;
 - iv. Light and flagpoles;
 - v. Sprinkler systems;
 - vi. Trellises not exceeding eight feet in height, not wider than 10 feet;
 - vii. Culverts and underground water, sewer, and accessory facilities for the provision of utilities, such as drains;
 - viii. Electrical equipment cabinets and similar utility boxes and vaults;
 - ix. Surface and stormwater water management facilities;
 - x. Uncovered porches and decks not exceeding 18 inches above the finished grade; and
 - xi. Rockeries, retaining walls and curbs provided these structures do not exceed a height of six feet from the property line grade; and
 - h. No projections are allowed into a regional utility corridor or access easement.
- 8. Setbacks from alleys. Accessory buildings and accessory dwelling units, where built on top of an existing garage, may be built to a property line abutting an alley, provided sufficient turning movement and emergency vehicle access is provided within the alley.
- 9. Setback modifications.

- a. In addition to providing the standard street setback, a lot adjoining a half-street or designated arterial shall provide an additional width of street setback sufficient to accommodate construction of the planned half-street or arterial.
- b. For residential lots adjacent to designated local streets and built to applicable standards set forth in Section 3, Street Standards, of the city's public works development standards, setbacks shall be measured from the back of the sidewalk rather than the right-of-way edge, provided no residential structures are built within the public right-of-way.
- c. Variance. See procedures in KCC 17.84.
- 10. Lot or site divided by zone boundary. When a lot is divided by a zone boundary, the following rules shall apply:
 - a. When a lot contains both residential and nonresidential zoning, the zone boundary between the zones shall be considered a lot line for determining permitted building height and required setbacks on the site;
 - b. When a lot contains residential zones of varying density:
 - i. Any residential density transfer within the lot shall be allowed from the portion with the lesser residential density to that of the greater residential density;
 - ii. Compliance with these criteria shall be evaluated during review of any development proposals in which such a transfer is proposed; and
 - iii. Uses on each portion of the lot shall only be those permitted in each zone pursuant to KCC 17.11.037.

17.11.039 – Off-Street Parking

- 1. Purpose:
 - a. The purpose of this chapter is to provide adequate parking for all uses allowed in this title, to reduce demand for parking by encouraging alternative means of transportation including public transit and bicycles, and to increase pedestrian mobility by:
 - i. Setting minimum off-street parking standards for different land uses and districts that assure safe, convenient and adequately sized parking facilities;
 - ii. Recognizing that developed properties are likely to support a variety of different uses over time; and
 - iii. Providing for parking and storage of bicycles.
- 2. Authority and application.
 - a. The regulations of this chapter apply to all off-street parking areas in all zoning districts within the City of Ellensburg's Urban Growth Area.
 - b. The regulations of this chapter apply to all new development applications, all new parking lot construction or enlargement. In addition, these regulations shall apply at the time of enlarging, moving or increasing the capacity of existing structures by creating or adding dwelling units, commercial or industrial floor space, or seating facilities, and shall also apply when an existing land use within an existing structure is changed to a category of land use as set forth below that is different than the category of land use for which the existing parking facility was designed and installed.
 - c. Before an occupancy permit may be granted for any new or enlarged building or for a change of use in any existing building, the use shall be required to meet the provisions of this chapter.
 - d. If this chapter does not specify a parking requirement for a land use, the director shall establish the minimum requirement based on a study of anticipated parking demand.

- Transportation demand management actions taken at the site shall be considered in determining anticipated demand. In the study the applicant shall provide sufficient information to demonstrate that the parking demand for a specific land use will be satisfied. Parking studies shall be prepared by a professional engineer with expertise in traffic and parking analyses, or an equally qualified individual as authorized by the director.
- e. The Electric Vehicle Infrastructure regulations in KCC 17.66 shall be utilized in conjunction with this Chapter.
3. Parking plan -Building permit, surety bond, and occupancy requirements.
 - a. Building Permit. No building permit nor parking lot construction or enlargement shall be issued until a parking plan showing provisions for the required off-street parking, as specified in this chapter, has been submitted and approved by the director. The plan shall clearly indicate the proposed development, including parking lot location, size, shape, design, number of spaces, curb cuts, lighting, and other features and appurtenances required by this chapter. The parking plan shall show/state the number of parking spaces and handicap spaces required and provided.
 - b. Surety. Before a building permit is issued for any building or structure for which this chapter requires off-street parking and where such off-street parking is not to be contained within the building for which the building permit is requested, the director may require that the applicant provide the city with a surety bond or other sufficient security approved by the director guaranteeing to the county the installation and improvement of the required off-street parking within a time not to exceed six months following the completion of the building(s) for which such off-street parking is to be provided.
 - c. Occupancy. All required off-street parking areas must be completed and landscaped prior to occupancy of any structure.
 4. Computation of required off-street parking spaces.
 - a. Spaces Required. Except as modified in subsections below, off-street parking areas shall contain at a minimum the number of parking spaces as stipulated in the following table. Off- street parking ratios expressed as number of spaces per square feet means the usable or net square footage of floor area, exclusive of nonpublic areas. Nonpublic areas include but are not limited to building maintenance areas, storage areas, closets or restrooms. If the formula for determining the number of off-street parking spaces results in a fraction, the number of off-street parking spaces shall be rounded to the nearest whole number with fractions of 0.50 or greater rounding up and fractions below 0.50 rounding down.

Table 17.11.039(4)(a)(i) Computation of required off-street parking spaces

Category of Land Use¹	Minimum Parking Spaces Required
RESIDENTIAL/LODGING	

Dwelling, single-family	2.0 per dwelling unit; for structures containing more than 4 bedrooms, 1 additional space for each bedroom in excess of 4 shall be provided. NOTE: Tandem parking to accommodate 2-car garages is permitted for single-family units.
Accessory dwelling unit	None required
Apartment:	
Duplex	2.0 per dwelling unit; for structures containing more than 4 bedrooms, 1 additional space for each bedroom in excess of 4 shall be provided. NOTE: Tandem parking to accommodate 2-car garages is permitted for duplex dwelling units.
Townhouse	2.0 per dwelling unit; for structures containing more than 4 bedrooms, 1 additional space for each bedroom in excess of 4 shall be provided.
Studio units	1.2 per dwelling unit
Studio and 1-bedroom units in C-C zone outside of the downtown historic district	0.7 per dwelling unit
1-bedroom units	1.5 per dwelling unit
2-bedroom residential units and larger in C-C zone outside of the downtown historic district	0.7 per bedroom
2-bedroom units or larger	1.0 per bedroom
Cottage housing	1.5 per dwelling unit
Category of Land Use¹	Minimum Parking Spaces Required
Senior housing	1.0 per dwelling unit (this may be reduced based on the characteristics of the use)

Adult family home	2.0 per dwelling unit; for structures containing more than 4 bedrooms, 1 additional space for each bedroom in excess of 4 shall be provided. NOTE: Tandem parking to accommodate 2-car garages is permitted.
Senior citizen assisted housing	1.0 per 2 dwelling or sleeping units
Community residential facilities	1.0 per 2 bedrooms
Boarding houses, lodging houses, sororities, fraternities	1.0 per bedroom
Hotel/motels (where restaurants and conference facilities are included, see standards for applicable use)	1.0 per guest room
Bed and breakfast guesthouse	1.0 per guest room, plus 2.0 per facility
GENERAL RETAIL AND SERVICE	
Offices, banks, medical clinics, supermarkets, retail shops, department stores, or similar uses	1.0 per 300 square feet of gross floor area
General retail or service use with drive-in facility	Same parking for retail and service as provided herein, plus sufficient off- street drive-through stacking area to accommodate 3 vehicles without negatively impacting other required parking areas, ingress and egress into such parking areas, or traffic on public streets
Day care facility	1.0 per employee plus 1.0 temporary loading parking per each 8 full-day equivalent children
FOOD AND BEVERAGE	
Restaurant, taverns, or similar uses where patrons sit down for service	1.0 per 200 square feet of gross floor area for sit-down facilities with a minimum number of 5 spaces required

<u>Drive-in restaurant</u>	<u>Same parking as restaurant plus sufficient off-street drive-through stacking area to accommodate 6 vehicles without negatively impacting other required parking areas, ingress and egress into such parking areas, or traffic on public streets</u>
<u>Drive-in coffee stand</u>	<u>2.0 per facility plus sufficient off-street drive-through stacking area to</u>
<u>Restaurant, taverns, or similar uses where patrons sit down for service</u>	<u>1.0 per 200 square feet of gross floor area for sit-down facilities with a minimum number of 5 spaces required</u>
<u>Drive-in restaurant</u>	<u>Same parking as restaurant plus sufficient off-street drive-through stacking area to accommodate 6 vehicles without negatively impacting other required parking areas, ingress and egress into such parking areas, or traffic on public streets</u>
<u>Drive-in coffee stand</u>	<u>2.0 per facility plus sufficient off-street drive-through stacking area to accommodate 6 vehicles without negatively impacting other required parking areas, ingress and egress into such parking areas, or traffic on public streets</u>
<u>PLACES OF ASSEMBLY</u>	
<u>Churches, funeral homes, mortuaries, clubs, lodges, museums, auditoriums, theaters, conference facilities, public or commercial recreational facilities, or similar uses</u>	<u>0.25 per person of maximum occupancy as established by the fire marshal with a minimum of 5 spaces required</u>
<u>INDUSTRIAL AND LAND CONSUMPTIVE USES</u>	

Wholesale trade, warehousing (including miniwarehouse facilities), processing and manufacturing facilities, heavy equipment repair, lumber yard, car sales, or similar land consumptive but low traffic generation uses	1.0 per 1,500 square feet of gross floor area for structures up to 20,000 square feet in gross size with a minimum of 5 spaces required OR 1.0 per 2,000 square feet of gross floor area for structures greater than 20,000 square feet in gross size. NOTE: For vehicle sales lots, the sales area is not considered to be a parking facility and does not have to comply with the requirements of this chapter. However, all required parking must be designed and reserved for customer parking only.
PUBLIC AND QUASI-PUBLIC USES	
Hospital	1.5 per each 5 beds with a minimum of 5 spaces required
Elementary and junior high schools	1.0 per classroom, plus 1 per 50 students
High schools, college or university, trade school, or business school	1.0 per classroom, plus 1 per 10 students
Governmental office	1.0 per 350 square feet of gross floor area

17.11.039.1 Footnotes Associated with Table:

1. In those situations where a particular use is not specifically mentioned in this table, the requirements for off-street parking shall be determined by the director and in accordance with the most comparable use listed.
 - a. Shell Building Permit Applications. When the county has received a shell building permit application, off-street parking requirements shall be based on the possible tenant improvements or uses authorized by the zone designation and compatible with the limitations of the shell permit. When the range of possible uses results in different parking requirements, the director shall establish the amount of parking based on a likely range of uses. For example, an applicant submits a permit for a 5,000-square-foot shell building in the C-H zone. The zone allows for a range of retail, personal, and general service retail uses. Most permitted uses in this zone fall in the category of general retail and service uses in Table 17.11.039(4)(a)(i) which requires one space per 300 square feet of gross floor area. Restaurants require more parking (one space per 200 square feet of gross floor area). While the director might find it unreasonable to require parking for the "worst case scenario" in terms of possible use types, he or she will typically choose a requirement that falls between the possible use scenarios. In this case, the odds are that most possible uses fall in the general retail and service use category with a lower parking requirement, though a slightly higher parking requirement would make sense given the possibility of a use such as a restaurant, which requires greater parking. Thus, a compromise standard, requiring a

minimum of one space per 275 square feet of gross floor area, would be reasonable in this instance.

- b. Other Provisions of Code. Where other provisions of this code stipulate reduced minimum parking requirements, those provisions shall apply.
- c. Bicycle Parking. Multifamily and nonresidential developments shall provide for bicycle parking per the standards below:
 - i. Amount of Bicycle Parking.

Table 17.11.039(4)(d)(ii) Computation of required off- street bicycle parking spaces.

Category of Land Use	Minimum Parking Spaces Required
Single-family dwelling	None
Multifamily dwelling	0.5 space per dwelling unit (units with private garages are exempt)
Hotel/motels	1.0 per 20 guest rooms
Offices, banks, medical clinics, supermarkets, retail shops, department stores, or similar uses	1.0 per 5,000 square feet of gross floor area for up to 50,000 square feet, then 1.0 per 10,000 square feet beyond 50,000
Restaurant, taverns, or similar uses where patrons sit down for service	1.0 per 800 square feet of gross floor area
All other uses	1.0 per 5 required vehicle parking spaces

- ii. Parking Location and Design - Nonresidential Uses. Bicycle facilities for patrons shall be located within 100 feet of the building entrance and located in safe, visible areas that do not impede pedestrian or vehicle traffic flow.
 - iii. Parking Location and Design -Residential Uses. Bicycle facilities for residents shall be located within 100 feet of all building or individual unit entrances and located on the ground level in safe, visible areas that do not impede pedestrian or vehicle traffic flow.
 - iv. Bicycle parking hardware shall be installed according to its manufacturer's instructions, allowing adequate clearance for bicycles and their riders.
5. Primary Use. The minimum number of parking spaces shall be computed based on the primary uses on the property, except as stated in subsection (G) of this section that addresses accessory uses. When there are two or more separate primary uses on a property, the required off-street parking for the property is the sum of the required parking for the individual primary uses.
 6. Accessory Use. When more than 20 percent of the gross floor area on a property is in an accessory use, the required off-street parking shall be calculated separately for the accessory use and for the primary use and then added together for the total required off-street parking. When 20 percent or less of the gross floor area on a property is in an accessory use, the required off-street parking shall be calculated on the gross floor area of the building as if it were all under the primary use.

Examples:

- a. A 40,000-square-foot building containing a 30,000-square-foot warehouse space (75 percent of total) and a 10,000-square-foot accessory office space (25 percent of total). The minimum parking requirement would be calculated separately for the office use and the warehouse use and then added together.
- b. The same 40,000-square-foot building containing a 35,000-square-foot warehouse space (88 percent of total) and a 5,000-square-foot accessory office space (12 percent of total). The required parking would be based solely on the gross floor area of the building as if it were all the primary use (40,000).
7. On-Street Parking. On-street parking immediately adjacent to the property may be counted towards the parking requirement for nonresidential uses.
8. All required off-street parking must have direct and unobstructed access to ingress and egress from a public street, and stacked or tandem parking shall not be counted toward meeting the required off-street parking requirements in any zoning district except for single-family residential structures and duplex dwelling units as per Table 17.11.039(4)(a)(i).
9. Garages. Required off-street parking that is provided in garages or carports shall be credited toward the required off-street parking spaces except that no stacked or tandem parking that blocks off those garages or carport parking spaces from direct or unobstructed access to ingress or egress to a public street shall be credited toward the required parking spaces except for single-family residential structures and duplex structures as set forth in Table 17.11.039(4)(a)(i).
10. Handicapped Parking. Off-street parking and access for the physically handicapped shall be provided in accordance with the Uniform Building Code.
11. Fire Lane Standards. Fire lanes may be required by the fire codes and by Kittitas Valley Fire and Rescue within off-street parking facilities. Such fire lanes, including dimensions, width, location, etc., shall be installed as required by the fire code or Kittitas Valley Fire and Rescue and shall remain in effect throughout the life of the parking facility.
12. Changes in use to a different land use category shall provide the minimum off-street parking for the new general land use category.
13. Continued use of required parking spaces.
 - a. Continued Use. Required off-street parking spaces must be available for the continued use of residents, customers, or employees of the use, and the continued use of a building or structure or property for which off-street parking is required shall be conditioned upon the continued existence of such off-street parking. If the required off-street parking ceases to exist in connection with the use for which it was reserved, and no equivalent off-street parking is provided, such occupancy and use of the building or structure or property shall become illegal and the occupancy permit shall become void.
 - b. Assignment Prohibited. Required off-street parking spaces may not be assigned in any way to another use on another site.
 - c. Use for Non-Parking Purposes Prohibited. Required off-street parking spaces shall not be used for the parking of equipment or for storage of materials or goods or inoperable vehicles. Use of required off-street parking for commercial or other purposes in conjunction with a temporary use of a limited and specific duration shall require separate review and approval by the director in conjunction with the temporary use.
 - d. Maintenance Required. The off-street parking required by this chapter shall be maintained in a good and functioning condition as determined by the director.

14. Loading space requirements.

- a. Every nonresidential building engaged in retail, wholesale, manufacturing, or storage activities, excluding self-service storage facilities, shall provide loading spaces in accordance with the standards listed below:

Table 17.11.039(14)(a)(i) Loading space requirements for retail, wholesale, manufacturing, or storage activities, excluding self-service storage facilities.

<u>Gross Floor Area</u>	<u>Required Number of Loading Spaces</u>
<u>10,000 to 40,000 square feet</u>	<u>1</u>
<u>40,001 to 96,000 square feet</u>	<u>2</u>
<u>96,001 to 160,000 square feet</u>	<u>3</u>
<u>160,001 to 196,000 square feet</u>	<u>4</u>
<u>For each additional 70,000 square feet</u>	<u>1 additional</u>

- b. Every building engaged in hotel, office building, restaurant, hospital, auditorium, convention hall, exhibition hall, sports arena/stadium or other similar use shall provide loading spaces in accordance with the standards listed below:

Table 17.11.039(14)(a)(ii) Loading space requirements for hotel, office building, restaurant, hospital, auditorium, convention hall, exhibition hall, sports arena/stadium, or other similar uses.

<u>Gross Floor Area</u>	<u>Required Number of Loading Spaces</u>
<u>40,000 to 120,000 square feet</u>	<u>1</u>
<u>120,001 to 264,000 square feet</u>	<u>2</u>
<u>264,001 to 520,000 square feet</u>	<u>3</u>
<u>520,001 to 784,000 square feet</u>	<u>4</u>
<u>784,001 to 920,000 square feet</u>	<u>5</u>
<u>For each additional 200,000 square feet</u>	<u>1 additional</u>

- c. For storefronts and other similar buildings sited adjacent to a street without individual businesses over 10,000 square feet and no alley access, loading space may be provided by on- street designated loading zones upon approval of the public works and utilities director as an administrative decision based on access and safety considerations. A site plan, proposed conditions, and reason for on-street loading facilities shall be included in the application.
- d. Each loading space required by this section shall be a minimum of 10 feet wide, 30 feet long, and have an unobstructed vertical clearance of 14 feet six inches, and shall be surfaced, improved and maintained as required by this chapter. Loading spaces shall be located so that trucks shall not obstruct pedestrian or vehicle traffic movement or project into any public right- of-way. All loading space areas shall be separated from parking areas and shall be designated as truck loading spaces.

- e. Any loading space located within 100 feet of areas zoned for residential use shall be screened and operated as necessary to reduce noise and visual impacts. Noise mitigation measures may include architectural or structural barriers, beams, walls, or restrictions on the hours of operation.
 - f. Multi-story self-service storage facilities shall provide two loading spaces, and single-story facilities one loading space, adjacent to each building entrance that provides common access to interior storage units. Each loading berth shall measure not less than 25 feet by 12 feet with an unobstructed vertical clearance of 14 feet six inches, and shall be surfaced, improved, and maintained as required by this chapter. Any floor area additions or structural alterations to a building shall be required to provide loading space or spaces as set forth in this chapter.
15. Parking lot design and construction standards.
- a. Parking Area Access Standards. See Section 6, Parking Standards, of the city's public works development standards.
 - b. Parking Stall and Aisle Dimensions. See Section 6, Parking Standards, of the city's public works development standards.
 - c. Parking Area Development and Design Provisions.
 - iii. For parking area surfacing standards, see Section 6, Parking Standards, of the city's public works development standards. Fire lane shall be in accordance with the International Fire Code (IFC) as adopted in KCC 14.04.

17.11.040 Infrastructure.

Except as modified by a UGA interlocal agreement, Ddevelopment of infrastructure relating to municipal water and sewer services shall be referred to the requirements as outlined by the corresponding cities code. Joint review shall occur in the development of roads with both the city and county road standards. (Ord. 2007-22, 2007)

17.11.050 Minimum Density.

~~The minimum density of developments located in urban growth areas shall be 4 units per acre.~~ Density calculations shall be calculated based on lands available after removal of lands protected under Critical Areas as identified in Kittitas County Code Title 17A and lands used for the purpose of development and placement of roads. This provision shall not apply to the Airport Overlay. (Ord. 2019-013, 2019; Ord. 2007-22, 2007)

17.11.060 Maximum Lot Coverage.

Except as modified by a UGA interlocal agreement, Tthe ground area covered by all buildings, including accessory buildings, shall be consistent with the associated City's maximum lot coverage regulations for the associated land use zone. This applies only to those zones with a Maximum Lot Coverage(Ord. 2018-014, 2018)

Chapter 17.15

ALLOWED USES

Sections

[17.15.010](#) Categories of uses established.

[17.15.015](#) Allowed uses for certain zones within the Ellensburg Urban Growth Area (UGA)

[17.15.020](#) Establishment of zoning use tables.

[17.15.030](#) Interpretation of tables.

[17.15.040](#) Zoning use tables.

[17.15.050](#) Allowed uses in resource lands.

[17.15.060](#) Allowed uses in rural non-LAMIRD lands.

[17.15.070](#) Allowed uses in rural LAMIRD lands.

[17.15.080](#) Allowed uses in urban lands.

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 four (4) 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. 2016-023](#), 2016; [Ord. 2013-012](#), 2013; [Ord. 2013-001](#), 2013)

17.15.015 Allowed uses for certain zones within the Ellensburg Urban Growth Area (UGA)

Properties located within the Ellensburg UGA which are zoned R, UR, C-H, C-L, I-L, I-G, and PUD (Bender Reecer and the Verge) shall utilize the use tables in KCC 17.11.037(4)(a), 17.11.037(4)(b), and 17.11.037(4)(c).

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	Resource
PA Permitted Administrative	Commercial
CU Conditional Use	Agriculture
ACU Admin. Conditional Use	
<i>*See KCC Chapter 17.08 Definitions</i>	
A. Agriculture	
Animal boarding*	P
Animal Crematory*	P
Agricultural Enhanced Uses*	P ₃₀
Agriculture processing*	CU <u>17</u>
Agriculture production*	P
Agriculture sales*, Produce Farm	P ₁₆ / AC ₂₈
Agriculture sales	CU
Dairy	CU
Feedlot*	CU
Grazing*	P
Marijuana Processing*	
Marijuana Production*	
Marijuana, retail sales*	
Nurseries	P
Riding academies	CU
Small-scale event facility*	AC <u>25</u> / CU
U-Pick/U-Cut Operations*	AC <u>29</u>
Farm Visit*	AC <u>29</u>

Commercial Activities associated with agriculture*	AC
	Commercial Agriculture
B. Civic Cultural Uses	
Cemetery	P <u>13</u>
Clubhouses, fraternities and lodges*	AC <u>24</u>
Cultural and educational facilities	
Libraries	
Meeting facilities	
Museums and galleries	
Religious institutions*	CU
School, public or private*	CU <u>12</u>
Interpretive Center*	
	Commercial Agriculture
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	
Retail sales,* vehicles and equipment	
Services	
Shooting range*	CU <u>23</u>
Taverns	
Temporary sales office	
Vehicle/equipment service and repair*	P <u>22</u>
	Commercial Agriculture
D. Industrial	
Airport*	P <u>20</u>
Asphalt/concrete plants	
Explosives, storage or manufacture	
Forest product processing* (portable)	
Forest product processing* (permanent)	
Freighting and trucking yard or terminal*	
Hazardous waste storage*	

Hazardous waste treatment*	
Impound/towing yard*	
Junkyard*	
Manufacturing*	
Mini-warehouse	
Refuse disposal/recycle*	CU
Research laboratories	
Wastewater treatment	
Warehousing and distribution	PA <u>27</u> / CU <u>26</u>
Wholesale business	
	Commercial Agriculture
E. Recreation	
Campground*	
Golf course*	
Guest ranch or Guest Farm*	CU
Parks and playgrounds*	
Recreation, indoor*	
Recreation, outdoor*	
Recreational vehicle storage	
Stadium	
Trails	PA
	Commercial Agriculture
F. Residential	
Accessory dwelling unit*	P <u>4</u>
Accessory living quarters*	P <u>5</u>
Adult family home*	P <u>10</u>
Boarding house	
Convalescent home	
Dwelling, single-family*	P
Dwelling, two-family*	P
Dwelling, multiple-family*	
Farm labor shelter*	CU <u>2</u>
Group home*	
Home occupation*	P <u>8</u>
Manufactured home*	P
Manufactured home park	
Mobile home	P <u>6</u>
Special care dwelling*	P <u>7</u>
Temporary trailers	P <u>11</u>
	Commercial Agriculture
G. Resource	
Forestry*	P

Forest product sales*	
Mining and excavation*	CU <u>14</u>
Rock crushing*	
	Commercial Agriculture
H. Utilities and Public Facilities	
Electric vehicle infrastructure*	P <u>3</u>
Public facilities*	PA <u>19</u>
Solar Power Production Facilities	<u>31</u>
Utilities	P <u>1</u> /ACU <u>1</u> /CU <u>1</u>
Watershed management activities*	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.
 - g. Park model trailers shall obtain the same building permit as for placement of a manufactured home.
 - h. Park model trailers shall be inspected and approved by Washington State Department of Labor and Industries.
- 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 within established cemetery boundaries as of the date of amendment adoption, and 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 no more 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 campsites or primitive campgrounds as defined by KCC 17.08.155A.
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.
27. Limited to seasonal, non-structural hay storage.
28. An administrative conditional use permit is required when enhanced agricultural sales or sales of goods produced offsite are provided and/or when the farm stand is located more than forty-five (45) feet from the centerline of the public street or highway.
29. When enhanced agricultural sales are provided.

30. Agricultural Enhanced Uses which include eating and drinking establishments and/or event facilities for seminars or other social gatherings are limited to 4,000 square feet of total indoor floor area.

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

(Ord. 2021-015, 2021; Ord. 2018-021, 2018; Ord. 2018-018, 2018; Ord. 2018-001, 2018; Ord. 2016-023, 2016; Ord. 2015-010, 2015; Ord. 2014-015, 2014; Ord. 2014-005, 2014; Ord. 2014-004, 2014; Ord. 2013-012, 2013; Ord. 2013-008, 2013; Ord. 2013-001, 2013;)

17.15.060

17.15.060.1 Allowed Uses in Rural Non-LAMIRD Lands

P Permitted PA Permitted Administrative CU Conditional Use ACU Admin. Conditional Use * See KCC Chapter 17.08 Definitions	Rural Non-LAMIRD				
	Rural Residential		Rural Working		Rural Recreation
	Ag 549	Rural 549	Ag 2049	Forest & Range	Master Planned
A. Agriculture					
Agricultural Enhanced Uses*			P55	P55	
Agricultural direct marketing activities*	P62	P62	P62	P62	
Agricultural seasonal harvest festivities*	P63	P63	P63	P63	
Agricultural expanded seasonal harvest festivities*	C	C	C	C	
Animal boarding*	P	P	P	P	
Agriculture processing*	CU 23		CU 23	CU**	
Agriculture production*	P24	P	P	P24	P24
Farm Stand,*	P22 / AC51	P22 / AC51	P22 / AC51	P22 / AC51	P22 / AC51
Agriculture Sales,*	CU		CU		
Dairy	CU	CU	CU	CU	CU

Feedlot*			CU	CU**	
Grazing*	P	P	P	P	P
Marijuana processing*					
Marijuana production*					
Marijuana, retail sales*					
Nurseries	P	P	P	CU**	
Riding academies	CU		CU	CU	CU
Small-scale event facility*	AC <u>45</u> /CU	AC <u>45</u> /CU	AC <u>45</u> /CU	AC <u>45</u> /CU	
U-Pick/U-Cut Operations*	P / AC <u>51</u>	CU	P / AC <u>51</u>	P / AC <u>51</u>	
Farm Visit	CU	CU	AC <u>51</u>	AC <u>51</u>	CU
Commercial Activities associated with agriculture*	AC		AC		
	Ag <u>51</u>	Rural <u>51</u>	Ag <u>20</u> <u>51</u>	Forest & Range	Master Planned
B. Civic Uses/Community Services					
Cemetery	P <u>21</u>	P <u>21</u>	P <u>21</u>	CU**	P <u>21</u>
Clubhouses, fraternities and lodges*	AC <u>44</u>	AC <u>44</u>	AC <u>3</u>	AC <u>35</u>	AC
Cultural and education facilities					P
Libraries			CU <u>3</u>		
Meeting facilities					P
Museums and galleries					
Religious institutions	CU		CU	CU	CU

Schools, public or private*	P <u>25</u>		P <u>25</u>	CU	
Interpretive Center*			AC	AC	
	Ag <u>551</u>	Rural <u>551</u>	Ag <u>2051</u>	Forest & Range	Master Planned
C. Commercial					
Auction sales of non-agriculture products					
Bank					
Bed and breakfast*	AC	AC	AC	AC**	
Clinic*					
Day care facilities*					
Funeral home/mortuary					
Hospital*					
Hospital, animal or veterinary*			CU		
Hotel/motel					CU <u>6</u>
Office*					
Restaurant				CU <u>36</u>	P
Retail sales,* general				CU <u>36</u>	P
Retail sales,* lumber and building materials					
Retail sales,* vehicles					
Services					P <u>20</u>
Shooting range*			CU <u>31</u>	CU ** <u>31</u>	
Tavern				CU <u>36</u>	P

Temporary sales office					P
Vehicle/equipment service and repair*	P <u>16</u>		P <u>16</u>	CU <u>36</u>	P <u>42</u>
	Ag <u>551</u>	Rural <u>551</u>	Ag <u>2051</u>	Forest & Range <u>51</u>	Master Planned
D. Industrial					
Airport*	CU		CU	CU	CU
Asphalt/Concrete plants				CU <u>37</u>	
Explosives, storage or manufacture					
Forest product processing* (portable)	P	P	CU	CU <u>35</u>	
Forest product processing* (permanent)			CU	CU **	
Freighting and trucking yard or terminal*					
Hazardous waste storage*					
Hazardous waste treatment*					
Impound/towing yard*					
Junkyard*					
Manufacturing*					
Mini-Warehouse				CU <u>59</u>	
Refuse disposal/recycle*			CU <u>19</u>	CU <u>5</u> ⁸	
Research laboratories					
Wastewater treatment					

Warehousing and distribution	PA <u>47</u>	PA <u>47</u>	PA <u>47</u> /CU <u>46</u>	PA <u>47</u>	
Wholesale business					
	Ag <u>551</u>	Rural <u>551</u>	Ag <u>2051</u>	Forest & Range <u>51</u>	Master Planned
E. Recreation					
Campground*	CU <u>12</u>	CU <u>12</u>	CU <u>12</u>	CU <u>12</u> P <u>54</u> **	CU <u>13</u>
Golf course*	CU	CU	CU	CU**	CU
Guest ranch or guest farm*	CU	CU	CU	CU**	
Parks and playgrounds*	P	P	P <u>3</u>	P	P
Recreation, indoor*					P
Recreation , outdoor*	AC	AC	CU	CU	AC
Recreational vehicle park*	CU	CU			CU
Recreational vehicle/equipment service and repair*				CU <u>60</u>	
Recreational vehicle storage				CU <u>26</u>	
Stadiums					
Trails	PA	PA	PA	PA	PA
	Ag <u>551</u>	Rural <u>551</u>	Ag <u>2051</u>	Forest & Range <u>51</u>	Master Planned
F. Residential					
Accessory dwelling unit*	PA <u>27</u>	PA <u>27</u>	PA <u>27</u>	PA <u>27</u> **	
Accessory living quarters*	P <u>28</u>	P <u>28</u>	P <u>28</u>	P <u>28</u> **	P <u>28</u>

Adult family home*	P <u>41</u>	P <u>41</u>	P <u>41</u>	P <u>41</u>	P <u>41</u>
Boarding house			CU <u>29</u>	CU <u>29</u> **	
Convalescent home			CU	CU **	
Dwelling, single-family*	P <u>33</u>	P <u>40</u>	P	P <u>34</u>	P <u>1</u>
Dwelling, two-family*	P		P <u>3</u>	P <u>34</u>	P <u>1</u>
Dwelling, multiple-family*					P <u>1</u>
Farm labor shelter*	CU <u>4</u>		CU <u>4</u>	CU <u>4</u> **	
Group home*	CU	CU			
Group Care Facility*	CU <u>56</u>	CU	CU <u>56</u>	CU	
Home occupation*	P/CU <u>5</u>	P/CU <u>5</u>	P/CU <u>5</u>	P/CU <u>5</u> **	P/CU <u>5</u>
Manufactured home*	P	P	P	P **	P
Manufactured home park					
Mobile home	P <u>38</u>	P <u>38</u>		P <u>34</u>	
Special care dwelling*	P <u>30</u>	P <u>30</u>	P <u>30</u>	P <u>30</u>	
Temporary trailer	P <u>7</u>	P <u>7</u>	P <u>7</u>	P <u>7</u> **	P <u>7</u>
	Ag <u>551</u>	Rural <u>551</u>	Ag <u>2051</u>	Forest & Range <u>51</u>	Master Planned
G. Resource					
Forestry*	P	P	P	P <u>34</u>	
Forest product sales*				P	
Mining and excavation*	CU	CU <u>39</u>	CU	P <u>34</u>	
Rock crushing*		CU <u>39</u>		P <u>34</u>	
	Ag <u>551</u>	Rural <u>551</u>	Ag <u>2051</u>	Forest & Range <u>51</u>	Master Planned

H. Utilities and Public Facilities					
Electric vehicle infrastructure*	P <u>32</u>	P <u>32</u>	P <u>32</u>	P <u>32</u>	P <u>32</u>
Public facilities*	PA <u>53</u>	PA <u>53</u>	PA <u>53</u>	PA <u>53</u>	PA <u>53</u>
Solar Power Production Facilities	<u>57</u>	<u>57</u>	<u>57</u>	<u>57</u>	<u>57</u>
Utilities	P <u>9</u> /ACU <u>9</u> /CU <u>9</u>	P <u>9</u> /ACU <u>9</u> /CU <u>9</u>	P <u>10</u> /ACU <u>10</u> /CU <u>10</u>	P <u>9</u> /ACU <u>9</u> /CU <u>9</u>	P <u>11</u> /ACU <u>11</u> /
Watershed management activities*	PA	PA	PA	PA	PA

** Publisher's Note: Footnote 37 was erroneously referenced in this section by [Ordinance 2013-001](#)

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 within established cemetery boundaries as of the date of amendment adoption, and in compliance with applicable standards and regulations.
22. When located no more 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 permit.
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. Recreational vehicle storage may be enclosed or outdoor storage of recreational vehicles or both. Permitted where the use is only serving a residential PUD or in the Rural Recreation and Forest and Range zoning districts and subject to the following standards and conditions:
 - a. All stored vehicles must be licensed if required by law, and operational. This land use does not include vehicle sales.
 - b. Unless it is limited to serving a residential PUD and otherwise permitted or authorized, recreational vehicles shall not be stored outside when the site is contiguous to a residential zoning district.
 - c. No commercial or manufacturing activities are permitted except when recreational vehicle/equipment service and repair has been permitted subject to the requirements of KCC 17.15.060.2 Footnote 60.
 - d. In the Forest and Range zoning district, and when not limited to serving a recreational planned unit development, the site shall either be:
 - i. Contiguous to a State Highway, or
 - ii. Contiguous to a designated urban arterial or rural collector road located near a highway intersection or freeway interchange.
 - iii. It is not necessary for the site to have direct access to such arterial, collector or highway to meet this requirement.
 - e. Recreational vehicle storage shall be designed to be compatible with the surrounding rural character, subject to the following standards:
 - i. Storage areas shall be enclosed with a minimum five-foot-high, security fence. The applicant may be required to provide additional plans for aesthetic improvements and/or site-screening.
 - ii. Additional setbacks, physical barriers or site-screening may be required on sites that border resource lands in the Commercial Agriculture or Commercial Forest zoning districts.

- iii. Findings shall be made that the proposal does not require urban governmental services such as municipal sewer or water service and does not compromise the long-term viability of designated resource lands.
- iv. Measures shall be taken to protect ground and surface water.

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.
 - h. Park model trailers shall obtain the same building permit as for placement of a manufactured home.
 - i. Park model trailers shall be inspected and approved by Washington State Department of Labor and Industries.
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. Temporary asphalt plants only.
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.
47. Limited to seasonal, non-structural hay storage.
48. Services limited to resource based industries
49. All lots greater than one-half (1/2) acre will not have more than fifty percent (50%) of the lot covered by impervious surface.
50. An administrative conditional use permit is required when enhanced agricultural sales or sales of goods produced offsite are provided and/or when the farm stand is located more than forty-five (45) feet from the centerline of the public street or highway.
51. When enhanced agricultural sales are provided.
52. When approved as part of the PUD development plan.
53. Pursuant to KCC Chapter 17.62, Public Facilities Permits.
54. Limited to primitive campgrounds as defined by KCC 17.08.155A.
55. Agricultural Enhanced Uses which include eating and drinking establishments and/or event facilities for seminars or other social gatherings are limited to 4,000 square feet of total indoor floor area.
56. Only allowed as a conditional use when primary use of land is agriculture.
57. Pursuant to KCC 17.61C.050 and 17.61C.060.
58. Limited to expansion of existing county owned and/or operated facilities. New facilities are prohibited. (Note: A scrivener's error in O-2018-021 lists this footnote as number 57)
59. The following standards shall apply to the approval and construction of mini warehouses in the Forest and Range zone:
 - a. The site shall either be contiguous to a State Highway or contiguous to a designated urban arterial or rural collector road located near a highway intersection or freeway interchange. It is not necessary for the site to have direct access to such arterial, collector or highway to meet this requirement;
 - b. Findings shall be made that the use does not require urban government services such as municipal sewer or water service and does not compromise the long-term viability of designated resource lands;
 - c. Additional setbacks, physical barriers or site-screening may be required on sites that border resource lands in the Commercial Agriculture or Commercial Forest zoning districts;
 - d. Measures shall be taken to protect ground and surface water;

- e. A mini-warehouse proposal (application) must include plans for aesthetic improvements and/or sight screening;
 - f. All buildings with storage units facing property boundaries shall have a minimum setback of thirty-five (35) feet;
 - g. No commercial or manufacturing activities will be permitted within any building or storage unit except for RV storage when authorized under KCC 17.15.060.2, Footnote 60;
 - h. Lease documents shall spell out all conditions and restriction of the use;
 - i. 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.
60. Recreational vehicle/equipment service and repair is permitted by conditional use permit in the Forest and Range zoning district. The site shall either be:
- a. Contiguous to a State Highway, or
 - b. Contiguous to a designated urban arterial or rural collector road located near a highway intersection or freeway interchange.
 - c. It is not necessary for the site to have direct access to such arterial, collector or highway to meet this requirement.

Vehicles under repair shall either be kept inside buildings or visually screened from surrounding areas. No on-street vehicle parking shall be allowed associated with the use. All vehicles, including recreational vehicles and customer and employee automobiles shall be stored or parked on-site at all times. Maintenance and repair activities shall not take place in RV storage enclosures or spaces, except limited maintenance and minor repairs may be performed on RV's that are already being stored at the site in order to avoid having to move them, when such maintenance and repair activities can be completed in two hours or less and only in the enclosures or spaces in which the RV's are already being kept. This use shall be designed to be compatible with the surrounding rural character, subject to the following standards:

- d. Findings shall be made that the use does not require urban governmental services such as municipal sewer or water service and does not compromise the long-term viability of designated resource lands.
 - e. Additional setbacks, physical barriers or site-screening may be required on sites that border resource lands in the Commercial Agriculture or Commercial Forest zoning districts.
 - f. Measures shall be taken to protect ground and surface water.
61. Nurseries limited to the growth, display, and/or sale of plants, shrubs, trees, and materials used in indoor or outdoor planting. Sale of bulk landscape materials such as rock, bark, mulch and topsoil shall not be permitted in this zone. Pre-packaged landscape materials are excluded from this restriction.
62. Agricultural direct marketing activities shall comply with all of the following standards:
- a. The subject property shall be actively farmed by the property owner.
 - b. Retail structures shall not total more than three thousand (3,000) square feet.
 - c. The parcel, or adjacent parcel, shall include the residence of the owner or operator of the farm.
 - d. Carnival rides, helicopter rides, inflatable features and other typical amusement park games, facilities and structures are not permitted.

- e. The use shall be operated in accordance with all applicable federal, state, and local ordinances.
- f. New structures or existing structures converted for public use shall meet current building and fire codes.
- g. Adequate sanitary facilities shall be provided in accordance with Kittitas County Public Health Department requirements.
- h. Adequate ingress/egress shall be provided to and from the site in accordance with Kittitas County Public Works requirements.
- i. Sufficient land area is provided to accommodate the proposed use and related parking, and the use and any appurtenant structures shall be so arranged on the land as to minimize any adverse effects on surrounding properties. The use shall not create particular hazards to adjacent properties.

63. Agricultural seasonal harvest festivities shall comply with all of the following standards:

- a. The site shall conform to the requirements for "agricultural direct marketing activities" except as provide for herein.
- b. Hours of operation shall occur between 8:00 a.m. and 6:00 p.m.
- c. Seasonal harvest festivities are prohibited on vacant property, unless the vacant land adjoins property occupied by the owner/operator of the festivities.
- d. Seasonal harvest festivities shall be limited to Friday, Saturday, Sunday, and Monday, from the second weekend of June through the December 31.
- e. Inflatable amusement devices, such as moonwalks, slides, or other inflatable games for children, shall be limited to a maximum of five (5) per seasonal harvest festivities event.

(Ord. 2021-015, 2021; Ord. 2019-013, 2019; Ord. 2018-021, 2018; Ord. 2018-018, 2018; Ord. 2018-001, 2018; Ord. 2016-023, 2016; Ord. 2015-010, 2015; Ord. 2014-015, 2014; Ord. 2014-005, 2014; Ord. 2014-004, 2014; Ord. 2013-012, 2013; Ord. 2013-008, 2013; Ord. 2013-001, 2013)

17.15.070 Allowed Uses in Rural LAMIRD Lands

Note to Reader: All allowed uses within Type 3 LAMIRDs, other than manufacturing, outdoor recreation, and natural resource processing will be limited to 30,000 square feet in area, and that impervious surfaces on lots greater than one acre in size are limited to one third (1/3) of the lot.

17.15.070.1 Rural LAMIRD Use Table

P Permitted
PA Permitted
Administrative

CU Conditional Use
ACU Admin. Conditional
Use

*See KCC
Chapter 17.08 Definitions

Rural LAMIRD⁴⁹
(Type 1 LAMIRDs)

Residential	Residential 2	Rural 5	Agriculture 3	Gen

A. Agriculture					
Animal boarding*	CU <u>1</u>	P	P	P	P
Agriculture processing*				P <u>2</u>	P/C
Agriculture production*	CU <u>1</u>		P	P <u>5</u>	
Agriculture sales,* Farm stand*				P <u>7</u> /AC	P
Agriculture sales				CU	
Feedlot*					
Grazing*			P	P	P
Marijuana Processing*					
Marijuana Production*					
Marijuana, retail sales*					
Nurseries	CU	CU		P	P
Riding academies				CU	
Small-scale event facility*					
U-Pick/Cut Operations*					
Farm Visit*					
Commercial Activities associated with agriculture*				AC	
	Residential	Residential 2	Rural 5	Agriculture 3	Gen
B. Civil and Cultural					
Cemetery	P <u>9</u>	P <u>9</u>	P <u>9</u>	P <u>9</u>	P <u>9</u>
Clubhouses, and lodges*	CU		P	P <u>10</u>	

Cultural and education facilities	CU				
Libraries	CU			CU	CU
Meeting facilities					
Museums and galleries	CU			CU	CU
Religious institutions*	CU	CU		CU	
Schools, public and private*	CU	CU	CU	CU	CU
Interpretive Center*					
	Residential	Residential 2	Rural 5	Agriculture 3	Gen
C. Commercial					
Auction sales of non-agriculture products					
Bank					PA
Bed and breakfast*	CU	CU	CU	CU	CU
Clinic*	CU <u>12</u>			CU	CU
Day care facilities*				CU	CU
Funeral home/mortuary					CU
Hospital*					
Hospital, animal or Veterinary*					CU
Hotel/motel					CU
Office*					PA
Restaurant					PA
Retail sales,* general					P 48

Retail sales,* lumber and building materials					P 15
Retail sales,* vehicles					
Services					P 45
Shooting range*					CU
Tavern					P
Temporary sales office					
Vehicle/equipment service and repair*					P 11
	Residential	Residential 2	Rural 5	Agriculture 3	Gen
D. Industrial					
Airport*				CU	
Asphalt/Concrete plants					
Explosives, storage or manufacture					
Forest product processing* (portable)			P	P	
Forest product processing* (permanent)				CU	
Freighting and trucking yard or terminal*					
Hazardous waste storage*					
Hazardous waste treatment*					
Impound/Towing Yard*					
Junkyard*					
Manufacturing*					

Mini-warehouse					CU
Refuse disposal/recycle*					
Research laboratories					
Wastewater treatment					
Warehousing and distribution					
Wholesale business					
	Residential	Residential 2	Rural 5	Agriculture 3	Gen
E. Recreation					
Campgrounds			CU <u>21</u>	CU <u>21</u>	CU
Golf courses			CU	CU	
Guest ranch or guest farm			CU	CU	
Parks and playgrounds*	P	P	P	P	P
Recreation, indoor*					P
Recreation, outdoor*					CU
Recreational vehicle park*					
Recreational vehicle storage*					
Stadiums					
Trails	PA	PA	PA	PA	PA
	Residential	Residential 2	Rural 5	Agriculture 3	Gen
F. Residential					
Accessory dwelling unit	P <u>24</u>	P <u>24</u>	P <u>24</u>	P <u>24</u>	P <u>25</u>
Accessory living quarter	P <u>36</u>	P <u>36</u>	P <u>36</u>	P <u>36</u>	P <u>25</u>

Adult family home	P <u>42</u>	P <u>42</u>	P <u>42</u>	P <u>42</u>	P <u>42</u>
Boarding house	CU <u>37</u>			CU <u>37</u>	
Convalescent home				CU	
Dwelling, single-family	P	P	P	P	P
Dwelling, two-family	P	P		P	P <u>25</u>
Dwelling, multiple-family	CU				
Farm Labor Shelter				CU <u>26</u>	
Group Home Facility*			CU		
Group Care			CU		
Home occupation	P/CU <u>27</u>	P/CU <u>28</u>	P/CU <u>28</u>	P/CU <u>28</u>	P/C
Manufactured home	P	P	P	P	P
Manufactured home park	CU <u>58</u>		CU <u>58</u>	CU <u>58</u>	P
Mobile homes		P <u>38</u>	P <u>6</u>		
Special care dwelling	P <u>39</u>	P <u>39</u>	P <u>39</u>	P <u>39</u>	P <u>39</u>
Temporary trailers	P <u>29</u>	P <u>29</u>	P <u>29</u>	P <u>29</u>	P <u>29</u>
	Residential	Residential 2	Rural 5	Agriculture 3	Gen
G. Resource					
Forestry*			P	P	
Forest product sales*					
Mining and excavation*					
Rock crushing*					
	Residential	Residential 2	Rural 5	Agriculture 3	Gen
H. Utilities and Public Facilities					

Electric vehicle infrastructure	P <u>23</u>	P <u>23</u>	P <u>23</u>	P <u>23</u>	P <u>23</u>
Public facilities	PA <u>55</u>	PA <u>55</u>	PA <u>55</u>	PA <u>55</u>	PA <u>55</u>
Solar Power Production Facilities	<u>59</u>	<u>59</u>	<u>59</u>	<u>59</u>	<u>59</u>
Utilities	P <u>33</u> /ACU <u>33</u> /CU <u>33</u>	P <u>33</u> /ACU <u>33</u> /CU <u>33</u>	P <u>33</u> /ACU <u>33</u> /CU <u>33</u>	P <u>33</u> /ACU <u>33</u> /CU <u>33</u>	P <u>33</u>
Watershed management activities	PA	PA	PA	PA	PA

17.15.070.2 Footnotes Associated with Rural LAMIRD Use Table.

1. Limited to the keeping of horses or cattle for personal enjoyment of the owner or occupant of the lot, provided that the lot contains one (1) acre or more.
2. Limited to products produced on the premises.
3. Hay processing and small-scale processing of agricultural products produced on the premises are permitted outright.
4. Slaughterhouses require a conditional use permit.
5. Provided the lot contains one (1) acre or more. Agriculture production on smaller lots requires a conditional use permit. Raising of swine and mink prohibited.
6. As of September 1, 1998, mobile homes are no longer allowed to be transported and placed within Kittitas County. Those units presently located in Kittitas County that are to be relocated within Kittitas County must have a fire/life inspection approved by the Washington State Department of Labor and Industries. Single family and mobile homes located in Twin Pines Trailer Park, Central Mobile Home Park or Swiftwater shall be subject to the provisions of KCC Chapter 17.24, Historic Trailer Court Zone.
7. When located no more than forty-five (45) feet from the centerline of the public street or highway and selling goods produced on site.
8. Feedlots existing at the time of adoption of the ordinance codified herein may expand or be enlarged only in compliance with standards and regulations contained herein, and such operations shall comply with all state and/or county health regulations.
9. No new cemeteries. Existing cemeteries may expand or enlarge within established cemetery boundaries as of the date of amendment adoption, and in compliance with applicable standards and regulations.
10. Not permitted in the Agriculture Study Overlay Zone.
11. Permitted when conducted wholly within an enclosed building (excluding off-street parking and loading areas).
12. Provided the minimum lot size shall be fifteen thousand (15,000) square feet.
13. When the office activities are directly related to tourism and recreation.
14. Retail sales limited to groceries and sales of souvenirs, gifts, novelties, curios and handicraft products. Grocery stores may not exceed four thousand (4,000) square feet.
15. Any open storage shall be enclosed by a sight-obscuring fence not less than six (6) feet and not more than seven (7) feet high.
16. Not to exceed two (2) years.

17. Limited to farm implement repair and maintenance, but not to include automobiles, trucks or bikes
18. Limited to service stations, provided there shall be no repairing, repainting, reconstruction or sale of motor vehicles from the premises.
19. Includes truck stop operations. Minor repair work permitted.
20. Because of considerations of odor, dust, smoke, noise, fumes, vibration or hazard, the following uses shall not be permitted in the industrial zone unless a conditional use permit authorizing such use has been granted by the Board:
 - a. All chemical manufacture, storage and/or packaging;
 - b. Asphalt manufacture, mixing, or refining;
 - c. Automobile dismantling, wrecking or junk yards;
 - d. Blast furnaces or coke ovens;
 - e. Cement, lime, gypsum or plaster of Paris manufacture;
 - f. Drop forge industries;
 - g. Reduction or disposal of garbage, offal or similar refuse;
 - h. Oil refining; alternative energy refinery (i.e. biofuels, ethanol)
 - i. Rubber reclaiming;
 - j. Feed yards, livestock sales yards or slaughterhouses;
 - k. Smelting, reduction or refining of metallic ores;
 - l. Tanneries;
 - m. Wineries;
 - n. Manufacturing of industrial or household adhesives, glues, cements, or component parts thereof, from vegetable, animal or synthetic plastic materials;
 - o. Waste (refuse) recycling and processing;
 - p. On-site and off-site hazardous waste storage and/or treatment. Off-site materials shall be accepted only from Kittitas County source sites.

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

- q. Assure that the degree of compatibility enunciated as the purpose of this title shall be maintained with respect to the particular use on the particular site and in consideration of other existing and potential uses within the general area in which such use is proposed to be located;
 - r. Recognize and compensate for variations and degree of technological processes and equipment as related to the factors of noise, smoke, fumes, vibration, odors, and hazards. Unless substantial proof is offered showing that such process and/or equipment has reduced the above factors so as to be negligible, use is located not less than one thousand (1,000) feet from any church, school, park, playground or occupied dwelling on the same lot or parcel as such use.
21. In considering proposals for location of campgrounds, the Board shall consider at a minimum the following criteria:
 - a. Campgrounds should be located at sufficient distance from existing rural residential/residential development so as to avoid possible conflicts and disturbances;

- b. Traffic volumes generated by such a development should not create a nuisance or impose on the privacy of nearby residences or interfere with normal traffic flow;
 - c. Landscaping or appropriate screening should be required and maintained where necessary for buffering;
 - d. Adequate and convenient vehicular access, circulation and parking should be provided;
 - e. Public health and safety of campers and those reasonably impacted by the campground (i.e. health, water, sanitation).
22. The following standards shall apply to the approval and construction of mini-warehouses:
- a. A mini-warehouse proposal (application) must include plans for aesthetic improvements and/or sight screening;
 - b. All buildings with storage units facing property boundaries shall have a minimum setback of thirty-five (35) feet;
 - c. No commercial or manufacturing activities will be permitted within any building or storage unit;
 - d. Lease documents shall spell out all conditions and restrictions of the use;
 - e. Signs, other than on-site direction aids, shall number not more than two (2) and shall not exceed forty (40) square feet each in area; and
 - f. In Type 3 LAMIRDS, the use shall be conducted wholly within an enclosed building.
23. Subject to provisions of KCC Chapter 17.66, Electric Vehicle Infrastructure.
24. Subject to the following requirements:
- a. Only one (1) ADU shall be allowed per lot;
 - b. Owner of the property must reside in either the primary residence or the ADU;
 - c. The ADU shall not exceed the square footage of the habitable area of primary residence;
 - d. The ADU shall be designed to maintain the appearance of the primary residence;
 - e. All setback requirements for the zone in which the ADU is located shall apply;
 - f. The ADU shall meet the applicable health department standards for potable water and sewage disposal;
 - g. No mobile homes or recreational vehicles shall be allowed as an ADU;
 - h. The ADU shall provide additional off-street parking;
 - i. An ADU is not permitted on the same lot where a special care dwelling or an Accessory Living Quarters exists.
 - j. 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. In Type 3 LAMIRDs, home occupations are allowed only in existing residences.
- 29. When used for temporary occupancy for a period not-to-exceed one (1) year related to permanent home construction or seasonal/temporary employment.
- 30. Noncommercial sand and gravel excavation is permitted for on-site use without a conditional use permit.
- 31. Permitted when located within an established mining district; requires conditional use permit outside an established mining district.
- 32. Public transportation deadhead stations permitted; passenger terminals are a Conditional Use.
- 33. Utilities are defined and regulated by KCC Chapter 17.61, Utilities.
- 34. Utilities are defined and regulated by KCC Chapter 17.61, Utilities. Not permitted in the Agriculture Study Overlay Zone.
- 35. Where the use is only serving a residential PUD and where all applicable standards are met. Electric Vehicle Infrastructure subject to KCC Chapter 17.66.
- 36. Subject to the following requirements:
 - a. Accessory Living Quarters shall be located within an owner occupied primary residence;
 - b. Accessory Living Quarters are limited in size to no greater than fifty percent (50%) of the habitable area of the primary residence;
 - c. The Accessory Living Quarters are subject to applicable health district standards for water and sewage disposal;
 - d. Only one (1) Accessory Living Quarters shall be allowed per lot;
 - e. Accessory Living Quarters are to provide additional off-street parking;
 - f. Accessory Living Quarters are not allowed where an Accessory Dwelling Unit or Special Care Dwelling exists; and

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

43. Use shall not exceed 10,000 square feet and no more than eight (8) events shall occur within a calendar year.
44. Existing facilities are permitted; new facilities require a conditional use permit. Limited to agricultural products.
45. Services limited to resource based industries, barbershops, beauty parlors, dry cleaning and laundry branch offices, self-service laundry and cleaning, shoe repair shops and physical culture and health services.*
46. No new airports. Existing airports may expand or enlarge in compliance with applicable standards and regulations.*
47. No new airports. Existing airports may expand or enlarge in compliance with applicable standards and regulations.*
48. Permitted when conducted wholly within an enclosed building (excluding off-street parking and loading areas), provided the use does not exceed four thousand (4,000) square feet.*
49. All allowed uses identified on this use table are subject to compliance with WAC 365-196-425.6.c.i. RCW 36.07A.070(5)(d)(i).*
50. All allowed uses identified on this use table are subject to compliance with WAC 365-196-425.6.c.iii RCW 36.70A.070(5)(d)(iii).*
51. Allowed only in existing residences.*
52. Any new Type 3 LAMIRD is required to be at least one-half mile from another Type 3 LAMIRD, and will permit only one business and/or businesses associated with the primary business in the new LAMIRD Type 3. Type 3 LAMIRDs existing as of 2014 are not limited to one business.*
53. Permitted only within existing Type 3 LAMIRDs.*
54. Wholesale activity will not exceed 4000 square feet in space.*
55. Pursuant to KCC [Chapter 17.62](#), Public Facilities Permits.
56. Required to meet all the review criteria requirements for conditional use permits found in KCC [17.60A.015](#).
57. Limited to primitive campgrounds as defined by KCC [17.08.155A](#).
58. Subject to the following requirements:
 - a. Manufactured home parks shall require approval of a binding site plan pursuant to KCC Title 16.
 - b. Manufactured home park density shall not to exceed twelve (12) units per acre. A minimum of five (5) manufactured home spaces shall be required per park.
 - c. Manufactured home parks shall provide not less than ten percent (10%) of the gross area of the park for common open space for the use of its residents.
 - d. Each manufactured home space shall have direct frontage on a public or private street.
 - e. The minimum setbacks shall be consistent with the zoning classification they are located in.
59. Pursuant to KCC [17.61C.050](#) and [17.61C.060](#).
60. Applies only to Snoqualmie Pass LAMIRD.

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

17.15.080 Allowed Uses in Urban Lands (See KCC 17.11.037(4)(a), 17.11.037(4)(b), and 17.11.037(4)(c) for allowed uses within the Ellensburg UGA which are zoned Residential (R), Urban Residential (UR), Highway Commercial (C-H), Limited Commercial (C-L), Light Industrial (I-L), General Industrial (I-G)), and PUD (Bender/Reecer and the Verge).

P Permitted PA Permitted Administrative CU Conditional Use ACU Admin. Conditional Use <i>*See KCC Chapter 17.08 Definitions. Within the Ellensburg UGA see Chapter 17.11.036 for definitions</i>	Urban				
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3
A. Agriculture					
Animal boarding*	CU ₁			CU	
Agricultural Enhanced Uses*					
Agriculture processing*				P ₂	
Agriculture production*	CU ₁	CU ₅		P ₅	P
Agriculture sales,* Produce Farm stand				P ₇ / AC ₄₆	
Agriculture sales		CU		CU	
Dairy					
Feedlot*				CU ₈	
Grazing*		P		P	P
Marijuana Processing*					
Marijuana Production*					

Marijuana, retail sales*					
Nurseries	CU	CU		P	P
Riding Academies		CU		CU	
Small-scale event facility*				AC ₄₂ /CU	AC ₄₂ /CU
U-Cut/U-Pick operation*				P / AC ₄₅	
Farm Visit*				CU	CU
Commercial Activities associated with agriculture*		AC		AC	
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3
B. Civic and Cultural					
Cemetery	P ₉	P ₉	P ₉	P ₉	P ₉
Clubhouses, fraternities and lodges*	AC	AC		P	P
Cultural and educational facilities	CU				
Libraries				CU	
Meeting facilities					
Museums and galleries	CU	CU		CU	
Religious institutions*	CU	CU		CU	
Schools, public or private*		CU		CU	
Interpretive Center*					
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3
C. Commercial					

Auction sales of non-agriculture products				CU	
Bank					
Bed and breakfast*				AC	
Clinic*	CU <u>12</u>				
Day care facilities*				CU	
Funeral home/mortuary					
Hospital*	CU			CU	
Hospital, animal or veterinary*					
Hotel/motel					
Office*					
Restaurant					
Retail sales,* general					
Retail sales,* lumber and building materials					
Retail sales,* vehicles					
Services					
Shooting range*					
Tavern					
Temporary sales office					
Vehicle/ equipment service and repair*					
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3
D. Industrial					

Airport*				CU	
Asphalt/Concrete plants					
Explosives, storage or manufacture					
Forest product processing* (portable)				P	P
Forest product processing* (permanent)				CU	
Freighting and trucking yard or terminal*					
Hazardous waste storage*					
Hazardous waste treatment*					
Impound/Towing Yard*					
Junkyard*					
Manufacturing*					
Mini-Warehouse					CU <u>22</u>
Refuse disposal/recycle*					
Research laboratories					
Wastewater treatment					
Warehousing and distribution	PA <u>43</u>	PA <u>43</u>	PA <u>43</u>	PA <u>43</u>	PA <u>43</u>
Wholesale business					
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3
E. Recreation					

Campground*				CU <u>21</u>	CU <u>21</u>
Golf course*				CU	CU
Guest ranch or guest farm*				AC	AC
Parks and playgrounds*	P	P		P	P
Recreation, indoor*				CU	CU
Recreation, outdoor*				AC	AC
Recreational vehicle park*					
Recreational vehicle storage					
Stadiums					
Trails	PA	PA	PA	PA	PA
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3
F. Residential					
Accessory dwelling unit*	P <u>24</u>	P <u>24</u>		P <u>24</u>	P <u>24</u>
Accessory living quarters*	P <u>36</u>	P <u>36</u>		P <u>36</u>	P <u>36</u>
Adult family home*	P <u>41</u>	P <u>41</u>	P <u>41</u>	P <u>41</u>	P <u>41</u>
Boarding house	CU <u>37</u>			CU <u>37</u>	
Convalescent home					
Dwelling, single-family*	P	P	P <u>40</u>	P	P
Dwelling, two-family*	P	P		P	
Dwelling, multiple-family*	AC				

Farm labor shelter*				CU ²⁶	
Group home*					CU
Group Care Facility*					
Home occupation*	P/CU ²⁷	P/CU ²⁸		P/CU ²⁸	P/CU ²⁸
Manufactured home*	P	P	P	P	P
Manufactured home park	CU ⁵⁰	CU ⁵⁰		CU ⁵⁰	CU ⁵⁰
Mobile home		P ³⁸	P ⁴⁰		P ³⁸
Special care dwelling*	P ¹⁷	P ¹⁷		P ¹⁷	P ¹⁷
Temporary trailer	P ²⁹	P ²⁹	P ²⁹	P ²⁹	P ²⁹
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3
G. Resource					
Forestry*				P	P
Forest product sales*					
Mining and excavation*				CU ³⁰	CU ³¹
Rock crushing"					CU ³¹
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3
H. Utilities and Public Facilities					
Electric vehicle infrastructure*	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰
Public facilities*	PA ⁴⁷	PA ⁴⁷	PA ⁴⁷	PA ⁴⁷	PA ⁴⁷
Solar Power Production Facilities	⁵¹	⁵¹	⁵¹	⁵¹	⁵¹
Utilities	P ³³ /ACU ³³ /CU ³³	P ³³ /ACU ³³ /CU ³³		P ³³ /ACU ³³ /CU ³³	P ³³ /ACU ³³ /CU ³³

Watershed management activities*	PA	PA		PA	PA
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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 except for the raising of swine specific to youth educational projects. Raising of mink is prohibited.
 - a. Fencing and housing adequate to fully contain swine shall be provided when permitted.
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 within established cemetery boundaries as of the date of amendment adoption, and 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.
 - h. Park model trailers shall obtain the same building permit as for placement of a manufactured home.
 - i. Park model trailers shall be inspected and approved by Washington State Department of Labor and Industries.
18. Limited to service stations, provided there shall be no repairing, repainting, reconstruction or sale of motor vehicles from the premises.
19. Includes truck stop operations. Minor repair work permitted.
20. Because of considerations of odor, dust, smoke, noise, fumes, vibration or hazard, the following uses shall not be permitted in the industrial zone unless a conditional use permit authorizing such use has been granted by the Board:
 - a. All chemical manufacture, storage and/or packaging;
 - b. Asphalt manufacture, mixing, or refining;
 - c. Automobile dismantling, wrecking or junk yards;
 - d. Blast furnaces or coke ovens;
 - e. Cement, lime, gypsum or plaster of Paris manufacture;
 - f. Drop forge industries;
 - g. Reduction or disposal of garbage, offal or similar refuse;
 - h. Oil refining; alternative energy refinery (i.e. biofuels, ethanol)
 - i. Rubber reclaiming;
 - j. Feed yards, livestock sales yards or slaughterhouses;
 - k. Smelting, reduction or refining of metallic ores;
 - l. Tanneries;
 - m. Wineries;
 - n. Manufacturing of industrial or household adhesives, glues, cements, or component parts thereof, from vegetable, animal or synthetic plastic materials;
 - o. Waste (refuse) recycling and processing;

- p. On-site and off-site hazardous waste storage and/or treatment. Off-site materials shall be accepted only from Kittitas County source sites.

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

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

21. In considering proposals for location of 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. Required to meet all the review criteria requirements for conditional use permits found in KCC 17.60A.015.
45. An administrative conditional use permit is required when enhanced agricultural sales or sales of goods produced offsite are provided and/or when the farm stand is located more than forty-five (45) feet from the centerline of the public street or highway.
46. When enhanced agricultural sales are provided.
47. Pursuant to KCC Chapter 17.62, Public Facilities Permits.
48. Limited to primitive campgrounds as defined by KCC 17.08.155A.
49. Agricultural Enhanced Uses which include eating and drinking establishments and/or event facilities for seminars or other social gatherings are limited to 10,000 square feet of total indoor floor area.
50. Subject to the following requirements:

- a. Manufactured home parks shall require approval of a binding site plan pursuant to KCC Title 16.
- b. Manufactured home park density shall not to exceed twelve (12) units per acre. A minimum of five (5) manufactured home spaces shall be required per park.
- c. Manufactured home parks shall provide not less than ten percent (10%) of the gross area of the park for common open space for the use of its residents.
- d. Each manufactured home space shall have direct frontage on a public or private street.
- e. The minimum setbacks shall be consistent with the zoning classification they are located in.

51. Pursuant to KCC [17.61C.050](#) and [17.61C.060](#).

(Ord. 2021-015, 2021; Ord. 2019-013, 2019; Ord. 2018-018, 2018; Ord. 2018-001, 2018; Ord. 2016-023, 2016; Ord. 2015-010, 2015; Ord. 2015-002, 2015; Ord. 2014-015, 2014; Ord. 2014-005, 2014; Ord. 2014-004, 2014; Ord. 2013-012, 2013; Ord. 2013-008, 2013; Ord. 2013-001, 2013)

Chapter 17.16

R - RESIDENTIAL ZONE*

Sections

[17.16.010](#) Purpose and intent.

[17.16.015](#) Development within the Ellensburg Urban Growth Area (UGA)

[17.16.020](#) Allowed uses.

[17.16.030](#) Minimum lot requirements.

[17.16.040](#) Maximum lot coverage.

[17.16.050](#) Maximum structure height.

[17.16.060](#) Yard requirements - Front.

[17.16.070](#) Yard requirements - Side.

[17.16.080](#) Yard requirements - Rear.

[17.16.085](#) Yard requirements - Zones Adjacent to Commercial Forest Zone.

[17.16.090](#) Half streets.

[17.16.100](#) Sale or conveyance of lot portion.

[17.16.110](#) Off-street parking.

[17.16.120](#) Repealed.

[17.16.121](#) Repealed.

* Prior history: Ords. 76-3, 69-7, 2.

17.16.010 Purpose and intent.

The purpose and intent of the Residential zone is to provide for and protect areas for homesite development designed to meet contemporary building and living standards where public water and sewer systems are provided. ([Ord. 2013-001](#), 2013; Ord. 83Z-2 (part), 1983)

17.16.015 Development within the Ellensburg Urban Growth Area (UGA)

For properties located within the City of Ellensburg UGA, the uses and development standards in KCC 17.11.030 through 17.11.039 shall be utilized. Where KCC 17.11.030 through 17.11.039 does not identify development uses and standards to be utilized for development within the Ellensburg UGA, this chapter shall apply.

17.16.020 Allowed uses.

Uses allowed in the Residential zone include those uses pursuant to KCC Chapter 17.15. (Ord. 2013-001, 2013; Ord. 2011-013, 2011; Ord. O-2006-01, 2006; Ord. 96-19 (part), 1996; Ord. 83-Z-2 (part), 1983; Res. 83-10, 1983)

17.16.030 Minimum lot requirements.

1. Minimum lot sizes in the R zone are as follows:
 - a. Single family dwelling, seven thousand two hundred (7,200) square feet;
 - b. Two (2) family dwelling, ten thousand (10,000) square feet.
2. The minimum lot depth shall be one hundred (100) feet.
3. The minimum average lot width shall be sixty-five (65) feet.
4. In no case shall there be more than one (1) main dwelling and its accessory buildings constructed on one (1) lot unless such lot is greater than twice the minimum required for a single-family dwelling.
5. No main dwelling shall be built or moved on to a lot not abutting a public street, with the exception of special cases where the county may approve other suitable access.
(Ord. 2013-001, 2013; Ord. 83-Z-2 (part), 1983; Res. 83-10, 1983)

17.16.040 Maximum lot coverage.

The ground area covered by all buildings, including accessory buildings, shall not exceed thirty percent (30%) of the lot area. All lots located within an Urban Growth Area, refer to KCC 17.11.060. (Ord. 2018-014, 2018; Ord. 2013-001, 2013; Res. 83-10, 1983)

17.16.050 Maximum structure height.

No structure shall exceed two and one-half (2 ½) stories, or thirty-five (35) feet, whichever is less in height. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.16.060 Yard requirements - Front.

- a. There shall be a front yard having a minimum depth of fifteen (15) feet, unless a previous building line less than this has been established, in which case the minimum front yard for interior lots shall be the average of the setbacks of the main structures on the abutting lots on either side if both lots are occupied. If one (1) lot is occupied and the other vacant, the setback shall be the setback of the occupied lot plus one-half (½) the remaining distance to the required fifteen (15) foot setback. If neither of the abutting side lots or tracts are occupied by a structure, the setback shall be fifteen (15) feet.
- b. The front yard setback depth shall be twenty-five (25) feet for parcels within the Snoqualmie Pass LAMIRD. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.16.070 Yard requirements - Side.

There shall be a side yard of not less than five (5) feet in width on each side of a building. (Side of building means outer face, any part of building nearest to the side line, not including roof eaves.) Side yard setbacks may be modified in accordance with KCC 16.10.065. (Ord. 2022-005, 2022; Ord. 2019-013, 2019; Ord. 2013-001, 2013; Res. 83-10, 1983)

17.16.080 Yard requirements - Rear.

- a. There shall be a rear yard with a minimum depth of twenty-five (25) feet to the main building.
- b. The rear yard setback depth shall be fifteen (15) feet to the main building for parcels within the Snoqualmie Pass LAMIRD.
- c. Rear yard setbacks may be modified in accordance with KCC [16.10.065](#). ([Ord. 2022-005](#), 2022; [Ord. 2019-013](#), 2019; [Ord. 2013-001](#), 2013; Res. 83-10, 1983)

17.16.085 Yard requirements - Zones Adjacent to Commercial Forest Zone

Properties bordering or adjacent to the Commercial Forest zone are subject to a two hundred (200)-foot setback from the Commercial Forest Zone. ([KCC 17.57.050\(1\)](#)). For properties where such setback isn't feasible, development shall comply with KCC [17.57.050\(2\)](#). ([Ord. 2013-001](#), 2013; Ord. 2007-22, 2007)

17.16.090 Half streets.

In an area adjacent to a half street and opposite or outside the plat including the dedication of said half street, structures shall be set back from said half streets a distance sufficient to provide for an additional half street and the yard requirement. (Res. 8310, 1983)

17.16.100 Sale or conveyance of lot portion.

No sale or conveyance of any portion of a lot, for other than a public purpose, shall leave a structure or the remainder of a lot with less than the minimum lot, yard or setback requirement of this zone. ([Ord. 2013-001](#), 2013; Res. 83-10, 1983)

17.16.110 Off-street parking.

One automobile parking space shall be provided for each dwelling unit and shall be located to the rear of the building setback line. (Res. 83-10, 1983)

17.16.120 Repealed.

([Ord. 2013-001](#), 2013; Ord. 2007-22, 2007; Ord. O-2006-01, 2006; Res. 8310, 1983)

17.16.121 Repealed.

([Ord. 2013-001](#), 2013; Ord. 2007-22, 2007)

Chapter 17.22

UR - URBAN RESIDENTIAL ZONE*

Sections

[17.22.010](#) Purpose and intent.

[17.22.015](#) Development within the Ellensburg Urban Growth Area (UGA)

[17.22.020](#) Allowed uses.

[17.22.030](#) Lot - Size required.

[17.22.040](#) Maximum lot coverage.

[17.22.050](#) Maximum height permitted.

[17.22.060](#) Yard requirements.

[17.22.065](#) Yard requirements- Zones Adjacent to Commercial Forest Zone.

[17.22.090](#) Grazing.

[17.22.100](#) Repealed.

[17.22.110](#) Repealed.

[17.22.120](#) Repealed.

* Prior history: Ord. Z77-2.

17.22.010 Purpose and intent.

The purpose and intent of the Urban Residential zone is to provide for and protect areas for home-site development and/or urban levels of development in where municipal services can be provided or is already available. (Ord. 2007-22, 2007; Ord. 83-Z-2 (part), 1983)

17.22.015 Development within the Ellensburg Urban Growth Area (UGA)

For properties located within the City of Ellensburg UGA, the uses and development standards in KCC 17.11.030 through 17.11.039 shall be utilized. Where KCC 17.11.030 through 17.11.039 does not identify uses and development standards to be utilized for development within the Ellensburg UGA, this chapter shall apply. This provision shall not apply to the Airport Overlay or properties not requesting City of Ellensburg water and sewer utility extensions.

17.22.020 Allowed uses.

Uses allowed in the Urban Residential zone include those uses pursuant to KCC Chapter [17.15](#). (Ord. [2013-001](#), 2013; [Ord. 2011-013](#), 2011; Ord. O-2006-01, 2006; Ord. 96-19 (part), 1996; Res. 83-10, 1983)

17.22.030 Lot - Size required.

1. This provision shall not apply to the Airport Overlay.
2. Minimum lot sizes in the UR zone are as follows:
 - ~~a. Single family dwelling, seven thousand two hundred (7,200) square feet;~~
 - a. Two (2) family dwelling, ten thousand (10,000) square feet.
3. All lots of record at the time of passage of the ordinance codified in this chapter shall be considered as conforming to lot size requirements. ([Ord. 2019-013](#), 2019; [Ord. 2013-001](#), 2013; Ord. 2007-22, 2007; Res. 83-10, 1983)

17.22.040 Maximum lot coverage.

Refer to KCC [17.11.060](#). ([Ord. 2018-014](#), 2018; [Ord. 2013-001](#), 2013; Res. 83-10, 1983)

17.22.050 Maximum height permitted.

No structure shall exceed two and one-half (2½) stories or thirty-five (35) feet, whichever is less in height. ([Ord. 2013-001](#), 2013; Res. 83-10, 1983)

17.22.060 Yard requirements.

No structure shall be built or located closer than twenty-five (25) feet to the front and rear property line or within fifteen (15) feet of any side property line. Side and rear yard setbacks may be modified in accordance with KCC [16.10.065](#). ([Ord. 2022-005](#), 2022; [Ord. 2013-001](#), 2013; Res. 83-10, 1983)

17.22.065 Yard requirements at Zones Adjacent to Commercial Forest Zone.

Properties bordering or adjacent to the Commercial Forest zone are subject to a two hundred (200)-foot setback from the Commercial Forest Zone. (KCC [17.57.050\(1\)](#)). For properties where such setback isn't feasible, development shall comply with KCC [17.57.050\(2\)](#). ([Ord. 2013-001](#), 2013; [Ord. 2010-014](#), 2010; Ord. 2007-22, 2007)

17.22.090 Repealed.

([Ord. 2013-001](#), 2013; Ord. 88-4 § 2 (part), 1988; Res. 83-10, 1983)

17.22.100 Repealed.

([Ord. 2013-001](#), 2013; [Ord. 2010-014](#), 2010; Ord. O-2009-25, 2009; Ord. 2007-22, 2007; Ord. O-2006-01, 2006; Ord. 90-10 (part), 1990; Ord. 83-Z-2 (part), 1983; Res. 83-10, 1983)

17.22.110 Repealed.

(Ord. 2007-22, 2007; Ord. 88-4 § 2 (part), 1988)

17.22.120 Repealed.

([Ord. 2013-001](#) , 2013; Ord. 2007-22, 2007)

Chapter 17.24

H-T-C - HISTORIC TRAILER COURT ZONES*

Sections

[17.24.010](#) Purpose and intent.

[17.24.015](#) Development within the Ellensburg Urban Growth Area (UGA)

[17.24.020A](#) Existing Uses.

[17.24.020B](#) Repealed.

[17.24.030](#) Minimum requirements.

[17.24.040](#) Yard requirements.

[17.24.045](#) Yard requirements- Zones Adjacent to Commercial Forest Zone.

[17.24.050](#) Design standards.

[17.24.060](#) Plot plan required.**

[17.24.070](#) Off-street parking.

* Prior history: Ords. 68-18, 2.

** Publisher's note: Ordinance 2007-22 removed 17.24.060.

17.24.010 Purpose and intent.

The purpose and intent of the trailer court zone is to recognize established mobile home developments located in Kittitas County. No further expansion of these developments is allowed.

(Ord. 2007-22, 2007; Ord. 83-Z-2 (part), 1983)

17.24.015 Development within the Ellensburg Urban Growth Area (UGA)

For properties located within the City of Ellensburg UGA, the uses and development standards in KCC 17.11.030 through 17.11.039 shall be utilized. Where KCC 17.11.030 through 17.11.039 does not identify uses and development standards to be utilized for development within the Ellensburg UGA, this chapter shall apply.

17.24.020A Existing Uses.

The following trailer court zone developments exist in Kittitas County: Millpond Manor. ([Ord. 2013-001](#), 2013; Ord. 2007-22, 2007; Res. 83-10, 1983)

17.24.020B Repealed.

([Ord. 2013-001](#), 2013; Ord. 2007-22, 2007)

17.24.030 Minimum requirements.

The minimum lot area and yard requirements in a HTC zone are as follows:

1. Mobile Homes. The minimum area for a historic trailer (mobile home) court site shall be three thousand five hundred (3,500) square feet times the number of individual trailer sites to be provided. Densities must have the approval of the county health office.

2. Single Family Home. The requirements are the same as the requirements of the Rural-5 zone.
3. Electric Vehicle Infrastructure. See KCC Chapter [17.66](#) ([Ord. 2013-001](#), 2013; [Ord. 2011-013](#), 2011; Ord. 2007-22, 2007; Res. 83-10, 1983)

17.24.040 Yard requirements.

No individual mobile home or single family dwelling shall be closer than thirty-five (35) feet to any lot or street right-of-way or closer than fifteen (15) feet from any other mobile home. ([Ord. 2013-001](#), 2013; Res. 83-10, 1983)

17.24.045 Yard requirements - Zones Adjacent to Commercial Forest Zone.

Properties bordering or adjacent to the Commercial Forest zone are subject to a two hundred (200)-foot setback from the Commercial Forest Zone. (KCC [17.57.050\(1\)](#)). For properties where such setback isn't feasible, development shall comply with KCC [17.57.050\(2\)](#). ([Ord. 2013-001](#), 2013; Ord. 2007-22, 2007)

17.24.050 Design standards.

1. All access roadways, parking areas and service drives shall be bituminous surfaced or better.
2. No occupied mobile home shall remain in a mobile home park unless a mobile home space is available.
3. All streets and alleys within the mobile home subdivision should be excavated or filled within 0.3 (plus or minus) of a foot of the grade established by the county engineer. (Res. 83-10, 1983)

17.24.060 Repealed.

Repealed by Ordinance 2007-22, 2007.

17.24.070 Off-street parking.

1. For each mobile home lot there shall be provided and maintained at least one (1) parking space. Each such parking space shall contain a minimum area of one hundred eighty (180) square feet (of dimensions nine (9) feet by twenty (20) feet, or ten (10) feet by nineteen (19) feet) and shall be hard surfaced. If central parking lots are provided, they shall be hard surfaced and each space separated by striping or other adequate means and identified to the official lot number of the occupant and reserved for his sole use.
2. Parallel parking may be permitted in driveways at the approval of the planning commission providing the improved driveway width is increased to a minimum of thirty-six (36) feet.
3. Where lots exist on only one (1) side of the driveway, parallel parking may be permitted on one (1) side at the approval of the Commission providing the driveway width is increased to a minimum of twenty-eight (28) feet. ([Ord. 2013-001](#), 2013; Res. 83-10, 1983)

Chapter 17.32

C-L - LIMITED COMMERCIAL ZONE*

Sections

[17.32.010](#) Purpose and intent.

17.24.015 Development within the Ellensburg Urban Growth Area (UGA)

17.32.020 Allowed uses.

17.32.030 Lot size required.

17.32.040 Yard requirements - Front.

17.32.050 Yard requirements - Side.

17.32.060 Yard requirements - Rear.

17.32.065 Yard requirements- Zones Adjacent to Commercial Forest Zone.

17.32.070 Maximum structure height.

17.32.090 Access requirement.

17.32.110 Setback for vehicle service businesses.

* Prior history: Ords. 76-3, 69-3, 2.

17.32.010 Purpose and intent.

The purpose and intent of the limited commercial zone is to provide a district with a limited range of shopping and service businesses consisting primarily of small retail shops, stores and eating establishments. (Ord. 83-Z-2 (part), 1983)

17.32.015 Development within the Ellensburg Urban Growth Area (UGA)

For properties located within the City of Ellensburg UGA, the uses and development standards in KCC 17.11.030 through 17.11.039 shall be utilized. Where KCC 17.11.030 through 17.11.039 does not identify uses and development standards to be utilized for development within the Ellensburg UGA, this chapter shall apply.

17.32.020 Allowed uses.

Uses allowed in the limited commercial zone include those uses pursuant to KCC Chapter [17.15](#). ([Ord. 2013-001](#), 2013; [Ord. 2011-013](#), 2011; Ord. 2007-22, 2007; Ord. 96-19 (part), 1996; Ord. 83-Z-2 (part), 1983; Res. 83-10, 1983)

17.32.030 Lot size required.

The minimum lot size for all dwelling units shall meet the requirements of the residential zone. No sale or conveyance of any portion of a lot, for other than a public purpose, shall leave a structure on the remainder of the lot with less than the minimum lot, yard or setback requirements of this zone. ([Ord. 2013-001](#), 2013; Res. 83-10, 1983)

17.32.040 Yard requirements - Front.

There shall be a front yard having a minimum depth of twenty (20) feet, unless a previous building line less than this has been established, in which case the minimum front yard for interior lots shall be the average of the setbacks of the main structures on abutting lots on either side if both lots are occupied; if one lot is occupied and the other vacant, the setback shall be the setback of the occupied lot, plus one-half (1/2) the remaining distance to the required twenty-(20)-foot setback. If neither of the abutting side lots or tracts are occupied by a structure, the setback shall be twenty (20) feet long. ([Ord. 2013-001](#), 2013; Res. 83-10, 1983)

17.32.050 Yard requirements - Side.

There are no side yard requirements, except property abutting a residential zone, in which case the side yard on the abutting side shall be the same as that required for the abutting property. Side yards for dwelling units shall meet the requirements of the residential zone. ([Ord. 2021-015](#), 2021; [Ord. 2013-001](#), 2013; Res. 83-10, 1983)

17.32.060 Yard requirements - Rear.

There are no rear yard requirements. However, if a rear yard is provided, the minimum depth shall be twelve (12) feet. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.32.065 Yard requirements - Zones Adjacent to Commercial Forest Zone

Properties bordering or adjacent to the Commercial Forest zone are subject to a two hundred (200)-foot setback from the Commercial Forest Zone. (KCC 17.57.050(1)). For properties where such setback isn't feasible, development shall comply with KCC 17.57.050(2). (Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.32.070 Maximum structure height.

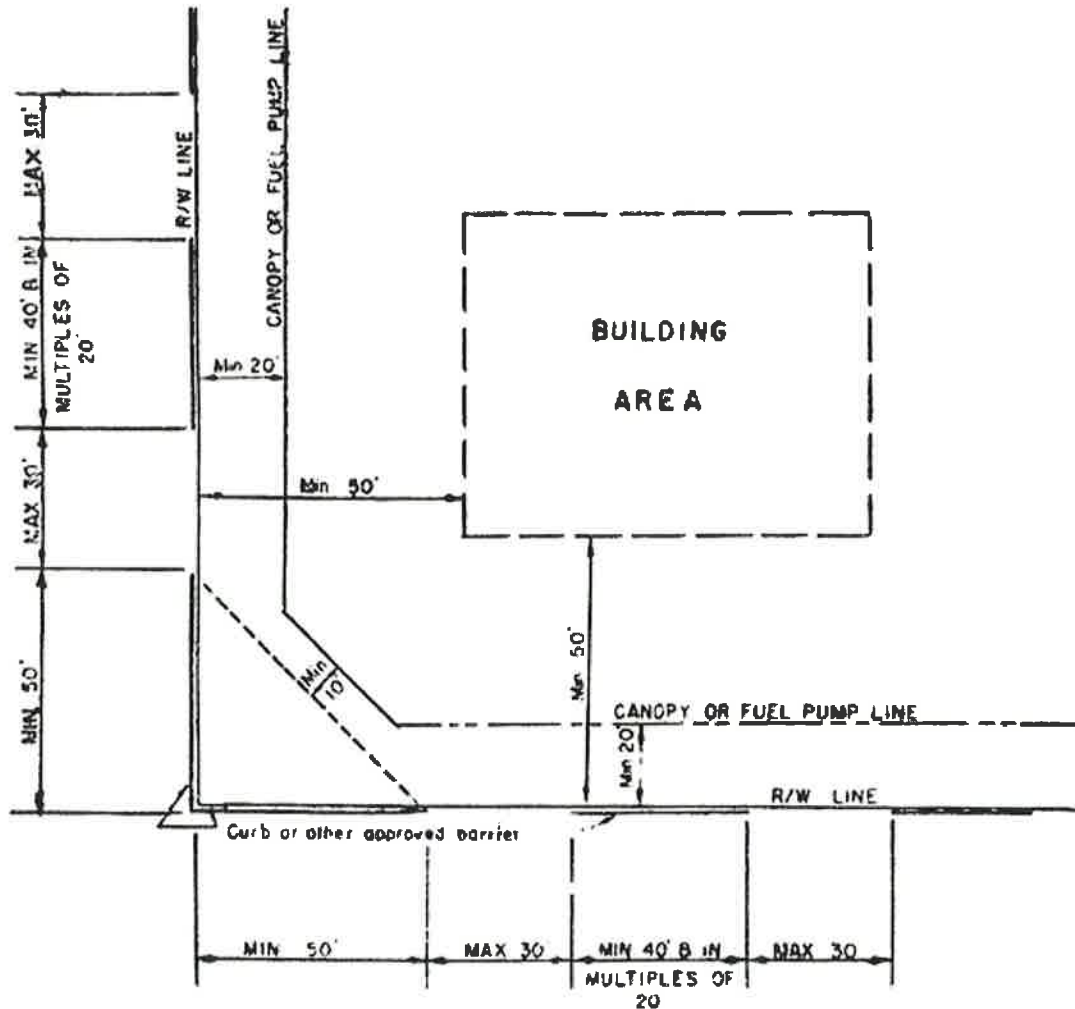
The maximum height of any structure shall be two and one-half (2½) stories or thirty-five (35) feet, whichever is less. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.32.090 Access requirement.

All lots in this zone shall abut a public street, or shall have such other access as deemed suitable by the Board. (Ord. 2013-001, 2013; Ord. 83-Z-2 (part), 1983; Res. 8310, 1983)

17.32.110 Setback for vehicle service businesses.

Setback regulations for drive-in businesses, or minimum site standards for vehicle service businesses shall conform to the diagram on the following page. (Res. 83-10, 1983)



NOTE: Includes all drive-in businesses
Service canopies allowed as shown
BOARD OF COUNTY COMMISSIONERS
KITITAS COUNTY

JOE MCANAMAY CHAIRMAN

HOWARD P. SORENSON

JOE A. LUMACO

Office of County Road Engineer

KITITAS COUNTY

COUNTY ROAD PLAN NO. 1

STANDARD PLAN
VEHICLE SERVICE BUSINESS*

Drawn by PS Date 1-30-69

APPROVED 1/30/69 William D. Shaw
Date Action County Engineer

Chapter 17.36 PLANNED UNIT DEVELOPMENT ZONE*

Sections

[17.36.010](#) Purpose and intent.

[17.36.015](#) Applicability.

17.36.016 Development within the Ellensburg Urban Growth Area (UGA) - Bender/Reecer and the Verge PUDs

[17.36.020](#) Uses permitted.

[17.36.025](#) Allowed density.

[17.36.030](#) Submittal requirements - Preliminary development plan.

[17.36.040](#) Submittal requirements - Final development plan.

[17.36.45](#) Review criteria.

[17.36.050](#) Permit issuance and conditions.

[17.36.060](#) Required improvements.

[17.36.070](#) Repealed.

[17.36.080](#) Planned unit development alterations.

[17.36.090](#) Extensions and expiration.

* Prior history: Ords. 74-6, 2.

17.36.010 Purpose and intent.

The purpose and intent of this chapter is to provide for departures from strict compliance with the zoning standards outlined in other sections of this Title for projects that can demonstrate that such departures will protect the public interest and accomplish one or more of the following objectives:

- a. To encourage more innovative design than is generally possible under conventional zoning and subdivision regulations;
- b. To encourage more economical and efficient use of land, streets, and public services;
- c. To preserve and create usable open space and other amenities superior to conventional developments;
- d. To preserve important natural features of the land, including topography, natural vegetation, and views;
- e. To encourage development of a variety of housing types and densities;
- f. To encourage energy conservation, including the use of passive solar energy in project design and development to the extent possible;
- g. To encourage development of areas or site characterized by special features of geography, topography, size, shape; and/or
- h. To permit flexibility of design that will create desirable public and private open space;; to vary the type, design and layout of buildings;; and to utilize the potentials of individual sites and alternative energy services to the extent possible;

([Ord. 2013-001](#), 2013; Ord. 2007-22, 2007; Ord. 90-6 (part), 1990; Res. 83-10, 1983)

17.36.015 Applicability.

1. Inside the Urban Growth Area (UGA) and Rural LAMIRDs: The provisions of this chapter can be used for any property over two (2) acres in size.
2. Outside the Urban Growth Area (UGA) and Rural LAMIRDs: The provisions of this chapter can be used for properties over twenty (20) acres in size, except that PUDs are prohibited on Resource Lands and Rural Lands in the Rural Working Land Use Designation.

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

17.36.016 Development within the Ellensburg Urban Growth Area (UGA) – Bender/Receer and the Verge PUDs

For properties located within the Bender/Reecer and the Verge PUDs which are located within the City of Ellensburg UGA, the uses and development standards in KCC 17.11.030 through 17.11.039 shall be utilized. Where KCC 17.11.030 through 17.11.039 does not identify uses and development standards to be utilized for development within the Ellensburg UGA, this chapter shall apply.

17.36.020 Allowed uses.

1. Inside the Urban Growth Area and Rural LAMIRDs, uses may include
 - a. All residential uses including multifamily structures;
 - b. Manufactured home parks;
 - c. Hotels and motels;
 - d. Fractionally-owned units;
 - e. Retail businesses;
 - f. Commercial-recreation businesses, parks and playgrounds;
 - g. Restaurants, cafes, taverns, cocktail bars;
 - h. Electric vehicle infrastructure. pursuant to See KCC Chapter 17.66; and;
 - i. The following uses where they are only serving a residential PUD and where all other applicable standards are met:
 - i. Community buildings;
 - ii. Indoor recreation facilities including athletic clubs, fitness centers, sports courts, swimming pools, and other similar uses;
 - iii. Outdoor recreation facilities including swimming pools, sports courts or similar uses; and
 - iv. Recreation vehicle storage areas.
2. Outside the Urban Growth Area, uses may include:
 - a. The following residential uses;
 - i. Accessory dwelling unit;
 - ii. Accessory living quarters;
 - iii. Dwelling, single-family;
 - iv. Dwelling, two-family;
 - v. Dwelling, multiple-family;
 - vi. Special care dwelling;
 - vii. Parks and playgrounds; and
 - b. The following uses where they are only serving a residential PUD and where all other applicable standards are met:
 - i. Community buildings;
 - ii. Indoor recreation facilities including athletic clubs, fitness centers, sports courts, swimming pools, and other similar uses;
 - iii. Outdoor recreation facilities including swimming pools, sports courts or similar uses;
 - iv. Electrical vehicle infrastructure, pursuant to KCC Chapter 17.66; and
 - v. Recreation vehicle storage areas. (Ord. 2016-023, 2016; Ord. 2013-001, 2013; Ord. 2011-013, 2011; Ord. 2007-22, 2007; Ord. 90-6 (part), 1990: Res. 83-10, 1983)

17.36.025 Allowed density.

1. Inside the Urban Growth Area (UGA): The county may approve an increase of dwelling unit density for residential PUDs of not more than three (3) times the density permitted

in the underlying zone, provided development rights are transferred pursuant to KCC Chapter 17.13 and additional natural and social amenities beyond the required minimums are provided.

2. Outside the Urban Growth Area (UGA) and Rural LAMIRDs: The density of the underlying zone or existing density within the boundaries of the proposed PUD shall not be exceeded by a PUD. For Rural LAMIRDs, the density shall be consistent with the character of the existing area as required by RCW 36.70A.070(5)d.

(Ord. 2021-015, 2021;; Ord. 2013-001, 2013)

17.36.030 Submittal requirements - Preliminary development plan.

Any persons or corporation applying for a planned unit development zone shall file a preliminary development plan with an application for zone change, pursuant to KCC Chapter 17.98. The development plan application shall include all of the following:

1. Application forms and fees required by the County;
2. Legal description of the subject property including section, township, range, parcel numbers and number of acres;
3. A vicinity map showing the location of the site and its relationship to surrounding areas and roads;
4. A Development plan drawn to a scale no smaller than two hundred (200) feet to the inch with elevation contours of no more than twenty-(20)-foot intervals showing the following:
 - a. Existing buildings, roads, utilities and easements;
 - b. Arrangement of proposed land uses by type (residential, commercial, open spaces, etc.) with the approximate percentage of land in each category.
 - c. Proposed traffic circulation and parking;
 - d. Critical areas and natural features;
5. A Landscaping plan.
6. A Phasing plan with identified timelines.
7. A Project narrative addressing the following:
 - a. Adjacent natural areas;
 - b. The type, design and characteristics of the surrounding properties;
 - c. Developer's intent with regard to providing landscaping and retention of open spaces;
 - d. Future land ownership patterns within the development including homeowners associations if planned;
 - e. Proposed water supply, storage and distribution system, sewage disposal/treatment plan, solid waste collection plan;
 - f. Documentation from the Director that environmental review (SEPA) has been completed or will be completed;
 - g. An explanation and specification of any nonresidential uses proposed within the project;
 - h. Planned residential densities expressed in terms of dwelling units per building and per net acre (total acreage minus dedicated rights-of-way);
 - i. The method proposed to insure the permanent retention and maintenance of common open space;

- j. Proposed development standards, including an analysis of the public benefit provided in exchange for the deviations from the standards of the underlying zone;
- k. Timing for the construction and installation of improvements, buildings, other structures and landscaping;
- l. A master plan of the site, if the proposed PUD is to be developed in phases. The master plan need not be fully engineered, but shall be of sufficient detail to illustrate the property's physical features and probable development pattern. The master plan will serve as a guide in each successive stage of development until its completion;
- m. If the proposed PUD rezone will result in an increase in unit density over the existing zone, include a narrative of the transfer of development rights in accordance with KCC Chapter 17.13, Transfer of Development Rights. (Ord. 2013-001, 2013; Ord. 2010-006, 2010; Ord. 2007-22, 2007; Ord. 90-6 (part), 1990; Res. 83-10, 1983)

17.36.040 Submittal requirements - Final development plan.

Following approval of the preliminary development plan by the county and before lot sales or building construction commences, the developer (owner) shall submit a final development plan for approval by the Board which shall include all of the following as listed below. Submittal shall be consistent with the process as outlined for final plat development in KCC Chapter 16.20.

- 1. A staging plan describing the timing or sequence of construction for all the elements of the plan. Subdivision lot sales may precede other elements of the development upon final plat approval;
- 2. A map or maps of the site drawn at a scale no smaller than one hundred (100) feet to one (1) inch showing the following:
 - a. Preliminary engineering plans including site grading, road improvements, drainage and public utilities extensions;
 - b. Arrangement of all buildings which shall be identified by type;
 - c. Preliminary building plans including floor plans and exterior design and/or elevation views;
 - d. Location and number of off-street parking areas including type and estimated cost of surfacing;
 - e. The location and dimensions of roads and driveways including type and estimated cost of surfacing and road maintenance plans;
 - f. The location and total area of common open spaces;
 - g. Proposed location of fire protection facilities;
 - h. Proposed storm drainage plan;
- 3. Certification from state and local health authorities that water and sewer systems are available to accommodate the development;
- 4. Provisions to assure permanence and maintenance of common open spaces;
- 5. Statement of intent including estimated cost for landscaping and restoration of natural areas despoiled by construction including tree planting;
- 6. Certification by the county of transfer of the required density credits in compliance with KCC Chapter 17.13, Transfer of Development Rights. (Ord. 2010-006, 2010; Ord. 2007-22, 2007; Ord. 96-19 (part), 1996; Ord. 90-6 (part), 1990; Res. 83-10, 1983)

17.36.045 Review criteria.

1. Preliminary development plan: The Hearing Examiner shall evaluate a planned unit development application and other evidence and testimony submitted into the record and shall issue a recommendation based on the following considerations and criteria:
 - a. Criteria applicable to all PUDs:
 - i. PUD complies with all amendment criteria in KCC Chapter 17.98;
 - ii. PUD makes economic and efficient use of land, streets, and public services;
 - iii. PUD preserves usable open space, important natural features, and other amenities;
 - iv. PUD provides site design features that reasonably mitigate off-site impacts; and
 - v. Public benefits of PUD outweigh the effect of the modification of underlying zoning standards.
 - b. Additional criteria applicable to PUDs on Rural Lands:
 - i. PUD is developed in a manner that maintains rural character;
 - ii. Non-residential uses within PUD are designed at a scale appropriate for rural area and intended to serve only the residents of the PUD; and
 - iii. PUD provides appropriate transitions to surrounding properties and land uses.
 - iv. All new structures shall comply with the applicable standards contained in: (1) "Fire Safety Considerations for Developments in Forested Areas: Fire Hazard Severity Rating and Recommended Standards" (Northwest Interagency Fire Prevention Group) Washington Department of Natural Resources Severity Type Rating System; (2) standards adopted by Kittitas County Fire Protection Cooperative - "Recommendations For Fire Safety and Prevention of Forest and Range Land in Kittitas County Including Rural, Commercial and Private Developments"; and/or (3) Urban Wildland Interface Code for structures outside a fire district.
2. Final development plan: The Director shall evaluate and the Board shall approve final development plans for the PUD, provided the conditions imposed on the preliminary PUD approval, if any, have been satisfied. (Ord. 2013-001, 2013)

17.36.050 Permit issuance and conditions.

Building permits and other permits required for the construction or development of property under provision of this section shall be issued only when, in the opinion of the Director, the work to be performed substantially conforms to the final development plan approved by the Board. (Ord. 2013-001, 2013; Ord. 96-19 (part), 1996; Ord. 90-6 (part), 1990; Res. 83-10, 1983)

17.36.060 Required improvements.

All improvements including parking lots, driveways, landscaping, which are a part of the approved plan, but which do not otherwise require building permits, shall be completed or bonded before occupancy permits are issued by Community Development Services. The amount of the bond shall be determined by Community Development Services on the basis of information presented with the final development plan. (Ord. 2013-001, 2013; Ord. 90-6 (part), 1990; Res. 83-10, 1983)

17.36.070 Inter-jurisdiction review.

Proposed projects occurring within the Urban Growth Area shall be jointly reviewed with the associated city. (Ord. 2007-22, 2007)

17.36.080 Planned Unit Development Alterations.

Proposed alterations to approved planned unit developments shall be processed as follows:

1. Minor alterations: Minor alterations are those which, in the opinion of the Director, alter the dimensions, location, or type of facilities but maintain the basic character of the approved PUD application and do not alter the proposed uses or density. Minor alterations may be approved by the Director.
2. Major alterations: Major alterations are those which, in the opinion of the Director, substantially change the basic design, density, open space or other requirement of the planned unit development. Major adjustments require a new application. (Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.36.090 Extensions and expiration.

1. Filing of final development plan - Non-phased PUDs. The applicant shall have five (5) years from the date of Board action to submit the final PUD application pursuant to 7.36.040, unless an extension has been granted pursuant to subsections 3 or 4 below. If the PUD is associated with a plat with a longer submittal timeframe the longer timeframe shall apply, pursuant to RCW 58.17.140.
2. Filing of final development plan - Phased PUDs. Applicants may develop a planned unit development in phases, provided a phasing plan is approved as part of the initial application. In such cases, a final development plan shall be submitted for phases in the time limit established in the approved phasing plan, unless an extension has been granted pursuant to subsections 3 or 4 below. If the PUD phase is associated with a plat with a longer submittal timeframe the longer timeframe shall apply, pursuant to RCW 58.17.140.
3. One-(1)-year extension. An applicant who files a written request with the Director prior to the end of the five-(5)-year expiration period (or applicable timeline established in an approved phasing plan) shall be granted a one-(1)-year extension upon showing a good faith attempt to complete the requirements necessary for submittal of the final development plan.
4. Additional extensions. Upon written request from the applicant, the Board may grant two (2) additional one-(1)-year extensions beyond the extension authorized in subsection 3 if they find there is reasonable justification for the granting of additional extensions. The Board may take into consideration changes in rules and regulations that occurred since the original PUD approval and may condition the extension to require compliance with any such rules and regulations, or portions thereof.
5. Expiration. Planned unit developments which do not obtain final approval and implementing permits within the time frames established in this section shall expire without prejudice. For phased PUDs the expiration shall apply to all portions or phases of the PUD that have not applied for or been granted final approval. All future permits shall be subject to the requirements of the underlying zone unless a new application for a planned unit development is submitted and approved.

6. Timeframe for implementing permits. Implementing permits, including land divisions for lot sales or building permits when there is no associated land division, shall be submitted within two (2) years of final development plan approval.
7. PUDs approved prior to 2007. Planned unit developments with preliminary development plans approved prior to adoption of the expiration standards contained in Ordinance 2007-22 shall have until December 31, 2017, to submit final development plans and shall be subject to the timeframes established in subsection 6 above for implementing permits. Undeveloped PUDs with final development plans approved prior to 2007 shall have until December 31, 2015, to complete land divisions for lot sales or building permits when there is no associated land division. Failure to obtain final plan or permit approvals or make substantial progress toward such approvals within the time frames in this subsection shall result in expiration without prejudice.
8. Lapse of zoning. If the planned unit development is not completed within the time periods in this section, the rezone to Planned Unit Development Zone is void for the area not completed, and the official zoning map shall be amended to the underlying zoning. ([Ord. 2013-001](#), 2013; Ord. 2007-22, 2007)

Chapter 17.40

C-G - GENERAL COMMERCIAL ZONE*

Sections

[17.40.010](#) Purpose and intent.

[17.40.015](#) Development within the Ellensburg Urban Growth Area (UGA)

[17.40.020](#) Allowed uses.

[17.40.030](#) Lot size required.

[17.40.040](#) Maximum lot coverage.

[17.40.050](#) Maximum floor area.

[17.40.060](#) Yard requirements.

[17.40.070](#) Height restriction.

[17.40.080](#) Repealed.

[17.40.090](#) Access requirement.

[17.40.100](#) Half streets.

[17.40.110](#) Repealed.

* Prior history: Ords. 69-7, 2.

17.40.010 Purpose and intent.

The purpose and intent of the general commercial zone is to provide a classification consistent with existing business districts in unincorporated towns (i.e., Vantage, Easton) where a wide range of community retail shops and services are available. (Ord. 83-Z-2 (part), 1983)

17.40.015 Development within the Ellensburg Urban Growth Area (UGA)

For properties located within the City of Ellensburg UGA, the use and development standards in KCC 17.11.030 through 17.11.039 shall be utilized. Where KCC 17.11.030 through 17.11.039 does not

identify use and development standards to be utilized for development within the Ellensburg UGA, this chapter shall apply.

17.40.020 Allowed uses.

Uses allowed in the general commercial zone include those uses pursuant to KCC Chapter [17.15](#). ([Ord. 2013-001](#), 2013; [Ord. 2012-009](#), 2012; [Ord. 2011-013](#), 2011; [Ord. 2010-014](#), 2010; Ord. 2007-22, 2007; Ord. 96-19 (part), 1996; Ord. 93-1 (part), 1993; Res. 83-10, 1983)

17.40.030 Lot size required.

There shall be no limitation. (Res. 83-10, 1983)

17.40.040 Maximum lot coverage.

There shall be no limitation. (Res. 83-10, 1983)

17.40.050 Maximum floor area.

There shall be no limitation. (Res. 83-10, 1983)

17.40.060 Yard requirements.

1. Front Yard. No front yard is required.
2. Side Yard. No side yard is required.
3. Rear Yard. No rear yard is required; however, if a rear yard is provided, the minimum depth shall be twelve (12) feet. ([Ord. 2013-001](#), 2013; Res. 83-10, 1983)

17.40.070 Height restriction.

There shall be no limitation. (Res. 83-10, 1983)

17.40.080 Repealed.

([Ord. 2013-001](#), 2013; Res. 83-10, 1983)

17.40.090 Access requirement.

All lots in this zone shall abut a public street, or shall have such other access as deemed suitable by the Commission and Board. ([Ord. 2013-001](#), 2013; Ord. 83-Z-2 (part), 1983; Res. 83-10, 1983)

17.40.100 Half streets.

In an area adjacent to a half street and opposite or outside the plat including the dedication of said half street, structures shall be set back from said half street a distance sufficient to provide for an additional half street and the yard requirements. (Res. 8310, 1983)

17.40.110 Repealed.

([Ord. 2013-001](#), 2013; Res. 8310, 1983)

Chapter 17.44

C-H HIGHWAY COMMERCIAL ZONE

Sections

[17.44.010](#) Purpose and intent.

[17.48.015](#) Development within the Ellensburg Urban Growth Area UGA)

[17.44.020](#) Allowed uses.

[17.44.030](#) Repealed.

[17.44.040](#) Minimum lot size.

[17.44.050](#) Setback requirements.

[17.44.055](#) Setback requirements- Zones Adjacent to Commercial Forest Zone.

[17.44.060](#) Building height.

[17.44.070](#) Repealed.

[17.44.080](#) Access.

17.44.010 Purpose and intent.

It is the purpose and intent of the highway commercial zone to provide for motorist- tourist dependent businesses having little interdependence and requiring convenient access to passing traffic. (Ord. 83-Z-2 (part), 1983)

17.44.015 Development within the Ellensburg Urban Growth Area (UGA)

For properties located within the City of Ellensburg UGA, the use and development standards in KCC 17.11.030 through 17.11.039 shall be utilized. Where KCC 17.11.030 through 17.11.039 does not identify use and development standards to be utilized for development within the Ellensburg UGA, this chapter shall apply.

17.44.020 Allowed uses. Uses allowed in the highway commercial zone include those uses pursuant to KCC Chapter [17.15](#).

(Ord. [2013-001](#), 2013; Ord. [2011-013](#), 2011; Ord. 2007-22, 2007; Ord. 96-19 (part), 1996; Ord. 83-Z-2 (part), 1983)

17.44.030 Repealed.

(Ord. [2013-001](#), 2013; Ord. 83-Z-2 (part), 1983)

17.44.040 Minimum lot size.

It is the intent of this chapter that each business be situated on a site of sufficient size to provide all off-street parking, loading and necessary driveways. (Ord. 83-Z-2 (part), 1983)

17.44.050 Setback requirements.

1. Front Setback. There shall be a minimum front yard depth of fifteen (15) feet. Off-street parking and maneuvering area shall not be considered as front yard;
2. Side Setback. Ten (10) feet;
3. Rear Setback. Ten (10) feet;
4. Side and rear yard setbacks may be modified in accordance with KCC [16.10.065](#).

(Ord. [2022-005](#), 2022; Ord. [2013-001](#), 2013; Ord. 2007-22, 2007; Ord. 83-Z-2 (part), 1983)

17.44.055 Setback requirements - Zones Adjacent to Commercial Forest Zone

Properties bordering or adjacent to the Commercial Forest zone are subject to a two hundred (200)-foot setback from the Commercial Forest Zone. (KCC [17.57.050](#)(1)). For properties where such setback isn't feasible, development shall comply with KCC [17.57.050](#)(2). (Ord. [2013-001](#), 2013; Ord. 2007-22, 2007)

17.44.060 Building height.

The maximum height of any structure shall be two and one-half (2½) stories or thirty-five (35) feet, whichever is less. (Ord. 83-Z-2 (part), 1983)

17.44.070 Repealed.

(Ord. [2013-001](#), 2013; Ord. 83- Z-2 (part), 1983)

17.44.080 Access.

All lots in this district shall abut a public street, or shall have such other access as deemed suitable by the board. (Ord. [2013-001](#), 2013; Ord. 83-Z-2 (part), 1983)

Chapter 17.48

I-L LIGHT INDUSTRIAL ZONE*

Sections

[17.48.010](#) Purpose and intent.

[17.48.015](#) **Development within the Ellensburg Urban Growth Area (UGA)**

[17.48.020](#) Allowed uses.

[17.48.030](#) Minimum lot size.

[17.48.040](#) Front, side and rear yard requirements.

[17.48.050](#) Setbacks.

[17.48.060](#) Height restrictions.

[17.48.070](#) Lot coverage.

* Prior legislation: Ord. 2 §§ 13, 13.01, 13.02.01, 13.02.02, 13.02.03, 13.02.04, 13.02.05, Ord. 71-5 and Ord. 76-3.

17.48.010 Purpose and intent.

The light industrial zone is established to preserve areas for industrial and related uses of such a nature that they do not create serious problems of compatibility with other kinds of land uses and to protect such zones from encroachment by conflicting land uses. The regulations set out in this chapter shall apply to the light industrial zone. ([Ord. 2013-001](#), 2013; Ord. 83-Z-2 (part), 1983)

17.48.015 Development within the Ellensburg Urban Growth Area (UGA)

For properties located within the City of Ellensburg UGA, the use and development standards in KCC 17.11.030 through 17.11.039 shall be utilized. Where KCC 17.11.030 through 17.11.039 does not identify use and development standards to be utilized for development within the Ellensburg UGA, this chapter shall apply.

17.48.020 Allowed uses.

Uses allowed in the light industrial district include those uses pursuant to KCC Chapter [17.15](#). ([Ord. 2013-001](#), 2013; [Ord. 2012-009](#), 2012; [Ord. 2011-013](#), 2011; [Ord. 2010-014](#), 2010; Ord. 96-19 (part), 1996; Ord. 83Z-2 (part), 1983)

17.48.030 Minimum lot size. The minimum lot size in the City of Kittitas urban growth area is twenty (20) acres, unless the Director approves smaller lots after reviewing a land division plan or sketch that demonstrates the following:

1. The smaller lots do not result in inefficient use of land;
2. The smaller lots will not preclude future large-scale industrial development;
3. The smaller lots will not preclude the adequate access and infrastructure to future development; and
4. The lots are at least ten (10) acres.

([Ord. 2013-001](#), 2013; Ord. 93-1 (part), 1993)

17.48.040 Front, side and rear yard requirements.

There are no yard requirements, unless the property abuts a parcel of land of more restricted nature such as a commercial zone, in which case the requirements on the abutting side shall be those of the abutting property. (Ord. 83-Z-2 (part), 1983)

17.48.050 Setbacks.

No building or permanent structure may be constructed closer than fifty-five (55) feet from the centerline of any public right-of-way. If any use in this zone abuts or faces any residential zone, a setback of fifty (50) feet on the side abutting or facing the residential zone shall be provided, with tree planting or other conditions necessary to preserve the character of the residential zone. The

Director shall determine what these conditions shall be. ([Ord. 2013-001](#), 2013; Ord. 83-Z-2 (part), 1983)

17.48.060 Height restrictions.

There shall be no limitations. (Ord. 83-Z-2 (part), 1983)

17.48.070 Lot coverage.

No structure or combination of structures, including buildings, shall occupy or cover more than fifty (50%) percent of the total lot area. ([Ord. 2013-001](#), 2013; [Ord. 2012-009](#), 2012; Ord. 93-1 (part), 1993)

Chapter 17.52

I-G GENERAL INDUSTRIAL ZONE

Sections

[17.52.010](#) Purpose and intent.

[17.52.015](#) Development within the Ellensburg Urban Growth Area UGA)

[17.52.020](#) Allowed uses.

[17.52.030](#) Repealed.

[17.52.040](#) Front, side and rear yard requirements.

[17.52.050](#) Setbacks.

[17.52.060](#) Height restrictions.

[17.52.080](#) Access.

17.52.010 Purpose and intent.

This zone is intended to accommodate certain industrial structures and uses that could create serious problems of compatibility with other kinds of land uses and to protect such zones from encroachment by conflicting land uses. ([Ord. 2013-001](#), 2013; Ord. 83-Z-2 (part), 1983)

17.52.015 Development within the Ellensburg Urban Growth Area (UGA)

For properties located within the City of Ellensburg UGA, the uses and development standards in KCC 17.11.030 through 17.11.039 shall be utilized. Where KCC 17.11.030 through 17.11.039 does not identify development uses and standards to be utilized for development within the Ellensburg UGA, this chapter shall apply.

17.52.020 Uses permitted.

Uses allowed in the general industrial zone include those uses pursuant to KCC Chapter [17.15](#). ([Ord. 2013-001](#), 2013; [Ord. 2012-009](#), 2012; [Ord. 2011-013](#), 2011; Ord. 2007-22, 2007; Ord. 83-Z-2 (part), 1983)

17.52.030 Repealed. ([Ord. 2013-001](#), 2013; [Ord. 2012-009](#), 2012; Ord 2007-22, 2007; Ord. 93-1 (part), 1993; Ord. 83-Z2 (part), 1983)

17.52.040 Front, side and rear yard requirements.

There are no yard requirements, unless the property abuts a parcel of land of more restricted nature such as a commercial zone, in which case the requirements on the abutting side shall be those of the abutting property. (Ord. 83-Z-2 (part), 1983)

17.52.050 Setbacks.

If any use in this zone abuts or faces any Residential or Urban Residential zone, a setback of fifty (50) feet on the side abutting or facing the residential zone shall be provided, with tree planting or other conditions necessary to preserve the character of the residential zone. The Director shall determine

what these conditions shall be. (Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2007-22, 2007; Ord. 96-19 (part), 1996; Ord. 83-Z-2 (part), 1983)

17.52.060 Height restrictions.

There shall be no limitations. (Ord. 83-Z-2 (part), 1983)

17.52.080 Access.

All lots in this zone shall abut a public street, or shall have such other access as deemed suitable by the board. (Ord. 2013-001, 2013; Ord. 83-Z-2 (part), 1983)

Exhibit B: Docket Item 22-03

Housekeeping Amendments to Title 15, 16, and 17

17.08.230 Family.

"Family" means a number of related individuals or ~~not more than five (5)~~ unrelated individuals living together as a single housekeeping unit, and doing their cooking on the premises exclusively as one (1) household. This definition excludes group homes and short-term rentals. The amount of individuals living together can not exceed applicable health and safety provision. (Ord. 2013-001, 2013; Res. 83-10, 1983)

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 ~~is~~ its discretion.
-

17.60B.050 Administrative Review.

The development standards of this title shall be used by the applicant in preparing the administrative use permit application, and by the administrator in determining the acceptability of permitting a use in a certain location. The applicant has the burden of proving that the proposed use meets criteria set forth below in this section. An administrative use permit may be approved only if all of the following findings can be made regarding the proposal and are supported by the record:

1. That the granting of the proposed administrative use permit approval will not:
 1. Be detrimental to the public health, safety, and general welfare;
 2. Adversely affect the established character of the surrounding vicinity and planned uses; nor
 3. Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located.
 2. That the granting of the proposed administrative use permit is consistent and compatible with the intent of goals, objectives and policies of the comprehensive plan, and any implementing regulation.
-

KCC17.15.060.1 Allowed Uses in Rural Non-LAMIRD Lands

P Permitted PA Permitted Administrative CU Conditional Use ACU Admin. Conditional Use	Rural Non-LAMIRD							
	Rural Residential	Rural Working	Rural Recreation				Rural Residential & Rural Recreation	
<i>* See KCC Chapter 17.08 Definitions</i>	Ag 5 ⁴⁹	Rural 5 ⁴⁹	Ag 20 ⁴⁹	Forest & Range	Master Planned	General Commercial	Rural Recreation	PUD
E. Recreation								
Campground*	CU ₁₂	CU ₁₂	CU ₁₂	CU ₅₄ ¹² P	CU ₁₃	CU ₁₂	CU ₁₂	CU
Golf course*	CU	CU	CU	CU ^{**}	CU		CU	
Guest ranch or guest farm*	CU	CU	CU	CU ^{**}			CU	
Parks and playgrounds*	P	P	P ³	P	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	CU
Recreational vehicle/equipment service and repair*				CU ⁶⁰				
Recreational vehicle storage				CU ²⁶			CU ²⁶	P ²⁶
Stadiums								
Trails	PA	PA	PA	PA	PA	PA	PA	PA

17.15.060.2 Footnotes Associated with Rural Non-LAMIRD Use Table.

26. Recreational vehicle storage may be enclosed or outdoor storage of recreational vehicles or both. Permitted where the use is only serving a residential PUD or in the Rural Recreation and Forest and Range zoning districts and subject to the following standards and conditions:

- All stored vehicles must be licensed if required by law, and operational. This land use does not include vehicle sales.
- Unless it is limited to serving a residential PUD and otherwise permitted or authorized, recreational vehicles shall not be stored outside when the site is contiguous to a residential zoning district.
- No commercial or manufacturing activities are permitted except when recreational vehicle/equipment service and repair has been permitted subject to the requirements of KCC 17.15.060.2 Footnote 60.
- In the Forest and Range zoning district, and when not limited to serving a recreational planned unit development, the site shall either be:
 - Contiguous to a State Highway, or
 - Contiguous to a designated urban arterial or rural collector road located near a highway intersection or freeway interchange.
 - It is not necessary for the site to have direct access to such arterial, collector or highway to meet this requirement.

- e. Recreational vehicle storage shall be designed to be compatible with the surrounding rural character, subject to the following standards:
 - i. Storage areas shall be enclosed with a minimum five-foot-high, security fence. The applicant may be required to provide additional plans for aesthetic improvements and/or site-screening.
 - ii. Additional setbacks, physical barriers or site-screening may be required on sites that border resource lands in the Commercial Agriculture or Commercial Forest zoning districts.
 - iii. Findings shall be made that the proposal does not require urban governmental services such as municipal sewer or water service and does not compromise the long-term viability of designated resource lands.
 - iv. Measures shall be taken to protect ground and surface water.

Electric Vehicle Infrastructure subject to provisions of KCC Chapter 17.66.

17.36.090 Extensions and expiration.

1. Filing of final development plan - Non-phased PUDs. The applicant shall have five (5) years from the date of Board action to submit the final PUD application pursuant to ~~7.36.040~~ 17.36.040, unless an extension has been granted pursuant to subsections 3 or 4 below. If the PUD is associated with a plat with a longer submittal timeframe the longer timeframe shall apply, pursuant to RCW 58.17.140.

17.70.060 General regulations.

The type, number, height, setbacks and maximum sign area are subject to the review procedures of this chapter, and are established for all signs in all zoning districts.

1. Development Standards.

- c) ~~Except for exempt signs as provided in KCC Section 17.72.030, a~~ All signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame or structure.

17.15.070.1 Rural LAMIRD Use Table

	Residential	Residential 2	Rural 5	Agriculture 3	General Commercial 1	Highway Commercial 1	Light Industrial	General Industrial	Forest & Range	PUD	Limited Commercial	General Commercial	Highway Commercial	Light Industrial
D. Industrial														
Airport*				CU										CU ⁴⁶
Asphalt/Concrete plants										CU ⁴²				
Explosives, storage or manufacture							CU	CU						

17.15.070.2 Footnotes Associated with Rural LAMIRD Use Table.

46. No new airports. Existing airports may expand or enlarge in compliance with applicable standards and regulations.*

~~47. No new airports. Existing airports may expand or enlarge in compliance with applicable standards and regulations.*~~

14.04.045 Recreational Vehicles and Park Model Trailers.

1. Definitions

7. Additions to a park model are prohibited.

8. An RV may not be used as a residence, except if it is a primary residence and is located in a manufacturer/mobile home community as defined in RCW 59.20.030 that was in existence before June 8, 2008, except that a park model trailer may be used as a special care dwelling unit per KCC 17.08.500. Such placement shall be conditioned upon meeting all the requirements placed upon a park models, mobile and/or manufactured home in the same location.

9. Except as provided in KCC 17.92.010, unless an RV is being used as a primary residence pursuant to subsection (78) above, an RV may be used for no more than four (4) weeks out of any six (6) weeks and shall be fully licensed and ready for highway at all times. An RV must be disconnected from utilities during the weeks that it is not in use.

Exhibit C: Docket Item 22-04

Residential Structure Definitions

17.08.022 Accessory dwelling unit.

"Accessory dwelling unit" means separate living quarters detached from the primary residence that includes an installed cook source (such as a range/oven/hood vent).

17.08.023 Accessory living quarters.

"Accessory living quarters" means separate living quarters with an installed cook source (such as a range/oven/hood vent) fully contained within a single structure that contains the primary dwelling.

Exhibit D: Amendment 22-05

Daycare Facilities

17.08.195 Day care facilities.

"Day care facilities" means ~~any home used for the daily care and supervision of thirteen (13) or more individuals in any twenty-four (24) hour period or any number of individuals in a nonresidential structure; a licensed establishment for group care of nonresident adults or children.~~

17.15.070.1 Rural LAMIRD Use Table

P Permitt ed PA Permitt ed Admini strative CU Condi tional Use ACU Admin. Condi tional	Rural LAMIRD ⁴⁹ (Type 1 LAMIRDs)										Rural Employment Centers ^{50, 52} (Type 3 LAMIRDs)			
	Residen tial	Resid ential 2	R u ra l 5	Agr icul ture 3	Gener al Com merci al	High way Com merci al	Ligh t Indu stri al	Gen eral Indu stri al	For est & Ran ge	P U D	Limite d Com merci al	Gener al Com merci al	High way Com merci al	Ligh t Indu stri al
Use														
<i>*See KCC Chapter <u>17.08</u> Definiti ons</i>														
A. Agricul ture														
Animal boardin g*	CU ¹	P	P	P	P				P			P		
Agricul ture processi ng*				P ²	P/CU ⁴		P/C U ⁴	P/C U ⁴	C U		P/CU ⁴	P/CU ⁴	P/CU ⁴	P/C U ⁴

Footnote

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

17.15.080 Allowed Uses in Urban Lands

P Permitted PA Permitted Adminis- trative CU Condition- al Use ACU Admin. Condition- al Use *See KCC	Urban												
	Resident- ial	Urban Resident- ial	H ist or ic Tr ai le r C o ur t	Agr icul- ture 3	Rura l 3	Rura l 5	Limite d Comm ercial	Genera l Comm ercial	Highw ay Comm ercial	Light Indus- trial	Gene ral Indus- trial	Fore st & Rang e	P U D
Chapter 17.08 Definiti- ons													
A. Agricult- ure													
Animal boardin- g*	CU ¹			CU				CU				CU	
Agricult- ural Enhance d Uses*								P⁴⁹				P⁴⁹	
Agricult- ure processi- ng*				P²				P		P⁴	P⁴	CU	

Museums and galleries	CŪ	CŪ		CŪ	-	-	-	P II	P	-	-	CU	-
Religious institutions*	CU	CU		CU								CU	
Schools, public or private*		CU		CU			P	P				CU	
Interpretive Center*													
	Residential	Urban Residential	Historic Trail Courtyard	Agriculture 3	Rural 13	Rural 15	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*	<u>P/CU⁵⁴</u>	<u>P/CU⁵⁴</u>		CU	<u>P/CU⁵⁴</u>	<u>P/CU⁵⁴</u>	CU	CU	CU			CU	

Footnote

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

Exhibit E: Docket Item 22-06

Highway Commercial Maximum Structure Height

17.44.060 Building height.

The maximum height of any structure shall be ~~two and one half (2½) stories or thirty-five (35)~~
~~feet, whichever is less~~40 feet.

Exhibit F: Docket Item 22-07

Vesting of Access Points

12.05.090 Driveway Access Predating the Adoption of Road Development Standards

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

Exhibit G: Docket Item 22-08

Subdivision for Existing Residence and Lot

16.12.040 Comprehensive plan and zoning regulation conformance.

All proposed subdivisions shall conform to the county comprehensive plan and all applicable zoning regulations in effect at the time they are submitted for approval. Lots shall be of sufficient area, width and length to satisfy zoning requirements, or, where zoning controls do not apply, to satisfy the minimum health and sanitation requirements of the county health department.

If, as of July 26, 1996, an existing lot was lawfully occupied by two (2) single family dwellings, such lot may be granted short plat approval under [KCC Chapter 16.32](#) in order to permit the segregated sale or refinance of such dwellings, even though one or both of the resulting new lots will have dimensions less than required for the zoning district in which the property is located; provided, however, that the degree of density nonconformity shall not be increased. Site triangles shall be consistent with KCC [12.04.030](#). ([Ord. 2022-005](#), 2022; [Ord. 2021-015](#), 2021; [Ord. 2016-023](#), 2016; Ord. 2005-31, 2005)

1. New Small Lots Around Existing Residences.

A. Lots within AG zoning districts including Commercial AG, AG-20 and AG-5 zones that are greater than three acres may be subdivided to create one small lot around an existing residence, subject to recording of a covenant precluding further division of the subject lot while designated for agricultural use by the adopted Kittitas County Comprehensive Plan maintaining the minimum adjustment necessary to accommodate the proposed use, and it has contained a lawfully existing residence for at least the last five years, subject to the following:

- i. The five-year date for the establishment of a lawfully existing residence starts from the issuance date of a Certificate of Occupancy by the Building Official or the date of the sign-off on the approved final inspection for the installation permit, if the residence is a manufactured home. If the permit holder failed to obtain a Certificate of Occupancy or approved final inspection of a residence, the applicant may provide other evidence to establish the date of the residence. However, no applications for land division will be accepted until such time that a Certificate of Occupancy has been issued or approved final inspection has been completed and all required changes have been made, if required by the Building Official. Such proof is not required for residences established

prior to the adoption of the building code by Kittitas County on April 17, 1984.

- ii. The small lot shall be one to three acres in size, except the Director may authorize a larger lot size under subsection 16.12.040(1)(A)(iii).
- iii. Larger Lot Size Authorized. The Director may authorize a larger lot size when the applicant submits evidence or information that documents one or more of the following:
 - a. The Kittitas County Health Department determines a larger area is necessary to include approved water supply and sewage disposal systems within the lot; or
 - b. The logical division to create the lot follows a physical feature which acts as a bonafide, practical obstacle to normal and necessary farming practices (e.g., rock outcrops; Type S and NP streams, slopes exceeding 15%; or a different intervening in-fee ownership physically separates that parcel by a State highway or primary irrigation district canal or major sublateral); or
 - c. A larger lot size is necessary to encompass existing related uses or structures in immediate proximity
- iv. The lot comprising the balance of the division shall be capable of meeting all applicable setbacks and other requirements to ensure its continued agricultural use.
- v. Any small lot allowed to be three acres or greater in size shall still be considered a small lot and is not capable of being further subdivided under this Section. A covenant or plat note indicating this restriction shall be recorded whenever a larger lot size is granted.

Exhibit H: Docket Item 22-09

Structure Setbacks for Retaining Walls and Overhang Setback Encroachment

17.08.520 Structure.

"Structure" means that which is built or constructed, an edifice or building of any kind, or any place of work artificially built up or composed of parts joined together in some definite manner. Fences that are 7 feet or less in height, [and retaining walls that are 4 feet or less in height measured from the bottom of the footing to the top of the wall not supporting a surcharge or impounding Class I, II or III-A liquids](#) are excluded from this definition.

17.08.580 Yard depth.

"Yard depth" means the minimum perpendicular distance between any point on a lot line and the nearest part of any structure or building, [excluding an 18-inch eave \(overhang\) no closer than 5 feet to the property line, and excluding retaining walls necessary for access permits as determined by Kittitas County Public Works.](#)

Exhibit I: Docket Item 22-11

Nonconforming Residential Structures

17.80.010 Changes to conform to district.

A nonconforming structure or use may not be changed, altered, replaced, added to or expanded in any manner unless such change or alteration would bring the use into conformity with the uses permitted in the district in which it is located. Such limitations and restrictions shall not apply to existing residential dwellings. Nonconforming residential structures shall not be remodeled or expanded in a manner that increases non-conformity.

Exhibit J: Docket Item 22-12

Rear Yard Setbacks

17.16.080 Yard requirements - Rear.

1. There shall be a rear yard with a minimum depth of twenty-five (25) feet ~~to the main building~~.
2. The rear yard setback depth shall be fifteen (15) feet ~~to the main building~~ for parcels within the Snoqualmie Pass LAMIRD.
3. Rear yard setbacks may be modified in accordance with KCC [16.10.065](#). ([Ord. 2022-005](#), 2022; [Ord. 2019-013](#), 2019; [Ord. 2013-001](#), 2013; Res. 83-10, 1983)

17.18.080 Yard requirements - Rear.

1. There shall be a rear yard with a minimum depth of twenty-five (25) feet ~~to the main building~~. However one accessory structure may be constructed within five (5) feet of the rear lot line.
2. The rear yard setback depth shall be fifteen (15) feet ~~to the main building~~ for parcels within the Snoqualmie Pass LAMIRD.
3. Rear yard setbacks may be modified in accordance with KCC [16.10.065](#). ([Ord. 2022-005](#), 2022; [Ord. 2019-013](#), 2019; [Ord. 2013-001](#), 2013; Ord. 8910 (part), 1989)

17.28.060 Yard requirements - Rear.

There shall be a rear yard with a minimum depth of twenty-five (25) feet ~~to the main building~~. Rear yard setbacks may be modified in accordance with KCC [16.10.065](#). ([Ord. 2022-005](#), 2022; [Ord. 2013-001](#), 2013; Res. 83-10, 1983)

17.28A.060 Yard requirements - Rear.

There shall be a rear yard with a minimum depth of twenty-five (25) feet ~~to the main building~~. Rear yard setbacks may be modified in accordance with KCC [16.10.065](#). ([Ord. 2022-005](#), 2022; [Ord. 2013-001](#), 2013; Ord. 2005-05, 2005)

17.29.070 Yard requirements - Rear yard.

There shall be a rear yard with a minimum depth of twenty-five (25) feet ~~to the main building~~. Rear yard setbacks may be modified in accordance with KCC [16.10.065](#). ([Ord. 2022-005](#), 2022; [Ord. 2013-001](#), 2013; Res. 83-10, 1983)

17.31.070 Yard requirements - Rear yard.

There shall be a rear yard with a minimum depth of twenty-five (25) feet ~~to the main building~~. Rear yard setbacks may be modified in accordance with KCC [16.10.065](#). ([Ord. 2022-005](#), 2022; [Ord. 2013-001](#), 2013; Ord. 96-15 (part), 1996)

17.56.060 Yard requirements.

1. Front Yard. There shall be a minimum front yard of twenty-five (25) feet.
2. Side Yard. Side yard shall be ten (10) feet.
3. Rear Yard. There shall be a rear yard with a minimum depth of ten (10) feet ~~to the main building.~~
4. Side and rear yard setbacks may be modified in accordance with KCC 16.10.065.

Exhibit K: Docket Item 22-14

Public Agency and Utility Exception

15A 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 Use Exception Reasonable Agency and Utility Exception	15 days	None	Staff	HE	Sup. Court
Reasonable Use Exception Exception	15 days	None	Staff	HE	Sup. Court
Permitted Administrative Uses:	15 days	None	Staff	HE	Sup. Court

Exhibit L: Docket Item 22-15

Recycling Service Level

Chapter 8.21

Recycling Service Level

Sections

8.21.005 Effective Date

8.21.010 Purpose.

8.21.020 Definitions.

8.21.030 Residential curbside recycling and yard waste collection boundaries.

8.21.040 Minimum levels of curbside recycling and yard waste collection service.

8.21.050 Curbside recycling and yard waste collection rates.

8.21.060 County notification of WUTC tariff filings.

8.21.070 Program promotion and education requirements.

8.21.080 Reporting Requirements.

8.21.005 Effective Date

This ordinance shall take effect on January 1, 2024.

8.21.010 Purpose

To address increased demand from Kittitas County Residents for curbside recycling and yard waste collection.

8.21.020 Definitions.

Sections

8.21.021 Cart

8.21.022 Curb or Curbside

8.21.023 Compost Facility.

8.21.024 Curbside recycling.

8.21.025 Division.

8.21.026 Eligible Residence

8.21.027 Group Collection Site.

8.21.028 Material Recovery Facility.

8.21.029 Multifamily Customer.

8.21.030 Multifamily Residence.

8.21.0211 Recyclable Materials.
8.21.0212 Single-Family Customer.
8.21.0213 Solid Waste.
8.21.0214 Solid Waste Company.
8.21.0215 Yard Waste.
8.21.0216 WUTC.

8.21.021 Cart.

"Cart" means a watertight heavy plastic receptacle with a rated capacity of approximately ninety-six (96) gallons, having a hinged, tight-fitting lid and two (2) wheels.

8.21.022 Curb or Curbside

"Curb or Curbside" means the area within five (5) feet of a public street where collection services occur. If safe access is difficult or if extraordinary circumstances preclude a particular location, curbside shall be considered a placement suitable for customers, convenient for contractor's equipment, and mutually agreed to by contractor and WUTC. Contractor will assess a fee for communities that have covenants that do not allow curbside placement of containers.

8.21.023 Compost Facility.

"Compost facility" means any facility that is permitted to accept organic materials as defined in WAC 173-350-100.

8.21.024 Curbside recycling.

"Curbside recycling" means the collection of food packaging, product packaging, and paper products designated in the current Kittitas County comprehensive solid waste management plan and commonly found in residential garbage that are best managed by returning them to a remanufacturing cycle.

8.21.025 Division.

"Division" means the solid waste division of Kittitas County department of solid waste.

8.21.026 Eligible Residence

"Eligible residence" shall mean any residence located within the urban areas of Kittitas County, which receives garbage collection service from a certificated hauler. The certificated hauler must provide the level of service described in this Ordinance to all those eligible residences and the customer must pay for the service on a subscription bases. "Eligible residence" shall also include any residence located within the urban unincorporated portions of Kittitas County which does not receive

garbage collection service from a certificated hauler but elects to receive the recycling service described in this Ordinance. These eligible residences, not otherwise required to pay for the garbage and recycling services, must pay for the recycling collection service only if the customer elects to receive it. These residences that become eligible residences by election only, are not required to accept garbage collection service from a certificated hauler, even if they elect to receive recycling collection service.

8.21.027 Group Collection Site.

"Group Collection Site," a location established by the solid waste collection company to service carts from multiple accounts, where collection vehicle access is limited.

8.21.028 Material Recovery Facility.

"Material recovery facility" means any facility that collects, compacts, repackages, sorts, or processes for transport source separated solid waste for the purpose of recycling (WAC 173-350-100).

8.21.029 Multifamily Customer.

"Multifamily customer" means the manager or owner of a multifamily residence.

8.21.030 Multifamily Residence.

"Multifamily residence" means any structure housing two or more dwelling units (WAC 480-70-041).

8.21.0211 Recyclable Materials.

"Recyclable materials" means materials designated in the current Kittitas County comprehensive solid waste management plan that are transported for recycling, reprocessing, reclamation, or for any process that extracts or modifies the commodity for reuse or another commercially valuable purpose (WAC 480-70-041).

8.21.0212 Single-Family Customer.

"Single-family customer" means a person or family living in a residential unit designed exclusively for occupancy of one family living independently.

8.21.0213 Solid Waste.

"Solid waste" means all putrescible and nonputrescible solid and semisolid wastes including, but not limited to, garbage, rubbish, refuse, swill, ashes, industrial wastes, sewage sludge, demolition, and construction wastes, abandoned vehicles or parts of abandoned vehicles, and source-separated recyclable materials collected from single- and multifamily residences (WAC 480-70-041).

8.21.0214 Solid Waste Company.

"Solid waste company" means every common carrier, including a contract carrier, who provides solid waste collection service as authorized by the Washington Utilities and Transportation Commission (WAC 480-70-041).

8.21.0215 Yard Waste.

Yard waste," a component of compostable organics, means plant material commonly generated while maintaining yards and gardens, and through horticulture, gardening, landscaping, or similar activities. Yard waste includes, but is not limited to, grass clippings, leaves, branches, brush, weeds, flowers, roots, windfall fruit, vegetable garden waste, holiday trees, and tree pruning's twelve inches or less in diameter.

8.21.0216 WUTC.

"WUTC" means the Washington Utilities and Transportation Commission.

8.21.030 Residential curbside recycling and yard waste collection boundaries.

1. Curbside Recycling. Curbside recycling service will be available to all single- family customers in the Urban Growth area of the City of Ellensburg, the City of Cle Elum, Roslyn and in all Master Planned Resorts.
2. Boundaries for the purpose of establishing minimum levels of curbside collection of yard waste from single-family and multifamily customers will be the same.

8.21.040 Minimum levels of curbside recycling and yard waste collection service.

The minimum levels of service and the Washington Utilities and Transportation Commission (WUTC) regulation of the solid waste company, pursuant to Chapter 81.77 RCW will continue from the effective date of the ordinance codified in this chapter unless terminated by the county. The minimum level of curbside recycling and yard waste collection service to be provided by the solid waste company in unincorporated Kittitas County must include the following:

1. Single-Family Curbside Recycling.
 - A. Single-family customers receiving curbside garbage collection service will receive and pay for curbside recycling service.

B. Single-family customers not receiving curbside garbage collection service may contact the solid waste company to receive and be billed for curbside recycling service.

C. Recyclable Material Collected. The following recyclable material will be collected from single-family customers as specified herein. Material will be commingled in each collection container.

- i. Tin-coated steel cans.
- ii. Aluminum cans.
- iii. Newspaper, including glossy advertisements and inserts that are delivered with the newspaper.
- iv. Mixed paper, including mail, magazines, catalogs, phone books, paperback books, computer paper, white and colored ledger, file folders, file cards, and chipboard.
- v. Paper food containers, including paper bags, dry food boxes, frozen food boxes, and milk cartons.
- vi. Corrugated cardboard.
- vii. Plastic containers including bottles, jugs, jars, and dairy tubs.

D. Collection Schedule. The recyclable material listed in subsection (1)(C) of this section must be collected at least every other week.

E. Collection Containers. The solid waste company shall provide a minimum of one 96-gallon blue cart (or cart with blue lid) to each single-family customer. Single-family customers that generate more recyclable material between collections have the following options:

- i. Request additional carts from the solid waste company. Additional recyclables carts shall be made available by the solid waste collector. The solid waste collector may charge for additional recycling carts.
- ii. Recyclables that do not fit within the cart may be placed in a cardboard box or container marked "Recycling" for collection and shall be subject to additional charges.
- iii. Haul extra recyclable material to the nearest county-owned

recycling facility. There is no additional charge for using the recycling facility.

2. Multifamily Curbside Recycling.

A. Multifamily customers receiving curbside garbage collection service will receive and be billed for curbside recycling service.

B. Recyclable Material Collected. All the recyclable material listed in subsection (1)(C) of this section will be collected from multifamily customers as specified herein. Material will be commingled in each recycling collection container.

C. Collection Schedule. The recyclable material listed in subsection (1)(C) of this section must be collected at least every other week.

D. Collection Containers. Carts must be placed at each garbage collection location where space for multiple carts or steel containers and access for recycling trucks is available. The solid waste company in consultation with the division will determine the correct number of recycling carts or steel containers for each multifamily customer. Every effort must be made by the customer, in coordination with the hauling company, to provide adequate space to accommodate 0.1 cubic yards of recycling capacity per unit, per week.

3. Optional Curbside Compostable Organics Collection.

A. Curbside yard waste collection service will be available to all single-family and multifamily customers within the curbside collection boundaries as follows:

i. Collection of residential yard waste must be made available to all residences within the permanent residential burn ban areas.

ii. Additional areas outside the burn ban boundaries, in which the collection company and the County have agreed that adequate demand and route density exist, will be given access to collection services.

B. Single-family and multifamily customers will receive and pay for curbside yard waste collection only if they request this service.

C. Material Collected. The following material will be collected as specified herein:

i. Single-family: Yard waste

a. Yard waste commonly generated while maintaining yards and gardens, and through horticulture, gardening, landscaping, or similar activities, including, but not limited to, grass clippings, leaves, branches, brush, weeds, flowers, roots, windfall fruit, vegetable garden waste, holiday trees, and tree pruning's twelve inches or less in diameter.

D. Collection Containers. The solid waste company will provide the number of ninety-six-gallon carts requested by the customer.

4. Additional Service Provisions. The following provisions apply to the collection services described in this chapter:

A. All carts must be standardized throughout the county. The solid waste company will provide Blue carts for recycling and Green carts for yard waste to remain consistent throughout.

B. The solid waste company may refuse to collect curbside recycling and compostable organics material set out for collection if the material will be unmarketable due to contamination. If collection is refused, the solid waste company must attach information to the cart explaining why the material was not collected. The customer will have the choice to clean the recyclable and yard waste material or ask the solid waste company to dispose of the material as garbage at the next scheduled pick up. The division in consultation with the solid waste company will develop this information.

C. Solid waste company is not obligated to collect contaminated containers from customers. For purposes of this ordinance, a container is contaminated when, based on physical and/or electronic visual inspection it is determined that (i) a recyclables container contains non-recyclables (pursuant to the list of materials set forth in Exhibit B, (ii) a yard debris container contains material other than yard debris, and/or (iii) any container contains any unacceptable waste.

If solid waste company elects not to collect a contaminated container, solid waste company shall notify the customer explaining why. Such notice may be provided by container tag, email, or other method of communication.

Solid waste company will not knowingly collect a contaminated cart if contamination is visible by the driver prior to collection. If solid waste

company services a container, and subsequently discovers contamination in the truck hopper at the stop, solid waste company may charge the customer a contamination charge, pursuant to the rates. Such contamination charge may be included in the customer's regular invoice or billed separately.

D. The solid waste company must clean up any material spilled by their employees or equipment. Failure to do so may result in a fine by the Kittitas County Public Health District.

E. The solid waste company will not dispose of curbside recycling material or yard waste by landfilling, incineration, or other means without the written consent of the division. The division will not withhold consent unreasonably in the case of contaminated loads that are unmarketable. When consent is granted, the solid waste company must report the type of material, the nature of contamination, the weight and volume of material disposed, and date and method of disposal to the division within two business days.

F. The division and the solid waste company will discuss the economic viability of any proposed changes to the list of recyclable or yard waste material to be collected, or to the service boundaries. Changes in service area boundaries are subject to approval of the county.

8.21.050 Curbside recycling and yard waste collection rates.

The solid waste company must use rate structures and billing systems consistent with the solid waste management priorities set forth under RCW 70.95.010.

8.21.060 County notification of WUTC tariff filings.

Pursuant to WAC 480-70-271, the solid waste company must notify the division when filing a tariff revision for garbage, curbside recycling, or yard waste collection rates with the WUTC. The solid waste company must notify the division, within two business days, of scheduled times and dates of any open meetings or public hearings before the WUTC for proposals that might have an effect on customers that reside in Kittitas County.

8.21.070 Program promotion and education requirements.

1. The solid waste company will prepare and publish materials that encourage the use of curbside recycling, yard waste and garbage collection services. The division may direct the solid waste company to distribute printed material to customers. Distribution methods include: Publishing materials on the hauler's website, mailings, and cart tagging programs.

2. The solid waste company must distribute educational materials to new customers.
3. The solid waste company must prepare and distribute calendars of collection dates to all customers. The calendar must list the solid waste company's phone number and the WUTC's consumer affairs toll free phone number.
4. The solid waste company will not distribute any promotional or educational materials to the customer without prior review and approval of the materials by the division.

8.21.080 Reporting Requirements.

1. The solid waste company must submit garbage, curbside recycling, and yard waste collection data to the division in a format determined by the division on a quarterly basis. These reports must also include contamination rates and material composition of commingled recyclables from MRF audits, and number of residential recycling accounts tagged or not serviced due to contamination.
2. The solid waste company must annually provide a summary report to the Division of all multifamily facility service levels, including garbage and recycling containers and service frequency.

Exhibit M: Docket Item 22-17

Lot Line and Yard Frontage

17.08.370 Lot line, front.

"Lot line, front" means a lot line ~~that abuts with frontage on~~ any public street, private street, right-of-way or other means of vehicular access, other than an alley. (Ord. 2019-013, 2019; Res. 83-10, 1983)

17.08.590 Yard, front.

"Front yard" means any yard ~~abutting with frontage on~~ a public or private street. (Res. 83-10, 1983)

Exhibit N: Docket Item 22-18

Variance Substantial Construction

17.84.010 Granted when.

Pursuant to Title 15A of this code, Project permit application process, the administrator, upon receiving a properly filed application or petition, may permit and authorize a variance from the requirements of this title only when unusual circumstances cause undue hardship in the application of it. The granting of such a variance shall be in the public interest. A variance shall be made only when all of the following conditions and facts exist:

1. Unusual circumstances or conditions applying to the property and/or the intended use that do not apply generally to other property in the same vicinity or district, such as topography;
2. Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by the owners of other properties in the same vicinity or district;
3. The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or district in which the property is located;
4. That the granting of such variance will not adversely affect the realization of the comprehensive development pattern. A variance so authorized shall become void after the expiration of one year if no substantial construction has taken place. “Substantial construction” shall be defined as the completion and approval of one or more building inspections in accordance with the International Residential Code Section R109 and the International Building Code Section 110. The Director is authorized to grant up to three (3) extensions, not to exceed 365 days per extension. Extensions shall be requested in writing prior to permit expiration and shall demonstrate for why substantial construction could not take place.
5. Pursuant to Title 15A of this code, the Hearing Examiner, upon receiving a properly filed appeal to an administrative determination for approval or denial of a variance, may permit and authorize a variance from the requirements of this title only when unusual circumstances cause undue hardship in the application of it. The granting of such a variance shall be in the public interest. A variance shall be made only when all of the conditions and facts identified within subsections A through D of this section are found by the Hearing Examiner to exist. ([Ord. 2012-009](#), 2012; Ord. 96-19 (part), 1996; Res. 83-10, 1983)

Exhibit O: Docket Item 22-20

Refuse Disposal/Recycle Limitation

KCC 17.15.060.1

~~58. Limited to expansion of existing county owned and/or operated facilities. New facilities are prohibited.~~

Exhibit P: Docket Item 22-21

Fiorito Brothers, Inc.

(CP-22-00001 & RZ-22-00001)

Land use and Rezone Proposal: Rural Working and Agriculture 20 to Commercial Agriculture and Commercial Agriculture

A proposal to change the land use and zoning designations of one parcel (12311) from a land use designation of Rural Working to Commercial Agriculture and zoning designation from Agriculture 20 to Commercial Agriculture. Parcel 12311 is surrounded by Commercial Agriculture Land Uses and Zoning designations on all sides. A comprehensive plan amendment (CP-22-00001), rezone application (RZ-22-00001), and SEPA checklist were submitted as part of the application packet. The processing of this non-project specific rezone and land use designation change is consistent with Kittitas County Code 15B.03 Amendments to Comprehensive Plan.

[The complete record for this specific proposal can be found on the county website at <https://www.co.kittitas.wa.us/cds/land-use/default.aspx> then navigate to "Rezoning" and then selecting the "RZ-22-00001 Fiorito Brothers".]

Location

Tax parcel # 12311, located approximately 1400 feet north of the intersection of I-82 and Thrall Road off No. 6 Road in a portion of the SE ¼ of Section 30, Township 17, Range 19, W.M.; Kittitas County parcel map number 17-19-30040-0003.

Exhibit Q: Docket Item 22-22 Thorp Landing LLC (CP-22-00002 & RZ-22-00002)

Land use and Rezone Proposal: Rural Working and Agriculture 20 to Rural Residential and Agricultural 5

A proposal to change the land use and zoning designations of eight parcels (443233, 493233, 19590, 19591, 19589, 19588, 19592 and 19593) from a land use designation of Rural Working to Rural Residential and zoning designation from Agriculture 20 to Agriculture 5. A comprehensive plan amendment (CP-22-00002), rezone application (RZ-22-00002), and SEPA checklist were submitted as part of the application packet. The processing of this non-project specific rezone and land use designation change is consistent with Kittitas County Code 15B.03 Amendments to Comprehensive Plan.

[The complete record for this specific proposal can be found on the county website at <https://www.co.kittitas.wa.us/cds/land-use/default.aspx> then navigate to "Rezoning" and then selecting the "RZ-22-00002 Thorp Landing".]

Location

Tax parcels 443233, 493233, 19590, 19591, 19589, 19589, 19588, 19592 and 19593, located approximately 1500 feet northwest of the intersection of N Thorp Hwy and I-90 off of Thorp Landing Lane in Section 11, Township 18, Range 17, W.M.; Kittitas County.

Exhibit R: Docket Item 22-23 Flying A Land LLC (CP-22-00003 & RZ-22-00003)

Land use and Rezone Proposal: Rural Working and Agriculture 20 to Rural Residential and Agricultural 5

A proposal to change the land use and zoning designations of eighteen parcels (956822, 956823, 956824, 956825, 956826, 956827, 956828, 956829, 956816, 956817, 956818, 956819, 956820, 956821, 536136, 094834, 12133, and 958408) from a land use designation of Rural Working to Rural Residential and zoning designation from Agriculture 20 to Agriculture 5. A comprehensive plan amendment (CP-22-00003), rezone application (RZ-22-00003), and SEPA checklist were submitted as part of the application packet. The processing of this non-project specific rezone and land use designation change is consistent with Kittitas County Code 15B.03 Amendments to Comprehensive Plan.

[The complete record for this specific proposal can be found on the county website at <https://www.co.kittitas.wa.us/cds/land-use/default.aspx> then navigate to "Rezones" and then selecting the "RZ-22-00003 Flying A Land".]

Location

Tax Parcel numbers 956822, 956823, 956824, 956825, 956826, 956827, 956828, 956829, 956816, 956817, 956818, 956819, 956820, 956821, 536136, 094834, 12133, and 958408 located south of Game Farm Road, 0.5 miles east of Wilson Creek Road 0.5 miles west of Vantage Highway, in Section 32, Township 18, Range 19 in Kittitas County.

Exhibit S: Docket Item 22-24 Teanaway Ridge LLC (CP-22-00004 & RZ-22-00004)

Land use and Rezone Proposal Rural Residential and Rural Working to Rural Residential and Rural 5

A proposal to change the land use and zoning designations of two parcels (346534 and 19132 – which must be sold together) from two land use designations of Rural Residential and Rural Working and two zoning designations of Rural 5 and Forest & Range to a Single Land Use designation of Rural Residential and a Single Zoning Designation of Rural 5. Parcel 17916 is adjacent to the south of parcels zoned Rural 5 in the Rural Residential land use designation. The parcels have a current land use applications for a 2 parcel short plat, shoreline substantial development permit and Conditional Use permit in process with Kittitas County for the Yakima River Campground under CUP application number CU-15-00002. A comprehensive plan amendment (CP-22-00004), rezone application (RZ-22-00004), and SEPA checklist were submitted as part of the application packet. The processing of this non-project specific rezone and land use designation change is consistent with Kittitas County Code 15B.03 Amendments to Comprehensive Plan.

[The complete record for this specific proposal can be found on the county website at <https://www.co.kittitas.wa.us/cds/land-use/default.aspx> then navigate to "Rezones" and then selecting the "RZ-22-00004".]

Location

Tax Parcel numbers 346534 and 19132 located south of Highway 10, approximately 0.2 miles southeast of the junction of Highway 10 and State Route 970, in Section 4, Township 19, Range 16, bearing Assessor's Map numbers 19-16-04020-0002 and 19-16-04050-0401, in Kittitas County.

Exhibit T: Docket Item 22-25

Mardee Lake Inc.

(CP-22-00005 & RZ-22-00005)

Land use and Rezone Proposal Rezone from Rural Working Land Use and Forest an Range Zoning to Rural Recreation Zoning and Land Use.

A proposal to change the land use and zoning designations of four parcels (808335, 818335, 828335 and 838335) from Rural Working Land Use and Forest and Range Zoning to Rural Recreation Zoning and Land Use. Parcel 808335 is adjacent to the north of parcels zoned Rural Recreation in the Rural Recreation land use designation. A comprehensive plan amendment (CP-22-00005), rezone application (RZ-22-00005), and SEPA checklist were submitted as part of the application packet. The processing of this non-project specific rezone and land use designation change is consistent with Kittitas County Code 15B.03 Amendments to Comprehensive Plan.

[The complete record for this specific proposal can be found on the county website at <https://www.co.kittitas.wa.us/cds/land-use/default.aspx> then navigate to "Rezones" and then selecting the "RZ-22-00005".]

Location

Tax parcels 808335, 818335, 828335 and 838335, located on Snoqualmie Pass northeast of the I-90 Exit 54 in Section 15, T.22N, R.11E, W.M.; Kittitas County Parcel map numbers 22-11-15020-0001, 22-11-15020-0002, 22-11-15020-0003 and 22-11-15010-0002.