

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

ORDINANCE

NO. 2018 - 001

**REVISIONS OF KITTITAS COUNTY CODE
AS PART OF THE 2017 ANNUAL COMPREHENSIVE PLAN AMENDMENT CYCLE.**

Whereas, this ordinance, revising Kittitas County Code, 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-H	Changes to Kittitas County Code

**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 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 November 9, 2017 to the Department of Commerce as required by statute and received letter of receipt on November 13, 2017 that the docket proposal had been received and was sent to other agencies for comment; and
- Whereas,** No comments were received from other State agencies; and
- Whereas,** Kittitas County filed its SEPA checklist on November 8, 2017, and issued a Final Determination of Non-significance (DNS) for the annual docket on November 13, 2017 through authority of WAC 197-11-355; and
- Whereas,** There were no agency or public appeals or reviews filed on the Determination of Non-significance; and
- Whereas,** Due public notice was placed upon the County official website and in the Daily Record on November 13, 2017; and
- Whereas,** The Planning Commission conducted a public hearing on November 28, 2017 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 Daily Record on December 7 and December 14, 2017, the Kittitas County Board of County Commissioners held an open public hearing on December 19, 2017, during which public testimony was taken

from those persons wishing to be heard regarding the docket items being considered; and

Whereas, After deliberation, the Board of County Commissioners made decision 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

Whereas, The Kittitas County Board of County Commissioners considered enabling documents before the public on January 2, 2018.

SECTION II – BOARD OF COUNTY COMMISSIONERS FINDINGS

General Findings:

The Kittitas County Board of County Commissioners held a public hearing on December 19, 2017 to hear testimony and accept written comments regarding proposed amendments to the Kittitas County Code. 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 hearings included:

2017 Proposed AMENDMENTS to Kittitas County Code			
<i>Number</i>	<i>Applicant Name</i>	<i>Project Description</i>	<i>Planning Commission Recommendation</i>
17-01 KCC 5.20	Kittitas County Board of Commissioners	Changes to event permit requirements	Recommendation to Approve Vote 4-0
17-02 13.35.020	Kittitas County Board of Commissioners	Exempt subdivisions from Adequate Water Supply Determination requirement when they are for a government purpose which will render new parcels as non-buildable	Recommendation to Approve Vote 4-0
17-03 14.04.020	CDS Building Division	Addition of language for clarity regarding building permit application submittal requirements	Recommendation for Approval Vote 4-0
17-04 16.08.186	Kittitas County Board of Commissioners	Process subdivisions of up to nine lots as short plats in urban growth areas	Recommendation to Approve Vote 4-0
17-05 Title 16	Kittitas County CDS Planning	16.09.080.1- Eliminate pre-application requirement for Ag	Recommendation to Approve

	Division	short plat; 16.32.090- Correct short plat extension language, to state application shall be submitted at least 30 days 'prior' to expiration	Vote 4-0
17-06 Title 17	Kittitas County Board of Commissioners CDS Planning Division Raymond Boesch (Group Care Facilities)	17.08 - Add definition for Interpretive center and RV Storage; 17.08.550 - Make clarifying changes to the definition of "non-conforming use;" 17.15- Add Manufactured home parks as an allowed use in general commercial, add interpretive centers as an allowed use in Ag 20 with an administrative conditional use permit, add Group Care Facilities to land use table, add "Commercial Activities Associated with Agriculture" into use tables per ordinance 2009-25; 17.15.060.1- Revise foot note 23: Hay processing to make clearer; 17.15.070- Footnote 24, take out a & b bullets: permitted ADUs in LAMIRDS and UGA clarification; 17.15.080- Add RV storage as permitted use in Urban and LAMIRD districts; and 17.61.040- require property line setback of 1.2 times the height of the structure for communication facilities/towers	Recommendation to Approve Vote 4-0
17-07 KCC Title 6	Kittitas County Board of Commissioners	Creating a dog control ordinance	Recommendation to Deny Vote 4-0
17-08 KCC Title 12	Kittitas County Board of Commissioners	Provide notification to fire districts for road variance applications; provide fairness standards for recusal and adherence to appearance of fairness doctrine	No recommendation Vote 2-2

**17-01 Kittitas County Proposal:
Amend KCC 5.20 Regarding Event Permit Requirements, Exhibit A.**

The amendment would require an event permit for any event where more than 100 people are expected to attend, and where a charge or contribution is required for admission or access. An admissions tax may be levied or imposed in accordance with KCC 3.22. The amendment also includes provisions for limiting admissions where the size of the crowd exceeds the applicant's estimated crowd size, and provisions for indemnity agreement and insurance.

The Board of County Commissioners held a public hearing on December 19, 2017 and, by a 2-0 vote, **approved the proposal with amendment** finding that:

- I. The Planning Commission recommended approval to the Board of County Commissioners with a vote of 4-0.
- II. No public testimony for this proposal was received.
- III. The change meets the Growth Management Act and the objectives of the Comprehensive Plan.

**17-02 Kittitas County Proposal:
Amend KCC 13.35.020 to Exempt Subdivisions From Adequate Water Supply Determination Requirement When They Are for a Government Purpose Which Will Render New Parcels as Non-Buildable, Exhibit B.**

This amendment to KCC 13.35.020 would exempt subdivisions from the Adequate Water Supply Determination requirement of Title 13 when the subdivision is for a government purpose that would render the new lots as unbuildable.

The Board of County Commissioners held a public hearing on December 19, 2017 and **approved the request with amendment** by a 2-0 vote, finding that:

- I. The Planning Commission recommended approval to the Board of County Commissioners with a vote of 4-0.
- II. No public testimony for this proposal was received.
- III. The change meets the Growth Management Act and the objectives of the Comprehensive Plan.

**17-03 Kittitas County Proposal:
Amend KCC 14.04.020 to Provide Minimum Building Permit Application Submittal Items, Exhibit C.**

This amendment to Title 14 would clarify minimum submittal requirements for building permit application and construction plan submittals. This would codify the current practice of requiring site plans, floor plans, foundation plans, roof framing plans, elevations, cross sections, and construction details.

The Board of County Commissioners held a public hearing on December 19, 2017 and **approved the request as presented** by a 2-0 vote, finding that:

- I. The Planning Commission recommended approval to the Board of County Commissioners with a vote of 4-0.

- 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.

**17-04 Kittitas County Proposal:
Process Subdivisions of Up to Nine Lots as Short Plats in Urban Growth Areas, Exhibit D.**

This amendment would allow administrative short subdivision review for up to nine lots within any urban growth area. This would match what is allowed in state law for short subdivision review.

The Board of County Commissioners held a public hearing on December 19, 2017 and **approved the request as presented** by a 2-0, vote finding that:

- I. The Planning Commission recommended approval to the Board of County Commissioners with a vote of 4-0.
- II. No public testimony for this proposal was received.
- III. This amendment would make Kittitas County Code consistent with state law.
- IV. The change meets the Growth Management Act and the objectives of the Comprehensive Plan.

**17-05 Kittitas County Proposal:
Amending KCC Title 16 to Eliminate Pre-application Requirement for Ag Short Plat and to Correct Short Plat Extension Language, Exhibit E.**

This amendment would Delete KCC 16.09.080(1) and KCC 16.09.080(5)(a)(i)&(ii), thereby eliminating the requirement for a pre-application conference for an Agricultural short plat. A pre-application conference is not required for a standard short plat. A pre-application conference would still be required for Conservation and Cluster plats in accordance with KCC 15A.03.020. This amendment would also clarify that a plat extension request is due at least 30 days prior to expiration, rather than "within 30 days before" expiration as the code currently reads.

The Board of County Commissioners held a public hearing on December 19, 2017 and **approved the request as presented** by a 2-0 vote, finding that:

- I. The Planning Commission recommended approval to the Board of County Commissioners with a vote of 4-0.
- II. No public testimony for this proposal was received.
- III. The change meets the Growth Management Act and the objectives of the Comprehensive Plan.

**17-06 Kittitas County and Citizen-Initiated Proposal:
Proposed Amendment to KCC Title 17, Exhibit F.**

The following amendments are proposed to KCC Title 17:

- 17.08- Add definition for Interpretive Center
- 17.08- Add a definition for RV Storage
- 17.08.550- Make clarifying changes to the definition of "non-conforming use"

- 17.15- Add Manufactured home parks as an allowed use in General Commercial zoning district
- 17.15- Add interpretive centers as an allowed use in Ag 20 with an administrative conditional use permit
- 17.15- Add Group Care Facilities to land use tables
- 17.15- Add “Commercial Activities Associated with Agriculture” into use tables per ordinance 2009-25
- 17.15.060.1- Revise foot note 23: Hay processing to make clearer (add comma)
- 17.15.060.1- Add RV Park as a CU in Rural non LAMIRD, PUD zone, approved via ordinance No.2016-023
- 17.15.070-Footnote 24, take out a & b bullets: permitted ADUs in LAMIRDS and UGA clarification
- 17.15.080- Add RV storage as permitted use in Urban and LAMIRD zoning districts
- 17.61.040- Addition of property line setback of 1.2 times the height of the structure for communication facilities/towers

The Board of County Commissioners held a public hearing on December 19, 2017 and **approved the request with amendment** by a 2-0 vote, finding that:

- I. The Planning Commission recommended approval of the proposal to the Board of County Commissioners with a vote of 4-0.
- II. No public testimony for this proposal was received.
- III. The change meets the Growth Management Act and the objectives of the Comprehensive Plan.

**17-07 Kittitas County Proposal:
Amendment to KCC Title 6 to Create a Dog Control Ordinance, Exhibit G.**

This amendment would adopt a new dog control ordinance for Kittitas County.

The Board of County Commissioners held a public hearing on December 19, 2017 and **approved the request with amendment** by a 2-0 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 in support of the proposed dog control ordinance.
- III. The amendment would protect the public, ensure that dog owners are responsible and accountable, and provide the Sherriff’s Office with tools for enforcement.

**17-08 Kittitas County Proposal:
Amendment to Title 12 Road Variance Provisions, Exhibit H.**

This amendment to KCC Title 12 would provide notice to fire districts of road variance applications and would provide Road Variance Committee standards for recusal and adherence to the appearance of fairness doctrine.

The Board of County Commissioners held a public hearing on December 19, 2017 and **approved the request as presented** by a 2-0 vote, finding that:

- I. The Planning Commission recommended approval to the Board of County Commissioners with a vote of 4-0.
- II. No public testimony for this proposal was received.
- III. The change meets the Growth Management Act and the objectives of the Comprehensive Plan.

SECTION III - FINAL DECISION AND SIGNATURES

BE IT ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves changes to the event permit requirements, as shown in **Exhibit A**.

BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendment to KCC 13.35.020, exempting subdivisions from the Adequate Water Supply Determination requirement when the land division is for a government purpose that will render new parcels non-buildable, as shown in **Exhibit B**.

BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendments to KCC Title 14 providing minimum building permit application submittal items, as shown in **Exhibit C**.

BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves an amendment to KCC 16.08.186 to allow processing of up to nine lots as a short subdivision in urban growth areas, as shown in **Exhibit D**.

BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendments to KCC Title 16 to remove pre-application conference requirement from Ag short plats, and to correct short plat extension language, as shown in **Exhibit E**.

BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendments to the definitions, land use tables, and standards in KCC Title 17, as shown in **Exhibit F**.

BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendment to KCC Title 6 adopting a Dog Control Ordinance, as shown in **Exhibit G**.

BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendment to the road variance provisions of KCC Title 12, as shown in **Exhibit H**.

NOW, BE IT FURTHER ORDAINED that the Board of County Commissioners, after due deliberation, hereby approves the adoption of the 2017 Amendments to the Kittitas County Code as shown in Exhibits A through H 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 2nd day of January, 2018, at Ellensburg, Washington.



ATTEST:
CLERK OF THE BOARD

Julie A. Kjorsvik

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

Chairman

Vice-Chairman

Board Member

APPROVED AS TO FORM:

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

Exhibit A: Amendment 17-01

Amendments to Event Permit Requirements

5.20.010 Basic clause.

It is unlawful for any person, corporation, organization, landowner, or lessor to allow, encourage, organize, promote, conduct, permit or cause to be advertised an entertainment, amusement, sporting event, or show or assembly of persons wherein the primary purpose will be entertainment, amusement, sporting event, or show, which the person, corporation, organization, landowner, or lessor believes or has reason to believe will attract one hundred (100) or more persons, and where a charge or contribution is required for admission or access, unless a valid county permit has been obtained for the operation of said public amusement, entertainment or assembly. One such permit shall be required for each public entertainment or other amusement events. An admissions tax shall be levied or imposed on said event in accordance with KCC chapter 3.22. Criminal or civil liability for failure to comply with the provisions of this chapter shall rest in all persons, corporations, organizations, landowners or lessors who are responsible for obtaining permits under this section. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 9217, 1992; Ord. 69-11 § 2, Vol. O, p. 129, 1969)

5.20.015 Exceptions.

The requirement of KCC 5.20.010 to obtain a permit shall not apply to:

1. De Minimis Exception

~~Persons, corporations, organizations, landowners or lessors believing that an event falling under KCC 5.20.010 will attract less than 300 person and will comply with all other county ordinances and laws of the State of Washington, assuming that such belief is reasonable.~~

2. Conditional Use Permit Exception

Events that occur on a parcel or parcels with a valid Conditional Use Permit that specifically contemplates and authorizes such gatherings ~~of more than 300 persons.~~

3. The Kittitas County Fair, events conducted on the Kittitas County Fairgrounds, or Events conducted by Kittitas County or its subdivisions.

4. Events held in connection with and upon the same lot as a building that has been permitted, including a passing final inspection, for occupancy of at least as many individuals as are reasonably anticipated at the event, inclusive of any persons that will be at the building or on the lot even if not in connection with the event. Provided that such building has received a passing fire and life safety inspection from the Kittitas County Fire Marshall's Office within the last year.

Note: The exceptions in this section only waive the requirement of obtaining a permit found in KCC 5.20.015, not the requirement for a public assembly/special event permit from the Fire Marshal, or any other requirement of this

Chapter or State or local law. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 9217, 1992; Ord. 69-11 § 2, Vol. O, p. 129, 1969)

5.20.020 Permit application - Approval - Denial.

Written application for event permits shall be made to the Board of County Commissioners and the application must be submitted 60 or more days prior to the day upon which such event is to be or may be held. When available, the application should include a completed Event Application Form. Approval or denial of permits as provided for in this chapter shall be made within 45 days after application. The board of county commissioners may waive or shorten any deadlines set out in this chapter upon the request of the applicant. Denial of the permit or waiver or shortening of deadlines by the Board of County Commissioners shall be in writing with reasons for the same stated therein. Any denial of the permit shall be subject to appeal to the superior court by action filed within 10 days of the denial.

When any type of physical facility is required or subject to approval hereunder, preliminary approval may be granted based upon specific plans proposed and submitted by the applicant. All such facilities shall be in existence five or more days before event for which an application is submitted shall begin and shall be subject to inspection by the approving agencies or departments at their convenience. The inspections shall be made and approval or disapproval granted on or before the fifth day preceding the event. Failure to act by the County within said period constitutes a waiver of the before mentioned inspection by the County. Should the actual facility or construction fail to meet the standards approved in the proposed plans, such preliminary approval shall be withdrawn and any and all permits granted subject to such approval shall be withdrawn. No inspection fee or approval fee shall be charged other than the general permit fee required hereunder.

Every application made under this chapter shall be accompanied by plans for sanitary facilities, food and drink services and facilities, solid waste disposal, fire safety and protection, traffic control, parking, security, liability insurance and a statement of the anticipated impact, including noise, of the public entertainment, amusement or assembly on the citizens and public agencies of Kittitas County.

Upon receipt of the application, the clerk for the Board of County Commissioners shall submit copies of the application to the following officers, agencies or elected officers of Kittitas County or other governmental or regulatory agencies for their input on the following:

- 1.The County Health Officer regarding the plan for sanitary facilities, food and drink services and facilities; and
- 2.The County Fire Marshal regarding fire protection and safety; and
- 3.The County Sheriff regarding traffic control, parking, security, noise and any other health and safety problems; and
- 4.The County Prosecuting Attorney regarding liability insurance; and
- 5.The County Public Works Department regarding potential impacts on roads; and
- ~~6.The County Solid Waste Programs Department regarding solid waste disposal; and~~
7. The County Auditor regarding [the levy and imposition of any admissions tax pursuant to KCC chapter 3.22.](#)

The application must provide written approval of any other federal, state or local agency if the application involves an event, activity or instrumentality regulated by such agency. If any of the above county officers, agencies or elected officials of Kittitas County do not approve of the portions of the applicant's plans submitted to them; they shall set forth in writing the details supporting their disapproval.

5.20.085 – Right to limit further admissions.

If at any time during said event the size of the crowd exceeds by 20 percent (20%) the number of persons represented by the applicant to be expected in attendance, the Kittitas County Sheriff shall have the discretion to require the applicant to limit further admissions.

(1) The applicant shall agree that if the permit is granted, the following indemnity agreement applies to the event: the applicant shall assume the risk of all damage, loss, cost, and expense to defend, hold harmless and indemnify the county and its elected and appointed officials, officers, and employees from and against any and all liability which may accrue to or be sustained by Kittitas County, except for the sole negligence and willful misconduct of Kittitas County and its employees.

(2) A certificate of insurance, and accompanying endorsement, shall be filed with the county prior to the issuance of the permit which names Kittitas County, its officers and employees, as an additional insured party with respect to activities in connection with this permit for no less than \$1,000,000 per occurrence. The county shall approve the certificate and may impose other insurance requirements, as deemed necessary by the county.

Exhibit B: Amendment 17-02

Amendment to Adequate Water Supply Determination Requirement

13.35.020 Applicability.

All new uses of water must comply with KCC 13.35.027-Permanent Measures. An Adequate Water Supply Determination is required of all persons who are:

1. applying for a building permit with either:
 - a. a proposed new structure which will have potable water or
 - b. a proposed change in the number of dwelling units for any existing structures (such as making a single family structure into a duplex); or
 - c. a replacement or rebuild of a building with potable water; or
 - d. changes to a pre-existing water system that adds fixtures; or
2. making applications for land uses that require water, including but not limited to, long plats, short plats, binding site plans, large lot subdivisions, or conditional uses. However, an adequate water supply determination is not required for long plats, short plats, binding site plans and/or large lot subdivisions when applications for such are being submitted by a government or quasi-government agency or by another party when the property being utilized to create new parcels as part of the long plat, short plat, binding site plan or large lot subdivision is included in a purchase contract between the party and a government or quasi-government agency and the new parcels will not require water. Evidence that the new parcels will not require water may be provided in the form of a conservation easement, plat notes which do not allow development which requires water, or another form satisfactory to the county health officer and planning official that water will not be required for the resulting land use.

An Adequate Water Supply Determination shall not be required for building permits:

1. On lots created through formal platting and utilizing an approved Group A water system operated within an incorporated areas or Master Planned Resort of Kittitas County; or
2. On lots that do not require a change in the water system; or
3. On structures which will not have potable water plumbing.

Kittitas County hereby finds that new uses of groundwater that are not mitigated in the Yakima River drainage basin threaten to interfere with senior water rights and stream flows creating a public health and safety threat that warrants elimination of all vesting under RCW 58.17.170(3) for this chapter. Kittitas County hereby eliminates all such vesting

pursuant to the authority granted in [RCW 58.17.170\(3\)](#) for this chapter. ([Ord. 2017-007](#), 2017; [Ord. 2015-010](#), 2015; [Ord. 2015-007](#), 2015; [Ord. 2014-005](#), 2014; [Ord. 2011-006](#), 2011)

Exhibit C: Amendment 17-03

Amendment to Building Permit Submittal Requirements

14.04.020 General requirements.

4. Permit application and construction plan submittal: All submitted construction documents must be of sufficient detail and clarity to indicate the nature and extent of the work proposed. The amount of detail required will vary, depending on the nature and complexity of the project. Buildings and structures require site plans, floor plans, foundation plans, roof framing plans, elevations, cross sections and construction details at a minimum. Additional documentation such as truss engineering, lateral and gravity calculations, energy code information, etc. may also be required. Building permit applications and drawings deemed incomplete by Kittitas County Community Development Services will not be accepted. The following are minimum submittal standards for construction drawings:
 1. Plans drawn to a minimum of 1/4" scale on minimum page size of 11" x 17".
 2. Plans must have clear and readable text.

Permit application in compliance with RCW 19.27.095 and RCW 19.27.097.

Exhibit D: Amendment 17-04

Amendment Short Subdivision Definition

16.08.186 Short Subdivision.

"Short subdivision" means the division or re-division of land outside any urban growth area into four (4) or fewer lots, tracts, parcels, sites or divisions, for the purpose of sale, lease, or transfer of ownership ~~any one of which is less than twenty (20) acres.~~ Short subdivision means the division or re-division of land inside any urban growth area into nine (9) or fewer lots, tracts, parcels, sites or divisions, for the purpose of sale, lease, or transfer of ownership.

Exhibit E: Amendment 17-05

Amendments to Title 16

16.09.080 Process for Approval

- ~~1. Prior to submitting an application the applicant shall submit a request for a Pre-application Conference with the staff of Community Development Services (CDS). CDS will schedule the pre-application conference and invite other county departments and outside agencies as appropriate to review and offer comments regarding the application and to assist the applicant in the appropriate process.~~
- 2.1. Submit preliminary Cluster Plat or Conservation Plat map in conformance with requirements in KCC Chapter 15A Project Permit Application Review, KCC Chapter 16.12 Preliminary Plats or KCC Chapter 16.32 Short Plat Requirements, as applicable, and Title 12 Road Standards.
- 3.2. Cluster Plats and Conservation Plats are to be processed as a short subdivision or subdivision, depending on the number of lots proposed, and are subject to the review process as provided for in KCC Title 15A Project Permit Application Process.
- 4.3. Final Cluster Plat or Conservation Plat approval must be in conformance with KCC Chapter 16.20 Final Plats.
- 5.4. Process for Approval of Agricultural Plats
 - a. Agricultural Plats
 - ~~i. Prior to submitting an application the applicant and the County shall hold a pre-application meeting.~~
 - ~~ii. After the pre-application meeting the applicant shall submit an agricultural plat based on information and input from the County at the pre-application meeting.~~
 - iii. The Agricultural Plat shall be processed as a short plat or long plat as defined in Title 16.
- 6.5. Documentation shall be submitted by the applicant stating how the proposed development meets the intent of KCC Chapter 16.09.

16.32.090 Expiration

A final short plat meeting all requirements of this chapter shall be submitted and approved within the timeframe specified by RCW 58.17.140 . Failure to do so will result in the short plat being expired and no longer valid. No further action is necessary regarding an application once the short plat has expired pursuant to this chapter. Any applicant who files a written request with the administrator ~~within 30 days before~~ at least 30 days prior to the expiration date, showing that the applicant has attempted in good faith to submit the final short plat within the time period and that the associated fees are paid, shall be granted a one-year extension. Such an extension can be requested and granted five times. (Ord. 2010-014 , 2010)

Exhibit F: Amendment 17-06

Amendment to Title 17

17.08 Definitions

RV Storage: a commercial indoor and or outdoor space/area used to store recreational vehicle for any amount of time.

Interpretive Center: An institution for dissemination of knowledge of natural or cultural heritage of the surrounding area.

17.08.165 Commercial Activities Associated with Agriculture.

"Commercial Activities Associated with Agriculture" means any commercial endeavor ~~as defined in KCC 17.08.150, and~~ 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.

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 ~~and 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. 2013-001, 2013; Ord. 2007-22, 2007)

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 to which a~~ 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. ~~building or land was lawfully put at the time this resolution became effective but which is not a permitted use in the area in which it is located.~~

6."Prohibited use" means those uses not specifically enumerated as allowed uses under the provisions of KCC Chapter 17.15. (Ord. 2013-012, 2013; Ord. 2013-001, 2013; Res. 83-10, 1983)

17.15 Allowed Uses

17.15.050.1 Resource Use Table

P Permitted PA Permitted Administrative CU Conditional Use ACU Admin. Conditional Use *See KCC Chapter 17.08 Definitions	Resource	
	Commercial Agriculture	Commercial Forest
A. Agriculture		
Animal boarding*	P	P
Agricultural Enhanced Uses*	P ³⁰	P ³⁰
Agriculture processing*	CU ¹⁷	
Agriculture production*	P	P
Agriculture sales*, Produce Farm	P ¹⁶ / AC ²⁸	
Agriculture sales	CU	
Dairy	CU	CU
Feedlot*	CU	CU
Grazing*	P	P
Marijuana Processing*		
Marijuana Production*		
Marijuana, retail sales*		
Nurseries	P	
Riding academies	CU	
Small-scale event facility*	AC ²⁵ / CU	
U-Pick/U-Cut Operations*	AC ²⁹	AC ²⁹
Farm Visit*	AC ²⁹	
<u>Commercial Activities associated with agriculture*</u>	<u>AC</u>	
	Commercial Agriculture	Commercial Forest
B. Civic Cultural Uses		
Cemetery	P ¹³	
Clubhouses, fraternities and lodges*	AC ²⁴	
Cultural and educational facilities		
Libraries		
Meeting facilities		
Museums and galleries		
Religious institutions*	CU	
School, public or private*	CU ¹²	
<u>Interpretive Center*</u>		
	Commercial Agriculture	Commercial Forest
C. Commercial		
Auction sales of non-agriculture products		
Bank		
Bed and breakfast*	AC	
Clinic*		
Day care facilities*		
Funeral home/mortuary		
Hospital*		
Hospital, animal or veterinary*		
Hotel/motel		
Office*		

P Permitted PA Permitted Administrative CU Conditional Use ACU Admin. Conditional Use *See KCC Chapter 17.08 Definitions	Resource	
	Commercial Agriculture	Commercial Forest
Restaurant		
Retail sales, * general		
Retail sales, * lumber and building materials		
Retail sales, * vehicles and equipment		
Services		
Shooting range*	CU ²³	CU ²³
Taverns		
Temporary sales office		
Vehicle/equipment service and repair*	P ²²	
	Commercial Agriculture	Commercial Forest
D. Industrial		
Airport*	P ²⁰	P ²¹
Asphalt/concrete plants		
Forest product processing* (portable)		P
Forest product processing* (permanent)		CU
Freighting and trucking yard or terminal*		
Hazardous waste storage*		
Hazardous waste treatment*		
Impound/towing yard*		
Junkyard*		
Manufacturing*		
Mini-warehouse		
RV Storage		
Refuse disposal/recycle*	CU	CU
Research laboratories		
Wastewater treatment		
Warehousing and distribution	PA ²⁷ / CU ²⁶	
Wholesale business		
	Commercial Agriculture	Commercial Forest
E. Recreation		
Campground*		CU ¹⁸
Golf course*		
Guest ranch or Guest Farm*	CU	

P Permitted PA Permitted Administrative CU Conditional Use ACU Admin. Conditional Use *See KCC Chapter 17.08 Definitions	Resource	
	Commercial Agriculture	Commercial Forest
Parks and playgrounds*		P 15
Recreation, indoor*		
Recreation, outdoor*		P 18
Recreational vehicle storage		
Stadium		
Trails	PA	PA
	Commercial Agriculture	Commercial Forest
F. Residential		
Accessory dwelling unit*	P 4	
Accessory living quarters*	P 5	
Adult family home*	P 10	P 10
Boarding house		
Convalescent home		
Dwelling, single-family*	P	P
Dwelling, two-family*	P	
Dwelling, multiple-family*		
Farm labor shelter*	CU 2	
Group home*		
Group Care Facility*		
Home occupation*	P 8	P 8
Manufactured home*	P	P
Manufactured home park		
Mobile home	P 6	P 6
Special care dwelling*	P 7	P 7
Temporary trailers	P 11	P 11
	Commercial Agriculture	Commercial Forest
G. Resource		
Forestry*	P	P
Forest product sales*		P
Mining and excavation*	CU 14	P
Rock crushing*		P
	Commercial Agriculture	Commercial Forest
H. Utilities and Public Facilities		

P Permitted PA Permitted Administrative CU Conditional Use ACU Admin. Conditional Use *See KCC Chapter 17.08 Definitions	Resource	
	Commercial Agriculture	Commercial Forest
Electric vehicle infrastructure*	P 3	P 3
Public facilities*	PA 19	PA 19
Utilities	P 1 /ACU 1 /CU 1	P 1 /ACU 1 /CU 1
Watershed management activities*	PA	PA

17.15.050.2 Footnotes Associated with Resource Use Table.

1. Pursuant to KCC Chapter 17.61, Utilities.
2. Provided:
 - a. The shelters are used to house farm laborers on a temporary or seasonal basis only, regardless of change of ownership, if it remains in farm labor-needed status;
 - b. The shelters must conform with all applicable building and health regulations;
 - c. The number of shelters shall not exceed four (4) per twenty (20) contiguous acres of land area;
 - d. The shelters are owned and maintained by the owner or operator of an agricultural operation which clearly demonstrates the need for farm laborers;
 - e. Should the parent agricultural operation cease or convert to non-agriculture use, then the farm labor shelters shall conform with all applicable buildings and health regulations.
3. Pursuant to KCC Chapter 17.66, Electric Vehicle Infrastructure.
4. Subject to the following requirements:
 - a. ADUs shall be allowed as a permitted use within designated UGAs;
 - b. ADUs shall be subject to obtaining an Administrative Use permit in areas outside UGAs;
 - c. Only one ADU shall be allowed per lot;
 - d. Owner of the property must reside in either the primary residence or the ADU;
 - e. The ADU shall not exceed the square footage of the habitable area of the primary residence;
 - f. All setback requirements for the zone in which the ADU is located shall apply;
 - g. The ADU shall meet the applicable health department standards for potable water and sewage disposal;
 - h. No mobile homes or recreational vehicles shall be allowed as an ADU;
 - i. The ADU shall provide additional off-street parking;
 - j. An ADU is not permitted on the same lot where a special care dwelling or an Accessory Living Quarters exists.
 - k. An ADU must have adequate acreage to meet maximum density within the zone classification.
5. Subject to the following requirements:
 - a. Accessory Living Quarters shall be located within an owner occupied primary residence;
 - b. Accessory Living Quarters are limited in size to no greater than fifty percent (50%) of the habitable area of the primary residence;
 - c. The Accessory Living Quarters are subject to applicable health district standards for water and sewage disposal;
 - d. Only one (1) Accessory Living Quarters shall be allowed per lot;

- e. Accessory Living Quarters are to provide additional off-street parking;
 - f. Accessory Living Quarters are not allowed where an Accessory Dwelling Unit or Special Care Dwelling exists.
6. As of September 1, 1998, mobile homes are no longer allowed to be transported and placed within Kittitas County. Those units presently located in Kittitas County that are to be relocated within Kittitas County must have a fire/life inspection approved by the Washington State Department of Labor and Industries.
 7. Subject to the following requirements:
The Special Care Dwelling must meet all setback requirements for the zone in which it is located;
 - a. The Special Care Dwelling must meet all applicable health department requirements for potable water and sewage disposal;
 - b. Placement is subject to obtaining a building permit for the manufactured home;
 - c. Owner must record a notice to title prior to the issuance of building permit which indicates the restrictions and removal requirements;
 - d. The Special Care Dwelling unit cannot be used as a rental unit;
 - e. The Special Care Dwelling unit must be removed when the need for care ceases;
 - f. A Special Care Dwelling is not permitted on the same lot where an Accessory Dwelling Unit or Accessory Living Quarter exists.
 8. No sign advertising a home occupation shall exceed sixteen (16) square feet in size. Home occupations with no outdoor activities or noise are permitted; home occupations with outdoor activities or noise are a conditional use. In-home daycares shall be limited to no more than six (6) individuals receiving care in a twenty-four (24) hour period.
 9. Maximum of four (4) boarders and two (2) bedrooms dedicated to the use.
 10. Pursuant to RCW70.128.140.
 11. When used for temporary occupancy for a period not-to-exceed one (1) year related to permanent home construction or seasonal/temporary employment.
 12. Existing schools are permitted; new schools require a conditional use permit.
 13. No new cemeteries. Existing cemeteries may expand or enlarge in compliance with applicable standards and regulations.
 14. Noncommercial sand and gravel excavation is permitted for on-site use without a conditional use permit.
 15. Washington State Natural Area Preserves and Natural Resource Conservation Areas are permitted outright.
 16. When located 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 dispersed recreation and recreational facilities such as primitive campsites.
 19. Pursuant to KCC Chapter 17.62, Public Facilities Permits.
 20. When used primarily in conjunction with agricultural activities.
 21. For emergency and forest related management uses and practices only.
 22. Limited to farm implement repair and maintenance.
 23. Structures and facilities associated with the operation of shooting ranges are permitted and subject to all associated Kittitas County building codes and regulations. Shooting ranges may be operated in conjunction with other permitted or conditional uses for the specified zone. Shooting ranges are subject to periodic inspection and certification as deemed necessary by the Kittitas County Sheriff's Department. In considering

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

- a. The general health, safety, and welfare of surrounding property owners, their livestock, their agricultural products, and their property.
 - b. Adherence to the practices and recommendations of the "NRA Range Sourcebook."
 - c. Adherence to the practices and recommendations of the "EPA Best Management Practices for Lead at Outdoor Shooting Ranges."
 - d. Proposed shooting ranges in areas designated as agricultural land of long-term commercial significance shall comply with RCW 36.70A.177(3) as currently existing or hereafter amended, and shall be limited to lands with poor soils or those unsuitable for agriculture.
24. Limited to facilities that serve traditional rural or resource activities (such as granges).
 25. Use shall not exceed 10,000 square feet and no more than eight (8) events shall occur within a calendar year.
 26. Existing facilities are permitted; new facilities require a conditional use permit. Limited to agricultural products. Excludes controlled atmosphere and cold storage warehouses.
 27. Limited to seasonal, non-structural hay storage.
 28. 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.

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		Rural Residential & Rural Recreation		Rural Residential & Rural Recreation	
	Ag 5 ⁴⁹	Rural 5 ⁴⁹	Ag 20 ⁴⁹	Forest & Range	Master Planned	General Commercial	Rural Recreation	PUD	PUD	PUD
A. Agriculture										
Agricultural Enhanced Uses*			P ⁵⁵	P ⁵⁵		P ⁵⁵				
Animal boarding*	P	P	P	P		CU	CU			
Agriculture processing*	CU ²³		CU ²³	CU**		P				
Agriculture production*	P ²⁴	P	P	P ²⁴	P ²⁴	P ²⁴	P ²⁴	P ²⁴	P ²⁴	P ²⁴
Farm Stand,*	P ²² / AC ⁵¹	P ²² / AC ⁵¹	P ²² / AC ⁵¹	P ²² / AC ⁵¹	P ²² / AC ⁵¹	P	P ²² / AC ⁵¹	P ²² / AC ⁵¹	P ²² / AC ⁵¹	P ²² / AC ⁵¹
Agriculture Sales,*	CU		CU			P				
Dairy	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU
Feedlot*			CU	CU**						

January 2, 2018

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		Rural Residential & Rural Recreation			
	Ag 5 ⁴⁹	Rural 5 ⁴⁹	Ag 20 ⁴⁹	Forest & Range	Master Planned	General Commercial	Rural Recreation	PUD		
Grazing*	P	P	P	P	P	P	P	P	P	P
Marijuana processing*										
Marijuana production*										
Marijuana, retail sales*										
Nurseries	P		P	CU**		P				
Riding academies	CU		CU	CU	CU		CU		CU	
Small-scale event facility*	AC ⁴⁵ CU	AC ⁴⁵ CU	AC ⁴⁵ /CU	AC ⁴⁵ /CU						
U-Pick/U-Cut Operations*	P / AC ⁵¹	CU	P / AC ⁵¹	P / AC ⁵¹					CU	
Farm Visit	CU	CU	AC ⁵¹	AC ⁵¹	CU	CU	CU	CU	CU	P ⁵²

P Permitted PA Permitted Administrative CU Conditional Use ACU Admin. Conditional Use * See KCC Chapter 17.08 Definitions Commercial Activities associated with agriculture* B. Civic Uses/Community Services Cemetery Clubhouses, fraternities and lodges* Cultural and education facilities Libraries Meeting facilities Museums and galleries	Rural Non-LAMIRD							
	Rural Residential		Rural Working		Rural Recreation			Rural Residential & Rural Recreation
	Ag 5 ⁴⁹	Rural 5 ⁴⁹	Ag 20 ⁴⁹	Forest & Range	Master Planned	General Commercial	Rural Recreation	PUD
			AC					
	AC							
	P 21	P 21	P 21	CU**				
	AC ⁴⁴	AC ⁴⁴	AC ³	AC ³⁵	AC		AC	
						P		P
			CU ³				CU	
						P		
							CU	

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			Rural Residential & Rural Recreation				
	Ag 5 ⁴⁹	Rural 5 ⁴⁹	Ag 20 ⁴⁹	Forest & Range	Master Planned	General Commercial	Rural Recreation	PUD				
Religious institutions	CU		CU	CU	CU	CU			CU			
Schools, public or private*	P ²⁵		P ²⁵	CU					CU			
Interpretive Center*			AC	AC						AC		
C. Commercial												
Auction sales of non-agriculture products						CU						
Bank									CU			
Bed and breakfast*	AC	AC	AC	AC**						AC		
Clinic*												
Day care facilities*												

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		Rural Residential & Rural Recreation	
	Ag 5 ⁴⁹	Rural 5 ⁴⁹	Ag 20 ⁴⁹	Forest & Range	Master Planned	General Commercial	Rural Recreation	PUD
Funeral home/mortuary								
Hospital*								
Hospital, animal or veterinary*			CU			CU		
Hotel/motel					CU ⁶			
Office*						P ¹⁷		
Restaurant					P	CU	CU	
Retail sales,* general					P	CU ¹⁸	CU ¹⁸	
Retail sales,* lumber and building materials								
Retail sales,* vehicles								

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		Rural Residential & Rural Recreation	
	Ag 5 ⁴⁹	Rural 5 ⁴⁹	Ag 20 ⁴⁹	Forest & Range	Master Planned	General Commercial	Rural Recreation	PUD
Services					P ²⁰	CU ⁵⁰		
Shooting range*			CU ³¹	CU ^{**31}			CU ³¹	
Tavern				CU ³⁶	P	CU		
Temporary sales office					P			
Vehicle /equipment service and repair*	P ¹⁶		P ¹⁶	CU ³⁶	P ⁴²	P ⁴²		
D. Industrial								
Airport*	CU		CU	CU	CU	CU	CU	
Asphalt/Concrete plants				CU ³⁷				
Forest product processing* (portable)	P	P	CU	CU ³⁵				
Forest product			CU	CU ^{**}				

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		Rural Residential & Rural Recreation	
	Ag 5 ⁴⁹	Rural 5 ⁴⁹	Ag 20 ⁴⁹	Forest & Range	Master Planned	General Commercial	Rural Recreation	PUD
processing* (permanent)								
Freighting and trucking yard or terminal*								
Hazardous waste storage*								
Hazardous waste treatment*								
Impound/towing yard*								
Junkyard*								
Manufacturing*								
Mini-Warehouse						CU ¹⁴		
RV Storage						CU		

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		Rural Residential & Rural Recreation			
	Ag 5 ⁴⁹	Rural 5 ⁴⁹	Ag 20 ⁴⁹	Forest & Range	Master Planned	General Commercial	Rural Recreation	CU ¹²	CU ¹²	PUD
Refuse disposal /recycle*			CU ¹⁹							
Research laboratories										
Wastewater treatment										
Warehousing and distribution	PA ⁴⁷	PA ⁴⁷	PA ⁴⁷ /CU ⁴⁶	PA ⁴⁷						
Wholesale business										
E. Recreation										
Campground*	CU ¹²	CU ¹²	CU ¹²	CU ¹² P ⁵⁴ **	CU ¹³	CU ¹²	CU ¹²	CU ¹²	CU	CU
Golf course*	CU	CU	CU	CU**	CU				CU	
Guest ranch or guest farm*	CU	CU	CU	CU**					CU	

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			Rural Residential & Rural Recreation
	Ag 5 ⁴⁹	Rural 5 ⁴⁹	Ag 20 ⁴⁹	Forest & Range	Master Planned	General Commercial	Rural Recreation	PUD
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 storage							CU	P ²⁶
Stadiums								
Trails	PA	PA	PA	PA	PA	PA	PA	PA
F. Residential	Ag 5 ⁵¹	Rural 5 ⁵¹	Ag 20 ⁵¹	Forest & Range ⁵¹	Master Planned	General Commercial	Rural Recreation	PUD

P Permitted PA Permitted Administrative CU Conditional Use ACU Admin. Conditional Use	Rural Non-LAMIRD								Rural Residential & Rural Recreation	
	Rural Residential		Rural Working		Rural Recreation		Rural Recreation			
	Ag 5 ⁴⁹	Rural 5 ⁴⁹	Ag 20 ⁴⁹	Forest & Range	Master Planned	General Commercial	Rural Recreation	PUD		
* See KCC Chapter 17.08 Definitions	PA ²⁷	PA ²⁷	PA ²⁷	PA ^{27**}					PA ²⁷	
Accessory living dwelling unit*	P ²⁸	P ²⁸	P ²⁸	P ^{28**}	P ²⁸				P ²⁸	P ²⁸
Accessory living quarters*	P ⁴¹	P ⁴¹	P ⁴¹	P ⁴¹	P ⁴¹				P ⁴¹	P ⁴¹
Boarding house			CU ²⁹	CU ^{29**}						
Convalescent home			CU	CU**						
Dwelling, single- family*	P ³³	P ⁴⁰	P	P ³⁴	P ¹				PA ²	P
Dwelling, two- family*	P		P ³	P ³⁴	P ¹					P
Dwelling, multiple-family*					P ¹					P
Farm labor shelter*	CU ⁴		CU ⁴	CU ^{4**}						

January 2, 2018

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		Rural Residential & Rural Recreation			
	Ag 5 ⁴⁹	Rural 5 ⁴⁹	Ag 20 ⁴⁹	Forest & Range	Master Planned	General Commercial	Rural Recreation	Rural Residential & Rural Recreation		
Group home*	CU	CU					CU			
<u>Group Care Facility*</u>	<u>CU⁵⁶</u>	<u>CU</u>	<u>CU⁵⁶</u>	<u>CU</u>						
Home occupation*	P/CU ⁵	P/CU ⁵	P/CU ⁵	P/CU ^{5**}	P/CU ⁵		P/CU ⁵	P/CU ⁵	P/CU ⁵	
Manufactured home*	P	P	P	P**	P		PA ²	P	P	
Manufactured home park							<u>P</u>			
Mobile home	P ³⁸	P ³⁸		P ³⁴						
Special care dwelling*	P ³⁰	P ³⁰	P ³⁰	P ³⁰				CU ³⁰	P ³⁰	
Temporary trailer	P ⁷	P ⁷	P ⁷	P ^{7**}			P ⁷	P ⁷	P ⁷	
G. Resource										
Forestry*	P	P	P	P ³⁴						

P Permitted PA Permitted Administrative CU Conditional Use ACU Admin. Conditional Use * See KCC Chapter 17.08 Definitions	Rural Non-LAMIRD						Rural Residential & Rural Recreation
	Rural Residential	Rural Working	Forest & Range	Rural Recreation	General Commercial	Rural Recreation	
	Ag 5 ⁴⁹	Rural 5 ⁴⁹	Ag 20 ⁴⁹	Master Planned	General Commercial	Rural Recreation	PUD
Forest product sales*			P				
Mining and excavation*	CU	CU ³⁹	CU				
Rock crushing*		CU ³⁹	P ³⁴				
	Ag 5 ⁵¹	Rural 5 ⁵¹	Ag 20 ⁵¹	Master Planned	General Commercial	Rural Recreation	PUD
H. Utilities and Public Facilities							
Electric vehicle infrastructure*	P ³²	P ³²	P ³²	P ³²	P ³²	P ³²	P ²⁶
Public facilities*	PA ⁵³	PA ⁵³	PA ⁵³	PA ⁵³	PA ⁵³	PA ⁵³	PA ⁵³
Utilities	P ⁹ /ACU ⁹ /CU ⁹	P ⁹ /ACU ⁹ /CU ⁹	P ⁹ /ACU ⁹ /CU ¹⁰	P ¹¹ /ACU ¹¹ /CU ¹¹	P ⁹ /ACU ⁹ /CU ⁹	P ⁹ /ACU ⁹ /CU ⁹	P ⁹ /ACU ⁹ /CU ⁹
Watershed management activities*	PA	PA	PA	PA	PA	PA	PA

January 2, 2018

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		Rural Residential & Rural Recreation
	Ag 5 ⁴⁹	Rural 5 ⁴⁹	Ag 20 ⁴⁹	Forest & Range	Master Planned	General Commercial	Rural Recreation
							PUD

17.15.060.2 Footnotes Associated with Rural Non-LAMIRD Use Table.

1. Provided use is integrated into and supports the on-site recreational nature of the master planned resort and short-term visitor accommodation units constitute greater than fifty percent (50%) of the total resort accommodation units.
2. No new residence shall be permitted except that related to the business or enterprises allowed in this zone such as janitor or night watchman. Any such residence shall meet the requirements of the residential zone.
3. Not permitted in the Agriculture Study Overlay Zone. Clubhouses, fraternities and lodges limited to facilities that serve traditional rural or resource activities (such as granges).
4. Provided:
 - a. The shelters are used to house farm laborers on a temporary or seasonal basis only, regardless of change of ownership, if it remains in farm labor-needed status;
 - b. The shelters must conform with all applicable building and health regulations;
 - c. The number of shelters shall not exceed four (4) per twenty (20) contiguous acres of land area;
 - d. The shelters are owned and maintained by the owner or operator of an agricultural operation which clearly demonstrates the need for farm laborers;
 - e. Should the parent agricultural operation cease or convert to non-agriculture use, then the farm labor shelters shall conform with all applicable buildings and health regulations.
5. No sign advertising a home occupation shall exceed sixteen (16) square feet in size. Home occupations with no outdoor activities or noise are permitted; home occupations with outdoor activities or noise are a conditional use. In-home daycares with six (6) or fewer individuals receiving care in a twenty-four (24) hour period are permitted; in-home daycares with seven to twelve (7-12) individuals receiving care in a twenty-four (24) hour period require a Conditional Use Permit.
6. Provided short-term visitor accommodation units constitute greater than fifty percent (50%) of the total resort accommodation units.
7. When used for temporary occupancy for a period not-to-exceed one (1) year related to permanent home construction or seasonal/temporary employment.
8. Public transportation deadhead stations permitted; passenger terminals are a Conditional Use.
9. Utilities are defined and regulated by KCC Chapter 17.61, Utilities.
10. Utilities are defined and regulated by KCC Chapter 17.61, Utilities. Not permitted in the Agriculture Study Overlay Zone.
11. Utilities are defined and regulated by KCC Chapter 17.61, Utilities. Limited to the capital facilities, utilities, and services necessary to maintain and operate the master planned resort.
12. In considering proposals for location of campgrounds, the Board shall consider at a minimum the following criteria:
 - a. Campgrounds should be located at sufficient distance from existing rural residential/residential development so as to avoid possible conflicts and disturbances;
 - b. Traffic volumes generated by such a development should not create a nuisance or impose on the privacy of nearby residences or interfere with normal traffic flow;
 - c. Landscaping or appropriate screening should be required and maintained where necessary for buffering;
 - d. Adequate and convenient vehicular access, circulation and parking should be provided;
 - e. Public health and safety of campers and those reasonably impacted by the campground (i.e. health, water, sanitation).

13. Campgrounds and Recreational vehicle sites with power and water are permitted; campgrounds and recreational vehicle sites without power and water require a conditional use permit.
14. The following standards shall apply to the approval and construction of mini-warehouses:
 - a. A mini-warehouse proposal (application) must include plans for aesthetic improvements and/or sight screening;
 - b. All buildings with storage units facing property boundaries shall have a minimum setback of thirty-five (35) feet;
 - c. No commercial or manufacturing activities will be permitted within any building or storage unit;
 - d. Lease documents shall spell out all conditions and restrictions of the use;
 - e. Signs, other than on-site direction aids, shall number not more than two (2) and shall not exceed forty (40) square feet each in area.
15. Permitted when conducted wholly within an enclosed building (excluding off-street parking and loading areas).
16. Limited to farm implement repair and maintenance.
17. Limited to offices directly related to tourism and recreation.
18. Retail sales are limited to groceries and sales directly related to tourism and recreation. Structural footprint containing all of these activities may not exceed 4,000 square feet.
19. Limited to composting facilities.
20. Limited to those services typically found on other destination resort properties and designed to serve the convenience needs of the users and employees of the master planned resort. Shall be designed to discourage use from non-resort users by locating such services well within the site rather than on its perimeter.
21. No new cemeteries. Existing cemeteries may expand or enlarge in compliance with applicable standards and regulations.
22. When located 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 permits.
24. Excluding swine and mink, provided a minimum of one (1) acre is available. When located in the Liberty Historic Overlay Zone, this use is subject to the provisions of KCC Chapter 17.59.
25. Existing schools are permitted; new schools require a conditional use permit. Not permitted in the Agriculture Study Overlay Zone.
26. Where the use is only serving a residential PUD and where all applicable standards are met. Electric Vehicle Infrastructure subject to provisions of KCC Chapter 17.66.
27. Subject to the following requirements:
 - a. ADUs shall be allowed as a permitted use within designated UGAs;
 - b. ADUs shall be subject to obtaining an Administrative Use permit in areas outside UGAs;
 - c. Only one ADU shall be allowed per lot;
 - d. Owner of the property must reside in either the primary residence or the ADU;
 - e. The ADU shall not exceed the square footage of the habitable area of the primary residence;
 - f. All setback requirements for the zone in which the ADU is located shall apply;
 - g. The ADU shall meet the applicable health department standards for potable water and sewage disposal;
 - h. No mobile homes or recreational vehicles shall be allowed as an ADU;
 - i. The ADU shall provide additional off-street parking;

- j. An ADU is not permitted on the same lot where a special care dwelling or an Accessory Living Quarters exists.
 - k. An ADU must have adequate acreage to meet maximum density within the zone classification.
28. Subject to the following requirements:
- a. Accessory Living Quarters shall be located within an owner-occupied primary residence;
 - b. Accessory Living Quarters are limited in size to no greater than fifty percent (50%) of the habitable area of the primary residence;
 - c. The Accessory Living Quarters are subject to applicable health district standards for water and sewage disposal;
 - d. Only one (1) Accessory Living Quarters shall be allowed per lot;
 - e. Accessory Living Quarters are to provide additional off-street parking;
 - f. Accessory Living Quarters are not allowed where an Accessory Dwelling Unit or Special Care Dwelling exists.
29. Maximum of four (4) boarders and two (2) bedrooms dedicated to the use.
30. Subject to the following requirements:
- a. The Special Care Dwelling must meet all setback requirements for the zone in which it is located;
 - b. The Special Care Dwelling must meet all applicable health department requirements for potable water and sewage disposal;
 - c. Placement is subject to obtaining a building permit for the manufactured home;
 - d. Owner must record a notice to title prior to the issuance of building permit which indicates the restrictions and removal requirements;
 - e. The Special Care Dwelling unit cannot be used as a rental unit;
 - f. The Special Care Dwelling unit must be removed when the need for care ceases;
 - g. A Special Care Dwelling is not permitted on the same lot where an Accessory Dwelling Unit or Accessory Living Quarter exists.
31. Structures and facilities associated with the operation of shooting ranges are permitted and subject to all associated Kittitas County building codes and regulations. Shooting Ranges may be operated in conjunction with other permitted or conditional uses for the specified zone. Shooting Ranges are subject to periodic inspection and certification as deemed necessary by the Kittitas County Sheriff's Department. In considering proposals for the location of Shooting Ranges a detailed site plan shall be required; the Board's review of said site plan and the proposal as a whole shall include, but not be limited, to the following criteria:
- a. The general health, safety, and welfare of surrounding property owners, their livestock, their agricultural products, and their property.
 - b. Adherence to the practices and recommendations of the "NRA Range Sourcebook."
 - c. Adherence to the practices and recommendations of the "EPA Best Management Practices for Lead at Outdoor Shooting Ranges."
 - d. Proposed shooting ranges in areas designated as agricultural land of long-term commercial significance shall comply with RCW 36.70A.177(3) as currently existing or hereafter amended, and shall be limited to lands with poor soils or those unsuitable for agriculture.
32. Subject to the provisions of KCC Chapter 17.66, Electric Vehicle Infrastructure.
33. Single family homes located in Twin Pines Trailer Park, Central Mobile Home Park, or Swiftwater shall be subject to the provisions of KCC Chapter 17.24, Historic Trailer Court Zone.
34. When located in the Liberty Historic Overlay Zone, this use is subject to the provisions of KCC Chapter 17.59.

35. Limited to facilities that serve traditional rural or resource activities (such as granges). Allowed as a permitted use in the Liberty Historic Overlay Zone, subject to the provisions of KCC Chapter 17.59.
36. Allowed only as a conditional use in the Liberty Historic Overlay Zone, subject to the provisions of KCC Chapter 17.59.
37. Prohibited in the Liberty Historic Overlay Zone. 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. Excludes controlled atmosphere and cold storage warehouses.
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.
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.

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	Rural LAMIRD ⁴⁹ (Type 1 LAMIRDs)					Rural Employment Centers ^{50,52} (Type 3 LAMIRDs)								
	Residential	Residential 2	Rural 5	Agriculture 3	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD	Limited Commercial	General Commercial	Highway Commercial	Light Industrial
*See KCC Chapter 17.08 Definition S														
A. Agriculture														
Animal boarding*	CU1	P	P	P	P			P			P			
Agriculture processing*				P ²	P/CU ⁴		P/CU ⁴	P/CU ⁴	CU		P/CU ⁴	P/CU ⁴	P/CU ⁴	P/CU ⁴
Agriculture production*	CU1		P	P ⁵			P ⁴	P ⁵						P ⁴
Agriculture sales,* Farm stand*				P ⁷ /AC	P	P					P	P	P	
Agriculture sales				CU										
Feedlot*														
Grazing*			P	P	P	P	P	P			P	P	P	P
Marijuana Processing*							ACU ⁵⁶							
Marijuana Production*							ACU ⁵⁶							

	Rural LAMIRD ⁴⁹ (Type 1 LAMIRDs)						Rural Employment Centers ^{50,52} (Type 3 LAMIRDs)							
	Residential	Residential 2	Rural 5	Agriculture 3	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD	Limited Commercial	General Commercial	Highway Commercial	Light Industrial
P Permitted PA Permitted Administrative CU Conditional Use ACU Admin. Conditional Use <i>*See KCC Chapter 17.08 Definitions</i>														
Marijuana, retail sales*														
Nurseries	CU			P				CU		CU	CU		CU	CU
Riding academies				CU				CU						
Small-scale event facility*														
U-Pick/Cut Operations*														
Farm Visit*														
<u>Commercial Activities associated with agriculture*</u>				<u>AC</u>										
B. Civil and Cultural	Residential	Residential 2	Rural 5	Agriculture 3	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD	Limited Commercial	General Commercial	Highway Commercial	Light Industrial
Cemetery			P ⁹	P ⁹					CU					

	Rural LAMIRD ⁴⁹ (Type 1 LAMIRDs)					Rural Employment Centers ^{50,52} (Type 3 LAMIRDs)								
	Residential	Residential 2	Rural 5	Agriculture 3	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD	Limited Commercial	General Commercial	Highway Commercial	Light Industrial
P Permitted Administrative Use CU Conditional Use ACU Admin. Conditional Use *See KCC Chapter 17.08 Definitions														
Clubhouses, and lodges*	CU	P	P 10					CU						
Cultural and education facilities	CU													
Libraries	CU			CU	CU									
Meeting facilities														
Museums and galleries	CU			CU	CU	CU		CU	CU			CU	CU	
Religious institutions*	CU	CU		CU	CU	CU		CU	CU					
Schools, public and private*	CU	CU	CU	CU	CU	CU		CU	CU					
Interpretive Center*														
C. Commercial	Residential	Residential 2	Rural 5	Agriculture 3	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD	Limited Commercial	General Commercial	Highway Commercial	Light Industrial

	Rural LAMIRD ⁴⁹ (Type 1 LAMIRDs)						Rural Employment Centers ^{50,52} (Type 3 LAMIRDs)							
	Residential	Residential 2	Rural 5	Agriculture 3	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD	Limited Commercial	General Commercial	Highway Commercial	Light Industrial
P Permitted														
PA Permitted Administrative														
CU Conditional Use														
ACU Admin. Conditional Use														
*See KCC Chapter 17.08 Definition §														
Auction sales of non-agriculture products											P			
Bank					PA									
Bed and breakfast*	CU	CU	CU	CU	CU	CU				CU ⁵¹	CU ⁵¹	CU ⁵¹		
Clinic*	CU ¹²			CU	CU									
Day care facilities*				CU	CU						CU			
Funeral home/mortuary					CU									
Hospital*														
Hospital, animal or Veterinary*					CU						CU			
Hotel/motel					CU						CU		CU ⁵³	
Office*					PA						PA		PA ¹³	
Restaurant					PA						P		P	

January 2, 2018

P Permitted PA Permitted Administrative CU Conditional Use ACU Admin. Conditional Use *See KCC Chapter 17.08 Definition S	Rural LAMIRD ⁴⁹ (Type 1 LAMIRDs)					Rural Employment Centers ^{50,52} (Type 3 LAMIRDs)								
	Residential	Residential 2	Rural 5	Agriculture 3	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD	Limited Commercial	General Commercial	Highway Commercial	Light Industrial
					P ⁴⁸	P ¹⁴					P ⁴⁸	P ⁴⁸	P ¹⁴	
Retail sales,* general					P ¹⁵							P ¹⁵		
Retail sales,* lumber and building materials												PA		
Retail sales,* vehicles					P ⁴⁵	P					P ⁴⁵	P ⁴⁵		
Services					CU ⁴⁰							CU ⁴⁰		
Shooting range*														
Tavern					P	P			P		P	P		
Temporary sales office														
Vehicle/equipm ent service and repair*					P ¹¹	P ¹⁹					P ¹⁸	P ¹¹	P ¹⁹	
D. Industrial	Residential	Residential 2	Rural 5	Agriculture 3	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD	Limited Commercial	General Commercial	Highway Commercial	Light Industrial

	Rural LAMIRD ⁴⁹ (Type 1 LAMIRDs)					Rural Employment Centers ^{50,52} (Type 3 LAMIRDs)								
	Residential	Residential 2	Rural 5	Agriculture 3	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD	Limited Commercial	General Commercial	Highway Commercial	Light Industrial
P Permitted PA Permitted Administrative CU Conditional Use ACU Admin. Conditional Use				CU										CU ⁴⁶
*See KCC Chapter 17.08 Definition s								CU ⁴⁷						
Airport*									CU		CU			CU
Asphalt/Concrete plants									CU					
Forest product processing* (portable)			P	P										CU
Forest product processing* (permanent)				CU					CU		CU			CU
Freighting and trucking yard or terminal*														
Hazardous waste storage*														CU
Hazardous waste treatment*														
Impounding Yard*														
Junkyard*														

January 2, 2018

	Rural LAMIRD ⁴⁹ (Type 1 LAMIRDs)						Rural Employment Centers ^{50,52} (Type 3 LAMIRDs)							
	Residential	Residential 2	Rural 5	Agriculture 3	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD	Limited Commercial	General Commercial	Highway Commercial	Light Industrial
P Permitted Administrative Use ACU Admin. Conditional Use *See KCC Chapter 17.08 Definition S														
Manufacturing*											P			P
Mini-warehouse					CU ²²				CU ²²	P ²²	P ²²			P
RV Storage					CU				CU	P	P			P
Refuse disposal/recycle*														
Research laboratories										CU				P
Wastewater treatment														
Warehousing and distribution														
Wholesale business										CU ⁵⁴	P ⁵⁴			P ⁵⁴
E. Recreation														
Campgrounds			CU ²¹	CU ²¹	CU ²¹	CU ²¹		CU ²¹ P ⁵⁷					CU ²¹	

	Rural LAMIRD ⁴⁹ (Type 1 LAMIRDs)						Rural Employment Centers ^{50,52} (Type 3 LAMIRDs)							
	Residential	Residential 2	Rural 5	Agriculture 3	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD	Limited Commercial	General Commercial	Highway Commercial	Light Industrial
P Permitted														
PA Permitted														
CU Conditional Use														
ACU Admin. Conditional Use														
*See KCC Chapter 17.08 Definitions														
Golf courses			CU	CU				CU						
Guest ranch or guest farm			CU	CU				CU						
Parks and playgrounds*	P	P	P	P	P	P		P	P	P	P	P	P	
Recreation, indoor*					P	P			P ³⁵		P	P	P	
Recreation, outdoor*					CU	CU			P ³⁵		CU	CU	CU	
Recreational vehicle park*									P ³⁵					
Recreational vehicle storage*									P ³⁵					
Stadiums														
Trails	PA	PA	PA	PA	PA	PA			PA	PA	PA	PA	PA	PA
F. Residential	Residential	Residential 2	Rural 5	Agriculture 3	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD	Limited Commercial	General Commercial	Highway Commercial	Light Industrial

January 2, 2018

P Permitted PA Permitted CU Conditional Use ACU Admin. Conditional Use	Rural LAMIRD ⁴⁹ (Type 1 LAMIRDs)						Rural Employment Centers ^{50,52} (Type 3 LAMIRDs)							
	Residential	Residential 2	Rural 5	Agriculture 3	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD	Limited Commercial	General Commercial	Highway Commercial	Light Industrial
*See KCC Chapter 17.08 Definition s														
Accessory dwelling unit	P ²⁴	P ²⁴	P ²⁴	P ²⁴	P ²⁵				P ²⁴					
Accessory living quarter	P ³⁶	P ³⁶	P ³⁶	P ³⁶	P ²⁵				P ³⁶	P ³⁶	P ³⁶			
Adult family home	P ⁴²	P ⁴²	P ⁴²	P ⁴²	P ⁴²	P ⁴²			P ⁴²	P ⁴²	P ⁴²	P ⁴²		
Boarding house	CU ³⁷			CU ³⁷					CU ³⁷					
Convalescent home				CU					CU					
Dwelling, single-family	P	P	P	P	P				P	P ²⁵	P ²⁵			
Dwelling, two-family	P	P		P	P ²⁵				P					
Dwelling, multiple-family	CU													
Farm Labor Shelter				CU ²⁶										
Group Home			CU											
<u>Group Care</u>			<u>CU</u>						<u>CU</u>					

January 2, 2018

2017 Docket Enabling Ordinance

Ord. # 2018-001

Page 50

P Permitted PA Permitted Administrative CU Conditional Use ACU Admin. Conditional Use	Rural LAMIRD ⁴⁹ (Type 1 LAMIRDs)						Rural Employment Centers ^{50,52} (Type 3 LAMIRDs)							
	Residential	Residential 2	Rural 5	Agriculture 3	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD	Limited Commercial	General Commercial	Highway Commercial	Light Industrial
*See KCC Chapter 17.08 Definition s														
<u>Facility*</u>														
Home occupation	P/CU ²⁷	P/CU ²⁸	P/CU ²⁸	P/CU ²⁸	P/CU ²⁸	P/CU ²⁸	P/CU ²⁸	P/CU ²⁸	P/CU ²⁸	P/CU ²⁸	P/CU ²⁸	P/CU ²⁸	P/CU ²⁸	P/CU ²⁸
Manufactured home	P	P	P	P	P	P	P	P	P	P25	P25	P25	P25	
Manufactured home park	<u>CU⁵⁸</u>		<u>CU⁵⁸</u>	<u>CU⁵⁸</u>	<u>P</u>			<u>CU⁵⁸</u>	<u>P</u>		<u>P</u>			
Mobile homes			P ⁶					P						
Special care dwelling	P ³⁹	P ³⁹	P ³⁹	P ³⁹	P ³⁹	P ³⁹	P ³⁹		P	P ³⁹	P ³⁹	P ³⁹		
Temporary trailers	P ²⁹	P ²⁹	P ²⁹	P ²⁹	P ²⁹	P ²⁹	P ²⁹	P ²⁹	P ²⁹	P ²⁹	P ²⁹	P ²⁹	P ²⁹	P ²⁹
G. Resource	Residential	Residential 2	Rural 5	Agriculture 3	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD	Limited Commercial	General Commercial	Highway Commercial	Light Industrial
Forestry*			P	P					P					
Forest product sales*									P					

January 2, 2018

P Permitted PA Permitted Administrative CU Conditional Use ACU Admin. Conditional Use	Rural LAMIRD ⁴⁹ (Type 1 LAMIRDs)								Rural Employment Centers ^{50,52} (Type 3 LAMIRDs)					
	Residential	Residential 2	Rural 5	Agriculture 3	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD	Limited Commercial	General Commercial	Highway Commercial	Light Industrial
*See KCC Chapter 17.08 Definition S														
Mining and excavation*											CU			CU
Rock crushing*											CU			CU
H. Utilities and Public Facilities	Residential	Residential 2	Rural 5	Agriculture 3	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD	Limited Commercial	General Commercial	Highway Commercial	Light Industrial
Electric vehicle infrastructure	P 23	P 23	P 23	P 23	P 23	P 23	P 23	P 23	P 23	P 35	P 23	P 23	P 23	P 23
Public facilities	PA ⁵⁵	PA ⁵⁵	PA ⁵⁵	PA ⁵⁵	PA ⁵⁵	PA ⁵⁵	PA ^{55,32}	PA ⁵⁵	PA ⁵⁵	PA ⁵⁵	PA ⁵⁵	PA ⁵⁵	PA ⁵⁵	PA ^{55,32}
Utilities	P ³³ /ACU ³³ /C U ³³	P ³³ /ACU ³³ /C U ³³	P ³³ /AC U ³³ /CU ³³	P ³³ /ACU ³³ / CU ³³	P ³³ /ACU ³³ / CU ³³	P ³³ /ACU ³³ / CU ³³	P ³³ /ACU ³³ / 3/CU ³³	P ³³ /ACU ³³ / 3/CU ³³	P ³³ /AC U ³³ /CU ³³	P ³³ /A CU ³³ / CU ³³	P ³³ /ACU ³³ / CU ³³	P ³³ /ACU ³³ / CU ³³	P ³³ /ACU ³³ / CU ³³	P ³³ /ACU ³³ / 3/CU ³³
Watershed management activities	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA

17.15.070.2 Footnotes Associated with Rural LAMIRD Use Table.

1. Limited to the keeping of horses or cattle for personal enjoyment of the owner or occupant of the lot, provided that the lot contains one (1) acre or more.
2. Limited to products produced on the premises.
3. Hay processing and small-scale processing of agricultural products produced on the premises are permitted outright.
4. 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 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. Explosives, storage or manufacture;
- h. Reduction or disposal of garbage, offal or similar refuse;
- i. Oil refining; alternative energy refinery (i.e. biofuels, ethanol)
- j. Rubber reclaiming;
- k. Feed yards, livestock sales yards or slaughterhouses;
- l. Smelting, reduction or refining of metallic ores;
- m. Tanneries;
- n. Wineries;
- o. Manufacturing of industrial or household adhesives, glues, cements, or component parts thereof, from vegetable, animal or synthetic plastic materials;
- p. Waste (refuse) recycling and processing;
- q. On-site and off-site hazardous waste storage and/or treatment. Off-site materials shall be accepted only from Kittitas County source sites.

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

- a. 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;
 - b. 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. 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. 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.
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 RCW36.70A.177 (3) as currently existing or hereafter amended, and shall be limited to lands with poor soils or those unsuitable for agriculture.

41. Outdoor recreation activities that cause noise require a conditional use permit.
42. Subject to provisions of RCW 70.128.140.
43. Use shall not exceed 10,000 square feet and no more than eight (8) events shall occur within a calendar year.
44. Existing facilities are permitted; new facilities require a conditional use permit. Limited to agricultural products. Excludes controlled atmosphere and cold storage warehouses.
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.
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.

17.15.080 Allowed Uses in Urban Lands

	Urban											PUD		
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial		Forest & Range	
P Permitted PA Permitted Administrative CU Conditional Use ACU Admin. Conditional Use														
*See KCC Chapter 17.08 Definitions														
A. Agriculture														
Animal boarding*	CU ¹		CU					CU				CU		
Agricultural Enhanced Uses*												P ⁴⁹		
Agriculture processing*				P ²							P ⁴	CU		
Agriculture production*	CU ¹	CU ⁵		P ⁵	P	P					P ⁴	P ⁵		
Agriculture sales.* Produce Farm stand				P ⁷ / AC ⁶					P			P ⁷ / AC ⁶		
Agriculture sales		CU		CU				CU				CU		
Dairy														
Feedlot*				CU ⁸								CU ⁸		
Grazing*		P		P	P	P	P	P	P		P	P		

January 2, 2018

P Permitted PA Permitted Administrative CU Conditional Use ACU Admin. Conditional Use	Urban											PUD				
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial		Forest & Range			
*See KCC Chapter 17.08 Definitions																
Marijuana Processing*											ACU ⁴⁴			ACU ⁴⁴		
Marijuana Production*														ACU ⁴⁴		
Marijuana, retail sales*																
Nurseries	CU	CU	P												CU	
Riding Academies		CU	CU			CU									CU	
Small-scale event facility*				AC ⁴² /CU	AC ⁴² /C U	AC ⁴² /C U									AC ⁴² /C U	
U-Cut/U-Pick operation*				P / AC ⁴⁵												
Farm Visit*				CU	CU	CU	CU	CU	CU						CU	
Commercial Activities associated with agriculture*		AC		AC												
B. Civic and Cultural	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range				PUD

P Permitted PA Permitted Administrative CU Conditional Use ACU Admin. Conditional Use	Urban											Forest & Range	PUD
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial		
Cemetery			P ⁹		P ⁹							CU	
Clubhouses, fraternities and lodges*	AC	AC	P	P	P							AC	
Cultural and educational facilities	CU												
Libraries			CU			P	P						
Meeting facilities													
Museums and galleries	CU	CU					P ¹¹	P				CU	
Religious institutions*	CU	CU										CU	
Schools, public or private*		CU				P						CU	
Interpretive Center*													
C. Commercial	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD
Auction sales of			CU					P				CU	

January 2, 2018

P Permitted PA Permitted Administrative CU Conditional Use ACU Admin. Conditional Use *See KCC Chapter 17.08 Definitions	Urban											PUD				
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial		Forest & Range			
non-agriculture products																
Bank							P	P								
Bed and breakfast*				AC		AC					AC					
Clinic*	CU ¹²															
Day care facilities*				CU			CU	CU			CU					
Funeral home/mortuary							CU	CU								
Hospital*	CU			CU			P				CU					
Hospital, animal or veterinary*							CU									
Hotel/motel							P	P								P
Office*							P									
Restaurant							P	P								P
Retail sales,* general							P ¹¹	P ¹¹								P

P Permitted PA Permitted Administrative CU Conditional Use ACU Admin. Conditional Use *See KCC Chapter 17.08 Definitions	Urban											PUD	
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial		Forest & Range
Retail sales,* lumber and building materials								P 15					P
Retail sales,* vehicles								P					P
Services							P 11	P 11	P 11				
Shooting range*								CU 5				CU 5	
Tavern								P	P				P
Temporary sales office													
Vehicle/ equipment service and repair*							P 18	P 11	P 19	P 19			
D. Industrial												Forest & Range	PUD
Airport*				CU				CU				CU	
Asphalt/Concrete plants												CU	CU

P Permitted PA Permitted Administrative CU Conditional Use ACU Admin. Conditional Use *See KCC Chapter 17.08 Definitions	Urban											Forest & Range	PUD	
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial			
				P	P	P							P	
Forest product processing* (portable)				P									CU	
Forest product processing* (permanent)				CU									CU	
Freighting and trucking yard or terminal*							CU		P	P			CU	
Hazardous waste storage*							CU		CU	CU ²⁰			CU ²⁰	
Hazardous waste treatment*							CU		CU	CU ²⁰			CU ²⁰	
Impound/Towin g Yard*							ACU		P	P			P	
Junkyard*							CU			CU ²⁰			CU ²⁰	
Manufacturing*							P		P	P ²⁰			P ²⁰	
Mini- Warehouse					CU ²²	CU ²²	P ¹¹		P	P ¹¹			CU ²²	
RV Storage					CU	CU	P		P	P			CU	
Refuse disposal/recycl e*									CU	CU ²⁰			CU	

January 2, 2018

2017 Docket Enabling Ordinance

Ord. # 2018-001

Page 63

P Permitted PA Permitted Administrative CU Conditional Use ACU Admin. Conditional Use	Urban											PUD		
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial		Forest & Range	
*See KCC Chapter 17.08 Definitions														
Research laboratories														
Wastewater treatment														
Warehousing and distribution	PA ⁴³	PA ⁴³	PA ⁴³	PA ⁴³	PA ⁴³	PA ⁴³	PA ⁴³	PA ⁴³	PA ⁴³	PA ⁴³	PA ⁴³	PA ⁴³	PA ⁴³	
Wholesale business														
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range		PUD
E. Recreation														
Campground*				CU ²¹	CU ²¹	CU ²¹		CU ²¹	CU ²¹			CU ²¹ P ⁴⁸		
Golf course*				CU	CU	CU						CU		
Guest ranch or guest farm*				AC	AC	AC						AC		
Parks and playgrounds*	P	P	P	P	P	P	P	P				P	P	P
Recreation, indoor*				CU	CU	CU		P	P			CU	P ³⁵	P ³⁵
Recreation, outdoor*				AC	AC	AC		P ³⁸	P ³⁸			AC	P ³⁵	P ³⁵

January 2, 2018

2017 Docket Enabling Ordinance

Ord. # 2018-001

Page 64

P Permitted PA Permitted Administrative CU Conditional Use ACU Admin. Conditional Use	Urban											PUD					
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial		Forest & Range				
*See KCC Chapter 17.08 Definitions																	
Recreational vehicle park*																	
Recreational vehicle storage																	P
Stadiums							CU										
Trails	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA
F. Residential	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range					PUD
Accessory dwelling unit*	P ²⁴	P ²⁴		P ²⁴	P ²⁴	P ²⁴		P ²⁵									P ²⁴
Accessory living quarters*	P ³⁶	P ³⁶		P ³⁶	P ³⁶	P ³⁶		P ²⁵									P ³⁶
Adult family home*	P ⁴¹	P ⁴¹	P ⁴¹	P ⁴¹	P ⁴¹	P ⁴¹	P ⁴¹	P ⁴¹	P ⁴¹			P ⁴¹					P ⁴¹
Boarding house	CU ³⁷			CU ³⁷												CU ³⁷	
Convalescent home																CU	
Dwelling, single-family*	P	P	P ⁴⁰	P	P	P	P	P ²⁵				P				P	P

	Urban											PUD				
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial		Forest & Range			
P Permitted PA Permitted Administrative CU Conditional Use ACU Admin. Conditional Use																
*See KCC Chapter 17.08 Definitions																
Dwelling, two-family*	P	P		P				P							P	P
Dwelling, multiple-family*	AC															P
Farm labor shelter*				CU ²⁶								CU ²⁶				
Group home*					CU	CU						CU				
<u>Group Care Facility*</u>						<u>CU</u>						<u>CU</u>				
Home occupation*	P/CU ²⁷	P/CU ²⁸		P/CU ²⁸	P/CU ²	P/CU ²						P/CU ²			P/CU ²⁸	P/CU ²⁸
Manufactured home*	P	P	P	P	P	P						P			P	P
Manufactured home park	CU ⁵⁰	CU ⁵⁰		CU ⁵⁰	CU ⁵⁰	CU ⁵⁰						CU ⁵⁰			CU ⁵⁰	CU ⁵⁰
Mobile home		P ³⁶			P ³⁶										P ³⁶	P ³⁶
Special care dwelling*	P ¹⁷	P ¹⁷		P ¹⁷	P ¹⁷	P ¹⁷										P ¹⁷
Temporary trailer	P ²⁹	P ²⁹	P ²⁹	P ²⁹	P ²⁹	P ²⁹								P ²⁹		CU ²⁹
	Residential	Urban Residential	Historic Trailer	Agriculture 3	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest &			Forest &	PUD

January 2, 2018

2017 Docket Enabling Ordinance

Ord. # 2018-001

Page 66

Urban													
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD
P Permitted PA Permitted Administrative CU Conditional Use ACU Admin. Conditional Use *See KCC Chapter 17.08 Definitions			Court									Range	
G. Resource													
Forestry*			P	P	P	P						P	
Forest product sales*												P	
Mining and excavation*				CU ³⁰	CU ³¹	CU ³¹						P	
Rock crushing*					CU ³¹	CU ³¹						P	
H. Utilities and Public Facilities	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD
Electric vehicle infrastructure*	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰
Public facilities*	PA ⁴⁷	PA ⁴⁷	PA ⁴⁷	PA ⁴⁷	PA ⁴⁷	PA ⁴⁷	PA ⁴⁷	PA ⁴⁷	PA ^{32, 47}	PA ⁴⁷	PA ⁴⁷	PA ⁴⁷	PA ⁴⁷
Utilities	P ³³ /ACU ³³ / CU ³³	P ³³ /ACU ³³ / CU ³³		P ³³ /ACU ³³ / CU ³³	P ³³ /A CU ³³ / CU ³³	P ³³ /A CU ³³ / CU ³³	P ³³ /ACU ³³ / U ³³	P ³³ /ACU ³³ / U ³³	P ³³ /ACU ³³ / U ³³	P ³³ /ACU ³³ / 3/CU ³³	P ³³ /ACU ³³ / 3/CU ³³	P ³³ /A CU ³³ / CU ³³	P ³³ /A CU ³³ / CU ³³
Watershed management	PA	PA		PA	PA	PA	PA	PA	PA	PA	PA	PA	PA

January 2, 2018

2017 Docket Enabling Ordinance

Ord. # 2018-001

Page 67

P Permitted PA Permitted Administrative CU Conditional Use ACU Admin. Conditional Use *See KCC Chapter 17.08 Definitions	Urban											PUD	
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial		Forest & Range
activities*													

17.15.080.2 Footnotes Associated with Urban Use Table.

1. Limited to the keeping of horses or cattle for personal enjoyment of the owner or occupant of the lot, provided that the lot contains one (1) acre or more.
2. Limited to products produced on the premises.
3. Hay processing and small-scale processing of agricultural products produced on the premises are permitted outright.
4. Feed yards, livestock sales yards, and slaughterhouses require a conditional use permit.
5. Provided the lot contains one (1) acre or more. Agriculture production on smaller lots requires a conditional use permit. Raising of swine and mink prohibited.
6. Structures and facilities associated with the operation of shooting ranges are permitted and subject to all associated Kittitas County building codes and regulations. Shooting Ranges may be operated in conjunction with other permitted or conditional uses for the specified zone. Shooting Ranges are subject to periodic inspection and certification as deemed necessary by the Kittitas County Sheriff's Department. In considering proposals for the location of Shooting Ranges a detailed site plan shall be required; the Board review of said site plan and the proposal as a whole shall include, but not be limited to the following criteria:
 - a. The general health, safety, and welfare of surrounding property owners, their livestock, their agricultural products, and their property.
 - b. Adherence to the practices and recommendations of the "NRA Range Sourcebook."
 - c. Adherence to the practices and recommendations of the "EPA Best Management Practices for Lead at Outdoor Shooting Ranges."
 - d. Proposed shooting ranges in areas designated as agricultural land of long term commercial significance shall comply with RCW36.70A.177(3) as currently existing or hereafter amended, and shall be limited to lands with poor soils or those unsuitable for agriculture.
7. When located not less than forty-five (45) feet from the centerline of the public street or highway and selling goods produced on site.
8. Feedlots existing at the time of adoption of the ordinance codified herein may expand or be enlarged only in compliance with standards and regulations contained herein and such operations shall comply with all state and/or county health regulations.
9. No new cemeteries. Existing cemeteries may expand or enlarge in compliance with applicable standards and regulations.
10. Subject to provisions of KCC Chapter 17.66, Electric Vehicle Infrastructure.
11. Permitted when conducted wholly within an enclosed building (excluding off-street parking and loading areas).
12. Provided the minimum lot size shall be fifteen thousand (15,000) square feet.
13. When the office activities are directly related to tourism and recreation.
14. Retail sales limited to groceries and sales of souvenirs, gifts, novelties, curios and handicraft products. Grocery stores may not exceed four thousand (4,000) square feet.
15. Any open storage shall be enclosed by a sight-obscuring fence not less than six (6) feet and not more than seven (7) feet high.
16. Not to exceed two (2) years.
17. Subject to the following requirements:
 - a. The Special Care Dwelling must meet all setback requirements for the zone in which it is located.

- b. The Special Care Dwelling must meet all applicable health department requirements for potable water and sewage disposal.
 - c. Placement is subject to obtaining a building permit for the manufactured home.
 - d. Owner must record a notice to title prior to the issuance of building permit which indicates the restrictions and removal requirements.
 - e. The Special Care Dwelling unit cannot be used as a rental unit.
 - f. The Special Care Dwelling unit must be removed when the need for care ceases.
 - g. A Special Care Dwelling is not permitted on the same lot where an Accessory Dwelling Unit or Accessory Living Quarter exists.
18. Limited to service stations, provided there shall be no repairing, repainting, reconstruction or sale of motor vehicles from the premises.
19. Includes truck stop operations. Minor repair work permitted.
20. Because of considerations of odor, dust, smoke, noise, fumes, vibration or hazard, the following uses shall not be permitted in the industrial zone unless a conditional use permit authorizing such use has been granted by the Board:
- a. All chemical manufacture, storage and/or packaging;
 - b. Asphalt manufacture, mixing, or refining;
 - c. Automobile dismantling, wrecking or junk yards;
 - d. Blast furnaces or coke ovens;
 - e. Cement, lime, gypsum or plaster of Paris manufacture;
 - f. Drop forge industries;
 - g. Explosives, storage or manufacture;
 - h. Reduction or disposal of garbage, offal or similar refuse;
 - i. Oil refining; alternative energy refinery (i.e. biofuels, ethanol)
 - j. Rubber reclaiming;
 - k. Feed yards, livestock sales yards or slaughterhouses;
 - l. Smelting, reduction or refining of metallic ores;
 - m. Tanneries;
 - n. Wineries;
 - o. Manufacturing of industrial or household adhesives, glues, cements, or component parts thereof, from vegetable, animal or synthetic plastic materials;
 - p. Waste (refuse) recycling and processing;
 - q. On-site and off-site hazardous waste storage and/or treatment. Off-site materials shall be accepted only from Kittitas County source sites.

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

- a-f. 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;
- b-g. 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.
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.

17.61.040 Communication facilities - Administrative review - General requirements

1. Communication facilities may be authorized by the Community Development Services director as an administrative conditional use in all zoning districts, pursuant to the criteria and procedures of this chapter and [KCC Title 15A](#) and [KCC 17.60](#). An administrative conditional use permit is not required for the operation of amateur or noncommercial communication equipment as defined by FCC regulations under Part 95D and Part 97 CFR (i.e., citizen band, ham radio).
2. Construction of all improvements shall be completed within one year of the date of permit issuance except as provided for in subsections E and F of this section.
3. [The property line setback shall be 1.2 times the height of the structure.](#) The lot line setback requirements of this title may be ~~waived~~ ~~reduced~~ by the Community Development Services director, in order to improve the facilities' reception and/or transmission capabilities or to achieve greater levels of audible or visual screening ~~than that which would be available by using the applicable zone's yard requirements provided the applicant can provide evidence that it would not be possible for the tower to fall on neighboring properties.~~ Communication facilities shall be designed to blend with existing surroundings; provided, no conflicts exist with existing Federal Communications Commission and the Federal Aviation Administration regulations relating to aircraft safety. This should be achieved through the use of compatible colors and materials, and alternative site placement to allow the use of topography, existing vegetation or other structures to screen the proposed transmission support structure from adjacent lands.
4. The co-location of antennas on both existing and proposed transmission structures is encouraged. Communication antennas shall be permitted outright in all zoning districts provided the following:
 - a. An antenna shall not extend more than six feet horizontally from any structure to which it is attached.
 - b. An antenna shall not extend vertically more than 15 feet above the uppermost portion of the structure to which it is mounted or attached.
5. Modifications to, including the expansion of, existing approved communication facilities shall be outright permitted; provided, there is no increase in the height of the transmission tower. For purposes of this subsection, "transmission tower" means a pole or lattice-work structure specifically designed and intended to support

antenna and related communication equipment. (Ord. 2007-22, 2007; Ord. 2001-12 (part), 2001; Ord. 2000-06 (part), 2000)

Exhibit G: Amendment 17-07

Amendment to Adopt Dog Control Ordinance

6.01.010 Purpose of provisions.

The purpose of the dog control ordinance codified in this Chapter is to enhance public health, safety, and welfare through the regulation of dog ownership and reduce or eliminate offensive dog behavior.

6.01.020 Definitions

The following words and phrases used or referred to in this chapter shall have the following meanings unless a different meaning appears from the context:

1. "Adult dog" means any dog having a set of permanent canine teeth, or older than six months of age.
2. "Aggressive behavior" means any physical contact between dog and person, where a responsible person feels threatened, that includes, but is not limited to any of the following: snarling, baring teeth, chasing, growling, snapping, pouncing, or lunging, but not to include a bite or bites.
3. "Animal" means any dog, cat, exotic, wild or dangerous animal or livestock.
4. "At large" means, with regard to dogs, being physically present on public property and not under the actual control of a person, or being physically present on private premises without permission of the person in control of such premises. Exceptions: "At large" does not include:
 - (a) Dogs exhibited in dog shows, field trials, obedience training or trials, or the training of dogs; or
 - (b) The use of a dog under the supervision of a person wither to hunt wild animals or game birds during the open seasons, or to chase or tree predatory animals; or
 - (c) The use of a dog either to control or protect livestock or property or in other related agriculture activities under the supervision of dog owner.
- (d) The use of a dog in a law enforcement or related activity or function.
5. "Bite" means to seize with teeth or jaws so as to enter, grip, wound or pierce, which causes visible injury.
6. "Board" means the Board of Kittitas County Commissioners.
7. "Capable person" means any individual having attributes, including physical and mental abilities, sufficient to control an animal and being at least 18 years of age.
8. "Conviction" means either an adjudication of guilt for a misdemeanor or gross misdemeanor pursuant to Kittitas County Code Chapter 6.01 including a verdict of guilty, a finding of guilty, an acceptance of a plea of guilty or a forfeiture or bail; or any committed finding after adjudication for an infraction pursuant to Kittitas County Code Chapter 6.01.
9. "County" means the unincorporated area of Kittitas County, Washington.
10. "Dangerous dog" means any dog that, according to the records of an appropriate authority, including but not limited to the records of the county dog control department, the county sheriff's office, or the records of any other municipal, state or federal law enforcement or public safety department:
 - (a) Without provocation has bitten or otherwise inflicted serious physical injury on a human being on public or private property;
 - (b) Has killed livestock or a domestic animal without provocation while off the dog

owner's property.

- (c) Has displayed aggressive behavior, attacked, or endangered the safety of humans or domestic animals after such dog has been determined by an appropriate authority, including but not limited to any officer of the county dog control department, to be potentially dangerous, and the owner of such dog has been notified, either orally or in writing that the dog has been determined to be potentially dangerous.
11. "Department" means the Kittitas County Sheriff's Office .
12. "Livestock" means cattle, sheep, horses, llamas, buffalo, deer, elk, rabbits, mules, donkeys, goats, swine, fowl, poultry, and any fur-bearing animal bred and maintained commercially or otherwise within pens, fences, cages or hutches.
13. "Microchip" means a device implanted for identification purposes.
14. "Nuisance" means any unlawful act, or failure to perform a duty, which act or failure either annoys, injures, or endangers the comfort, repose, health or safety of other persons, or interferes with other persons' use of property.
15. "Owner" means any person or legal entity who knowingly harbors, keeps, possesses or maintains an animal, or who encourages an animal to remain about their property for a period of 72 hours or more, or who is the person named on the license/registration record of any animal as the owner. The parent or guardian of an owner under eighteen years of age shall be deemed the owner for the purposes of this chapter.
16. "Permit" means and includes human conduct that is intentional, deliberate, careless, inadvertent or negligent in relation to any animal owned by the person.
17. "Person" means any individual or natural person at least 18 years of age, association, firm, partnership, corporation or other legal entity.
18. "Physical Injury" means impairment of physical condition or substantial pain which is directly caused by a dog's behavior, and includes scratches, scrapes, cuts, punctures or other evidence of physical injury, but not to include dog bite or bites.
19. "Potentially Dangerous Dog" means:
- (a) Any dog that without provocation:
 - (i) Bites or otherwise injures a human person or a domestic animal on either public or private property; or
 - (b) Any dog which reasonably should be known by its owner to be disposed:
 - (i) To attack or chase or approach persons in a menacing fashion or apparent attitude of aggression or attack without provocation; or
 - (ii) To cause injury, or otherwise threaten the safety of humans or domestic animals.
 - (c) Any dog at large in a pack of three or more.
20. "Premises" means the area of land to which a person has legal or equitable rights of possession, use and control.
21. "Quarantine area" means any area defined by, but not limited to, a veterinarian, physician, public health official, or Animal Control Officer, where, for a specified period of time, a dog is to be kept separated from other animals or people.
22. "Secure enclosure" means secure confinement of a dangerous dog or a potentially dangerous dog on its owner's premises, either indoors or in a securely enclosed and locked pen or structure, suitable to prevent the entry of young children and designed to prevent the animal from escaping. Such pen or structure shall have secure sides, a secure top and a secure bottom, and shall also provide protection from the elements for the dog.
23. "Serious physical injury" means any physical injury which creates a substantial risk of death or causes permanent loss or protracted impairment of any bodily organ or function, or substantial disfigurement.
24. "Severe injury" means any physical injury that results in broken bones or disfiguring

- lacerations requiring multiple sutures or cosmetic surgery.
25. "Tag" means a pre-numbered metal or plastic identification license sold to an owner/custodian for a specific pet animal. Rabies identification or other identification may not be substituted or accepted in lieu of a license tag.
26. "Tattoo" means a pre-designated identification number inked into the inside of the ear, lip or flank of the dog.

6.01.030 Dog control zone established.

Pursuant to RCW Chapter 16.10, the unincorporated territory of Kittitas County is hereby declared to a dog control zone subject to the regulations of this chapter.

6.01.040 Kittitas County Sheriff's Office –Dog Ordinance– powers and duties.

1. The Kittitas County Sheriff's Office shall:
- (a) Enforce the provisions of this chapter, the Kittitas County Code and the laws of the State of Washington relating to dogs, and to discharge the duties provided herein.
- (b) Collect, according to the provisions of the Kittitas County Code, any costs, fees or charges for registration, licensing and impounding or keeping any dog.

6.01.050 Violations – Penalties.

It is unlawful for any person to violate any provision of this chapter. Any person violating any of the provisions of this chapter shall be guilty of a civil infraction, except that any person who violates Kittitas County Code 6.01.060, 6.01.070, 6.01.080, 6.01.180(2)-(3), 6.01.190(1)(a), and/or 6.01.190(1)(b), shall be guilty of a misdemeanor. Any person who violates Kittitas County Code 6.01.180(4)-(6) and/or 6.01.190(1)(c)-(d), shall be guilty of a gross misdemeanor. Upon conviction of any misdemeanor violation of this Chapter, such person shall be punished by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment. Unless otherwise specified in this Chapter, any person found guilty of a civil infraction of this Chapter shall be fined one hundred twenty-five dollars (\$125.00) for each violation. Any violation of this Chapter may result in the dog being impounded, and/or destroyed by order of the court.

6.01.060 Receiving and responding to infraction notices.

1. A person who is to receive a notice of civil infraction or criminal citation under this Chapter is required to identify himself or herself to the animal control officer or law enforcement officer by giving his or her name, address, and date of birth. Upon the request of the officer, the person shall produce reasonable identification, including a driver's license or identicaid.
2. A person who is unable to or unwilling to reasonably identify himself or herself to an enforcement officer may be detained for a period of time not longer than is reasonably necessary to identify the person for purposes of issuing a civil infraction or criminal citation.
3. A person who fails to sign a notice of civil infraction or criminal citation is guilty of a misdemeanor as set out in Kittitas County Code 6.01.050.
4. Any person willfully violating his or her written and signed promise to appear in court or his or her written and signed promise to respond to a notice of civil infraction or criminal citation is guilty of a misdemeanor as set out in Kittitas County Code 6.01.050 regardless of the disposition of the notice of civil infraction or criminal citation.

6.01.070 Habitual Violators.

Any Owner:

1. Having been convicted of two or more criminal violations of this Chapter, whether singularly or in combination within a five-year period; or
2. Having been found to have committed four or more civil infractions of this Chapter, whether singularly or in combination within a five-year period,
shall be guilty of a misdemeanor as set out in Kittitas County Code 6.01.050.

6.01.080 Ownership by person under 18 years of age.

Any person under the age of eighteen years old who owns any dangerous animal as defined in Kittitas County Code 6.01.020(10) shall be guilty of a misdemeanor as set out in Kittitas County Code 6.01.050.

6.01.090 Abatement of nuisances.

Violations of this chapter are deemed public nuisances. Any person violating any provision of this chapter may be enjoined from continued violations or ordered to abate such public nuisance, whether such injunction be in addition to the civil penalties provided as a part of the disposition in the civil prosecution or in an independent action in equity, and shall be liable for all costs and expenses of abating the same.

6.01.100 Enforcement.

1. The department shall not be required to enforce provisions of this chapter except:
 - (a) Upon receipt of a verbal or written complaint of a person who has satisfactorily identified himself to the department and is willing to testify that the dog has acted in a manner that puts the animal in the definition of KCC 6.01.020 (4), (10) or (21). The complainant has either supplied the name and address of the dog owner or has supplied the fact that the dog does not have an owner; or
 - (b) Actions of the dog in question are witnessed by an animal control authority or law enforcement officer; or
 - (c) Dog bite reports filed with the animal control authority as required by this Chapter or State law.
2. The department or its authorized agent may find and declare a dog potentially _____ dangerous if it has probable cause to believe that the animal falls under the definition stated in KCC 6.01.020(21).
 - (a) The declaration of potentially dangerous dog shall be in writing and shall be served on the owner in one of the following methods:
 - (i) Certified mail to the owner or keeper's last known address if known; or
 - (ii) Personally; or
 - (iii) If the owner cannot be located by one of the first two methods, by publication in a newspaper of general circulation.
 - (b) The declaration of a potentially dangerous dog shall state:
 - (i) A description of the dog;
 - (ii) The name and address of the owner or keeper of the dog if known;
 - (iii) The whereabouts of the dog if it is not in the custody of the owner;
 - (iv) The facts upon which the declaration of a potentially dangerous dog is based;
 - (v) The restrictions placed on the animal as a result of the declaration of potentially dangerous dog;
 - (vi) The penalties for violation of the restrictions, including the possibility of destruction of the animal, and imprisonment or fining of the owner;
 - (vii) The owner has fifteen (15) days to object to the declaration;
 - (viii) The availability of a court hearing if the owner of the dog objects to the declaration and submits a request for a hearing to the district court;
 - (ix) If the court finds there is insufficient evidence to support the declaration, it

shall be rescinded and the restrictions imposed thereby annulled. No court costs will be assessed against any Kittitas County officer or authority if the dog is not found to be potentially dangerous.

(x) If the court finds sufficient evidence to support the declaration, it shall impose court costs on the appellant and may impose additional restrictions on the animal.

(c) The owner of any animal found to be a potentially dangerous dog under this Chapter shall be assessed all service costs under this Section.

(d) The owner of any animal found to be a potentially dangerous dog under this Chapter must keep animal control authority notified of the location of the animal at all times and must have the consent of the animal control authority to move the dog in or out of Kittitas County.

(e) Following service of a declaration of potentially dangerous dog, and pending appeals under this Section or to any other court with jurisdiction, the animal control authority may, if circumstances require, impound the animal at the owner's expense, pursuant to the provisions of this Chapter, until a court orders either its redemption or destruction.

(f) Any owner found to be in possession of a potentially dangerous dog shall control the animal as under KCC 6.01.190.

(g) The owner of a dog found to be potentially dangerous shall obtain a license. The license fee for each potentially dangerous dog licensed under this Chapter shall be set by the legislative body of the County on an interim basis as part of the Kittitas County Sheriff Office's fee schedule.

3. (a) The department or its authorized agent may find and declare a dog dangerous if it has probable cause to believe that the animal falls under the definition stated in KCC 6.01.020(10). The declaration of dangerous dog shall be in writing and shall be served on the owner in one of the following methods:

(i) Certified mail to the owner or keeper's last known address if known; or

(ii) Personally; or

(iii) If the owner cannot be located by one of the first two methods, by publication in a newspaper of general circulation.

(b) The declaration of a dangerous dog shall state:

(i) A description of the dog;

(ii) The name and address of the owner or keeper of the dog if known;

(iii) The whereabouts of the dog if it is not in the custody of the owner;

(iv) The facts upon which the declaration of a dangerous dog is based;

(v) The restrictions placed on the animal as a result of the declaration of dangerous dog;

(vi) The penalties for violation of the restrictions, including the possibility of destruction of the

animal, and imprisonment or fining of the owner;

(vii) The owner has fifteen (15) days to object to the declaration;

(viii) The availability of a hearing if the owner of the dog objects to the declaration and submits a request for a hearing to the district court;

(ix) If the court finds there is insufficient evidence to support the declaration, it shall be rescinded and the restrictions imposed thereby annulled. No court costs will be assessed against any Kittitas County officer or authority if the dog is not found to be dangerous.

(x) If the court finds sufficient evidence to support the declaration, it shall impose court costs on the appellant and may impose additional restrictions on the animal.

(c) The owner of any animal found to be a dangerous dog under this Section shall be assessed all service costs under this Subsection.

(d) The owner of any animal found to be a dangerous dog under this Section must keep animal control authority notified of the location of the animal at all times and must have the consent of the animal control authority to move the dog in or out of

Kittitas County.

(e) Following service of a declaration of potentially dangerous dog, and pending appeals under this Chapter or to any other court with jurisdiction, the animal control authority may, if circumstances require, impound the animal at the owner's expense, pursuant to the provisions of this Chapter, until a court orders either its redemption or destruction.

(f) Any owner found to be in possession of a dangerous dog shall control the animal as under KCC 6.01.190.

(g) All dogs that are found to be dangerous dogs shall be registered as under KCC 6.01.350.

4. All civil infractions under this section are subject to KCC 6.01.060.

ARTICLE III: HUMAN RESPONSIBILITY FOR DOGS

06.01.180 Control of Dogs.

It is unlawful for any owner to permit any dogs to engage in any of the following behavior:

1. Level 1 Behavior. Level 1 behavior occurs when a dog is at large.
2. Level 2 Behavior. Level 2 behavior occurs when a dog while at large, menaces, chases, displays threatening or aggressive behavior, or otherwise threatens or endangers the safety of any person, domestic animal or livestock.
3. Level 3 Behavior. Level 3 behavior occurs when a dog while at large, causes physical injury to any person, domestic animal or livestock.
4. Level 4 Behavior. Level 4 behavior occurs when a dog, although not at large, bites or causes physical injury to any person, domestic animal or livestock.
5. Level 5 Behavior. Level 5 behavior occurs when a dog while at large, bites or causes severe injury to any person, domestic animal or livestock.
6. Level 6 Behavior. Level 6 behavior occurs when a dog:
 - (a) Whether or not confined, causes the serious physical injury or death of a natural person; or
 - (b) Is used as a weapon in the commission of a crime; or
 - (c) Kills any domestic animal or livestock.

06.01.190 Control of potentially dangerous/dangerous dogs.

1. It is unlawful for any owner to fail to comply with the following provisions applicable to dogs which have engaged in behaviors described in Section 06.01.180, which may result in the dog being impounded and held until the animal owner has met the following requirements:

- (a) Dogs which have exhibited Level 2 behavior shall be restrained in a manner that prevents the dog from reaching any public sidewalk, or adjoining property. Such dogs must be located so as not to interfere with the public's legal access to the dog owner's property. Whenever the dog is off the animal owner's premises it must be on a chain leash under the actual control of a capable person. In addition, the department may require the animal owner to put up warning signs and obtain and maintain proof of public liability insurance as required in Kittitas County Code 6.01.350(2).
- (b) Dogs which have exhibited Level 3 behavior shall be physically restrained by a chain leash, confined within a secure enclosure or inside the home of the owner that prevents the dog from reaching any public sidewalk, or adjoining property.

Such dogs must be located so as to not interfere with the public's legal access to the owner's property. Whenever that dog is not physically restrained or confined or is off the animal owner's premises, it must be on a chain leash under the actual control of a capable person. In addition, the department may require the animal owner to put up warnings signs and obtain and maintain proof of public liability insurance as required in Kittitas County Code 6.01.350(2).

(c) Dogs which have exhibited Level 4 or Level 5 behavior shall be confined within a secure enclosure whenever the dog is not inside the home of the owner. The secure enclosure must be located so as not to interfere with the public's legal access to the dog owner's property, and the dog owner shall conspicuously post warning signs, which must be approved by the department, on the property where the dog is kept. In addition, the department may require the dog owner to obtain and maintain proof of public liability insurance as required in Kittitas County Code 6.01.350(2).

The dog owner shall not permit the dog to be outside of the secure enclosure unless the dog is muzzled, on a chain leash and under the control of a capable person.

(d) Dogs which have exhibited Level 6 behavior shall be euthanized at the owner's expense.

2. All potentially dangerous dogs may be required by the department to be micro chipped at the owner's expense.

3. If a dog which is declared to be a dangerous or potentially dangerous dog is destroyed or dies, the owner must present to the animal control authority sufficient evidence of that fact.

06.01.200 Dog in estrus at large prohibited.

It is unlawful for any person to permit a female dog in estrus, also known as being in season or in heat, to be accessible to any male dog not owned by the female dog's owner, except by the agreement of the owners of both the male and female dogs for the purpose of controlled breeding for the betterment of the breed. Any person found guilty of a violation of this Section shall be fined two hundred and twenty-five dollars (\$225.00) for each violation.

06.01.210 Restraint within quarantine area.

It is unlawful for any person to permit any dog to leave the confines of any quarantine area. Any person found guilty of a violation of this Section shall be fined five hundred dollars (\$500.00) for each violation.

6.01.220 Abuse of dogs prohibited.

It is unlawful for any person to physically abuse any dog or to fail to furnish adequate care, including without limitation water, food, shelter, sanitation, ventilation, rest and medical attention, or to confine a dog with any dangerous dog. Any person found guilty of a violation of this Section shall be fined five hundred dollars (\$500.00) for each violation.

6.01.230 Abandonment of dogs prohibited.

It is unlawful for any person to leave any dog unattended for more than twenty-four hours without adequate care, including without limitation water, food, shelter, sanitation, ventilation, rest, medical attention. Any person found guilty of a violation of this Section shall be fined five hundred dollars (\$500.00) for each violation.

6.01.240 Dog Health and Safety

It is unlawful for any person with an ownership or possessory interest in a dog to:

1. Permit or allow the confinement of the dog in any container or vehicle in such a manner that places the dog in a life or health-threatening situation due to exposure to heat or cold;
2. Permit or allow the unsanitary or offensive accumulation of dog feces in an open area, run, cage, or yard wherein dogs or other animals are kept;
3. Permit or allow the tethering or confinement of a dog in such a manner or place as to endanger the health or welfare of the dog, or in any such manner or place which causes injury or pain to the dog

Any Each violation of this Section shall be a gross misdemeanor punishable as set forth in KCC 6.01.050.

6.01.250 Removal of dog waste from public areas.

It is unlawful for the owner or other person with custody of a dog to fail to remove any feces excreted by the dog from any public place not designed to receive dog waste, including without limitation streets, sidewalks, parking strips and public parks, or any private place off the dog owner's premises. Any person found guilty of a violation of this Section shall be fined one hundred twenty-five dollars (\$125.00) for each violation.

6.01.260 Rabies inoculation required

1. All dogs over the age of six months or dogs with a full set of canine teeth shall have a current rabies vaccination administered by a licensed veterinarian.
2. A current rabies vaccination means that a dog vaccinated between three months and one year shall be revaccinated within one year and revaccinated at least within every three years thereafter, or according to the guidelines set for by the manufacturer of the rabies vaccine.
3. Any dog that has bitten any person shall immediately be confined for a period of ten days. The location of confinement shall be determined by department and shall be at the expense of the owner or custodian. The period of confinement shall not be required if the dog is euthanized by a licensed veterinarian.
4. It is unlawful for any person to release a quarantined dog from confinement until such release has been approved by the department.
5. It is unlawful for the owner of any dog that has bitten any person to destroy such dog before it can be confined by the department. The owner or custodian of any dog that has been reported as having inflicted a bite on any person shall on demand of the department produce such dog for examination and quarantine as prescribed in this section. If the owner or custodian of any such dog refuses to produce such dog, the owner or custodian shall be subject to immediate arrest if there shall be probable cause to believe that the dog has inflicted a bite on any person and the owner or custodian is keeping or harboring the dog and willfully refuses to produce the dog upon such demand. Such persons shall be taken before the judge of the district court, who may order immediate production of the dog. If the owner or custodian knowingly conceals or refuses to produce the dog, each day of concealment or refusal to produce shall constitute a separate and individual violation of this section.
6. When a dog under quarantine shall have been diagnosed as being rabid by a licensed veterinarian, the veterinarian making such diagnosis shall immediately notify the county health officer and the department and advise such officers of any reports of human contact with the dog. If any dog under quarantine dies while under observation, the department shall immediately notify the county health officer and take immediate action to obtain a pathological exam, as required by the local health officer. The health officer shall be provided any reports of human contact with the dog.
7. When a dog has been bitten by or exposed to a rabid or suspected rabid animal the department shall immediately notify the county health officer.

6.01.280 Dog bites to be reported.

Any person who is bitten by a dog and is exposed to dog saliva through an open wound on the person, or any doctor, veterinarian or hospital employee having information that a person has been bitten by a dog and been exposed to dog saliva through an open wound within the unincorporated territory of the County shall notify the department of such bite or exposure, giving the description of the dog, the name and address of the owner, and the location of the incident, if known to said person.

ARTICLE IV: IMPOUNDMENT

6.01.290 Impoundment of Dogs

Dogs found or reasonably believed to be kept in violation of this Chapter may be impounded by the department; provided that, if a complaint identifying the dog owner of a dog at large is received and the dog owner can be immediately located, the dog shall be left with the dog owner, and a summons and notice to appear in regard to the violation may be issued to such dog owner. The owner or custodian of any impounded dog shall be responsible for all costs to impound and care for the dog. Any dog which has been impounded and appears sick or injured may be referred to a licensed veterinarian for medical care at the discretion of the department. All costs for medical care shall also be the responsibility of the owner or custodian.

6.01.300 Interference with impounding.

It is unlawful for any person to interfere with, hinder, delay or impede any officer or enforcing official in the enforcement of this chapter as herein provided. Any person found guilty of a violation of this Section shall be fined one hundred twenty-five dollars (\$125.00) for each violation.

6.01.310 Notice of impoundment

1. The department or its designee shall, within twenty-four hours after impounding any dog, or the next business day:
 - (a) attempt to contact the animal owner by phone; and
 - (b) leave a written notice at home or by mail to the registered owner of the dog containing:
 - (i) a notice of the impoundment of such dog; and
 - (ii) the terms upon which such dog can be released; and
 - (iii) the consequences of failure to obtain the release of any dog within any applicable time limits.
2. If the owner of any impounded dog is unknown, then the department or its designee shall within twenty-four hours of impoundment or by the end of the next business day post at the animal shelter a notice of impoundment describing the dog.

6.01.320 Recovery of impounded dogs.

1. A dog wearing a dog tag, tattoo or microchip may be recovered within five business days of impoundment. Dogs not wearing a dog tag, tattoo or microchip may be recovered within three business days of impoundment. Injured or sick dogs shall be exempt from these recovery periods.
2. Dogs may be recovered only by a person who offers satisfactory proof of ownership or authorization to obtain custody of the dog, presents satisfactory proof of current rabies vaccination and who pays the charges for recovering impounded dogs as established by the department.

6.01.330 Disposition of dogs.

1. A dog which has not been recovered within the applicable time frame after impoundment as set forth in this Chapter, may be sold, offered for legal adoption or destroyed.
2. A dog voluntarily given to the department by the dog owner for the purpose of disposal may be sold, offered for legal adoption or destroyed forthwith without awaiting expiration of recovery period.

6.01.340 Remittance of fees and charges

Where dogs are impounded in an animal shelter maintained by a private organization under contract with the county, the impoundment charge, additional charges and applicable fines shall be remitted to the county for deposit in the general fund

ARTICLE V: REGISTRATION OF DANGEROUS DOGS

6.01.350 Dangerous dogs – Registration requirements – Fees.

1. In addition to any other registration and licensing requirements provided in this chapter, it is unlawful for a person to keep any dog which is considered a dangerous dog in the county without a certificate of registration issued under this section. This section shall not apply to dogs used in law enforcement officials for police work. Any person found guilty of violation of this Section shall be fined five hundred dollars (\$500.00) for each violation.
2. The department shall issue a certificate of registration to the owner of a dangerous dog if the owner presents to the department sufficient evidence of:
 - (a) A proper enclosure to confine the dangerous dog and the posting of the premises with clearly visible warnings signs that there is a dangerous dog on the property. In addition, the owner shall conspicuously display warning symbols that informs children of the presence of a dangerous dog.
 - (b) A surety bond issued by a surety insurer qualified under RCW Chapter 48.28 in a form acceptable to the department in the sum of at least two hundred and fifty thousand dollars (\$250,000.00), insuring the owner against liability to any person for injuries inflicted by the dangerous dog.
 - (c) A policy of liability insurance, such as a homeowner's insurance, issued by an insurer qualified under RCW Title 48 in the amount of at least fifty thousand dollars (\$50,000.00), insuring the owner for any personal injuries inflicted by the dangerous dog.
3. A fee shall be set by the legislative body on an interim basis as part of the Kittitas County Sheriff Office's fee schedule. A fee of one hundred fifty dollars (\$150.00) shall be paid to the department by any person seeking to register a dangerous dog.

ARTICLE VI: MISCELLANEOUS PROVISIONS

6.01.450 Severability.

Should any section or provision of the ordinance codified in this Chapter be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Chapter as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

6.01.460 **Immunity.**

Kittitas County, the animal control authority and the animal control officer shall be immune from any and all civil liability for any actions taken pursuant to this Chapter, or for any failure take action to enforce the provisions of this Chapter. It is not the purpose or intent of this Chapter to create on the part of Kittitas County or its agents any special duties or relationships with specific individuals.

Exhibit H: Amendment 17-08

Amendments to Road Variance Provisions of Title 12

12.01.130 Variances (Departures from the Standards) and Appeals.

Variances from these Standards may be granted by the Road Variance Committee, comprised of the Public Works Director, Community Development Services representative, Fire Marshal, or designees, and three citizens appointed by the BOCC.

If the proposed road variance is located within a fire district, notice of the proposed variance shall be provided to the applicable fire district a minimum of 14 days prior to the Road Variance Committee meeting scheduled for consideration of the variance request. The fire district may submit comments on the road variance request up until the committee has made a decision on the request.

The granting of a variance shall be in the public interest. When the need for a variance can be identified in advance, the variance should be proposed at preliminary plat stage and be included for consideration during plan review and public hearing. Variances from the standards in this title will be considered on a case-by-case basis. Variances will be granted only upon evidence that the variance demonstrates the following:

- A. Unusual circumstances or conditions apply to the property and/or the intended use that do not apply generally to other property in the same vicinity or district; and
- B. Such variance is necessary for the preservation and enjoyment of a substantial property right of the developer possessed by the owners of other properties in the same vicinity or district; and
- C. 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; and
- D. Special conditions and circumstances do not result from the actions of the developer; and
- E. The granting of such variance will not adversely affect the realization of the Kittitas County Comprehensive Plan, Long-Range Transportation Plan or this title.

The variance request(s) shall consist of:

- A. Variance fee.
- B. Variance application.
- C. Identification of the standard provision to be waived or varied.
- D. Identification of the alternative design or construction standards to be adhered to.
- E. A thorough justification of the variance request.

Requests may be prepared by the developer, professional civil engineer licensed to practice in Washington, or professional land surveyor licensed to practice in Washington. To appeal the denial or imposition of conditions of a variance decision, an appeal shall be filed per KCC 15A.07 or KCC 15A.08, based on the underlying land use decision in accordance with Ch. 36.70B RCW. (Ord. 2015-010, 2015)

12.01.130 Variances (Departures from the Standards) and Appeals.

Variances from these Standards may be granted by the Road Variance Committee, comprised of the Public Works Director, Community Development Services representative, Fire Marshal, or designees, and three citizens appointed by the BOCC.

The granting of a variance shall be in the public interest. When the need for a variance can be identified in advance, the variance should be proposed at preliminary plat stage and be included for consideration during plan review and public hearing. Variances from the standards in this title will be considered on a case-by-case basis. Variances will be granted only upon evidence that the variance demonstrates the following:

- A. Unusual circumstances or conditions apply to the property and/or the intended use that do not apply generally to other property in the same vicinity or district; and
- B. Such variance is necessary for the preservation and enjoyment of a substantial property right of the developer possessed by the owners of other properties in the same vicinity or district; and
- C. 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; and
- D. Special conditions and circumstances do not result from the actions of the developer; and
- E. The granting of such variance will not adversely affect the realization of the Kittitas County Comprehensive Plan, Long-Range Transportation Plan or this title.

The variance request(s) shall consist of:

- A. Variance fee.
- B. Variance application.
- C. Identification of the standard provision to be waived or varied.
- D. Identification of the alternative design or construction standards to be adhered to.
- E. A thorough justification of the variance request.

Requests may be prepared by the developer, professional civil engineer licensed to practice in Washington, or professional land surveyor licensed to practice in Washington. To appeal the denial or imposition of conditions of a variance decision, an appeal shall be filed per KCC 15A.07 or KCC 15A.08, based on the underlying land use decision in accordance with Ch. 36.70B RCW. (Ord. 2015-010, 2015)

12.01.135 Variance Fairness Standard

A. Disqualification

1. A Road Variance Committee member shall disqualify himself or herself from a proceeding in which the committee member's impartiality might reasonably be questioned. The fact that a committee member has considered the same or a similar proposal in another hearing, has made a ruling adverse to the interests of a party in this or another hearing, or has previously considered and ruled upon the same or a similar issue, is not a basis for disqualification.
2. A request for disqualification shall be granted whenever the committee member:
 - i. Has a personal bias or prejudice concerning the party;

- ii. Has served in a professional or business relationship with respect to the matter in issue, or is currently associated with a person who is or was so engaged; or
- iii. Has directly, or through a family member or fiduciary relationship, a financial or personal interest in the outcome of the matter or issue.

B. Ex Parte Contacts

All Road Variance Committee quasi-judicial proceedings are subject to the appearance of fairness doctrine. No person shall contact a Road Variance Committee member off the record for the purpose of influencing the committee member's decision. Ex parte contacts limited strictly to the clarification of procedural matters (and not to the merits of a dispute) are permitted. A deliberate ex parte contact in violation of this section may be deemed an attempt to interfere with Road Variance Committee duties. If a substantive ex parte communication is made to or by the committee member, the committee member shall publicly disclose it.

12.01.140 Authority of the Public Works Director.

The Director of Public Works or his/her designee shall have the authority, on behalf of the County, to ascertain that all design and construction complies with the requirements set forth in these Standards. (Ord. 2015-010, 2015)