
Kittitas County Code

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Chapter 17.04

GENERAL PROVISIONS AND ENFORCEMENT*

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* Prior history: Ords. 71-5, 2.

17.04.010 Title.

The title of this document shall be "Kittitas County Zoning Code". (Ord. 83-Z-2 (part), 1983; Res. 83-10, 1983)

17.04.020 Interpretation.

In interpreting and applying the provisions of this title, the county shall be held to the minimum requirements for the promotion of public health, safety, morals and general welfare; therefore, when the title imposes a greater restriction upon the use of buildings or premises, or requires larger open spaces than are imposed or required by other laws, resolutions, rules or regulations, the provisions of this title shall control. (Ord. 2013-008, 2013; Ord. 2013-001, 2013; Ord. 2007-22, 2007; Ord. 96-19 (part), 1996; Ord. 83-Z-2 (part), 1983; Res. 83-10, 1983)

17.04.030 Repealed.

Appeal from planning commission decision. Repealed by Ord. 96-19. (Res. 83-10, 1983)

17.04.040 Administrative and enforcement officers.

1. It shall be the duty of the ~~Community Development Public Services~~ Director or such other persons designated by the ~~county~~ County Commissioners to administer the provisions of this title. The prosecuting attorney may institute any necessary legal proceedings to enforce the provisions of this title.
2. The county sheriff and his authorized representatives shall have the authority to enforce the provisions of this title. (Ord. 2007-22, 2007; Ord. 88-2, 1988; Res. 83-10, 1983)

17.04.050 Penalty for violation.

Anyone violating or failing to comply with any of the provisions of this title shall, upon conviction thereof, be fined in a sum of not exceeding three hundred dollars or imprisonment in the county jail for a term not exceeding ninety days, or may be both so fined and imprisoned and each day that anyone shall continue to violate or fail to comply with any of the provisions of this title shall be considered a separate offense. (Res. 8310, 1983)

17.04.060 Repealed.

(Ord. 2013-001, 2013; Ord. 2007-22 2007)

Chapter 17.08

DEFINITIONS*

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* Prior history: Ords. 82-Z-2, 79-Z-3, 77-12, 77-1Z, 76-3, 75-9, 73-3, 68-17
1. Renumbered from 17.08.225 by Ord. 2018-021, 2018

17.08.10 Generally.

Certain terms and words used in this title are defined in the following sections. Words used in the present tense include the future; words in the singular number include the plural number; and words in the plural number include the singular number; the word "building" includes the word "structure," and the word "shall" is mandatory and not directory. (Res. 83-10, 1983)

17.08.11 Definitions within Ellensburg Urban Growth Area (UGA).

Within the City of Ellensburg UGA, the definitions in KCC 17.11.036 shall apply. Where terms are not defined KCC 17.11.036, the definitions in KCC 17.08 shall apply. (Ord. 2022-017, 2022)

17.08.020 Accessory building or accessory use.

"Accessory building" or "accessory use" means a subordinate building or use which is incidental to that of the main building or use and located on the same tract or lot as the main building or use. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.08.22 Accessory dwelling unit.

"Accessory dwelling unit" means separate living quarters detached from the primary residence that includes an installed cook source (such as a range/oven/hood vent). (Ord. 2022-017, 2022; Ord. 2013-008, 2013; Ord. 2013-001, 2013; Ord. 2010-014, 2010; Ord. O-2006-01, 2006)

17.08.23 Accessory living quarters.

"Accessory living quarters" means separate living quarters with an installed cook source (such as a range/oven/hood vent) fully contained within a single structure that contains the primary dwelling. (Ord. 2022-017, 2022; Ord. 2013-008, 2013; Ord. 2013-001, 2013; Ord. O-2006-01, 2006)

17.08.030 Access road.

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

17.08.30 A Administrative

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

17.08.31 Adult family home.

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

17.08.32 Agriculture processing

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

17.08.33 Agriculture production

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

17.08.34 Agriculture sales

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

17.08.034A Agriculture sales-enhanced

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

17.08.034B Agricultural enhanced uses (AEU)

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

17.08.034C Agricultural direct marketing activities

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

17.08.034D Agricultural seasonal harvest festivities

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

17.08.34 E Agricultural expanded seasonal harvest festivities

Expanded Seasonal Harvest Festivities allow a farming activity to expand beyond the restrictions for Seasonal Harvest Festivities. The purpose and intent of the conditional use for Expanded Seasonal Harvest Festivities is to allow direct marketing of crops to the public. It is not to provide alternative ways to create permanent or semi-permanent sales businesses that would otherwise require a zone reclassification to a commercial zone. (Ord. 2021-015, 2021)

17.08.35 Agriculture Study Overlay Zone.

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

17.08.040 Airport.

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

17.08.050 Alteration.

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

17.08.060 Amendment.

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

17.08.063 Amenity funds.

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

17.08.67 Animal boarding.

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

2007-22, 2007)

17.08.68 Animal Crematory.

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

17.08.070 Repealed.

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

17.08.100 Auto wrecking yard.

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

17.08.101 Battery charging station.

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

17.08.102 Battery electric vehicle (BEV).

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

17.08.103 battery exchange station.

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

17.08.105 Bed and breakfast.

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

17.08.110 Board.

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

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

17.08.130 Building.

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

17.08.135 Building height.

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

17.08.140 Building line.

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

17.08.150 Repealed.

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

17.08.155 Campground.

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

17.08.155A Campground, primitive.

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

17.08.156 Camp site.

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

17.08.157 Camping unit.

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

17.08.158 Charging levels.

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

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

17.08.160 Clinic.

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

17.08.161 Clubhouses, fraternities and lodges.

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

17.08.162 Repealed.

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

17.08.163 Repealed.

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

17.08.165 Commercial Activities Associated with Agriculture.

"Commercial Activities Associated with Agriculture" means any commercial endeavor including the custom fabrication and construction of products or materials, as well as services which are in support of, or supplemental to agricultural activities. Such use in areas designated as agricultural land of long term commercial significance shall comply with RCW 36.70A.177(3) as currently existing or hereafter amended, and shall be limited to lands with poor soils or those unsuitable for agriculture. (Ord. 2018-001, 2018; Ord. 2009-25, 2009)

17.08.170 Commission.

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

17.08.171 Common area

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

17.08.180 Conditional uses.

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

17.08.183 Conservation easement.

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

17.08.187 Conservation or resource values.

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

17.08.188 County

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

17.08.190 County arterial road.

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

17.08.191 Critter pad.

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

17.08.195 Day care facilities.

"Day care facilities" means a licensed establishment for group care of nonresident adults or children. (Ord. 2022-017, 2022; Ord. 2013-001, 2013; Ord. 90-15 § 1, 1990)

17.08.197 Density(ies).

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

17.08.198 Repealed.

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

17.08.198A Develop

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

17.08.198 B Development

"Development" means all improvements on a site, including buildings, other structures, parking and loading areas, landscaping, paved or graveled areas, and areas devoted to exterior display or storage activities. Development includes improved open areas such as plazas and walkways, but does not include natural geologic forms or unimproved land. See also Exterior Improvements. (Ord. 2013-008, 2013; Ord. 2013-001, 2013)

17.08.199 Development right.

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

17.08.199 A Director

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

17.08.200 Dwelling.

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

17.08.210 Dwelling, multiple-family.

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

17.08.211 Dwelling, single-family

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

17.08.220 Dwelling, two-family.

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

17.08.221 Electric scooters and motorcycles.

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

17.08.222 Electric vehicle.

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

17.08.223 Electric vehicle charging station.

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

17.08.223A Electric vehicle charging station - restricted.

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

17.08.223 B Electric vehicle charging station - public.

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

17.08.224 Electric vehicle infrastructure.

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

17.08.224A Electric vehicle parking space.

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

17.08.225 Explosives.

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

17.08.226 Explosives magazine.

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

17.08.227 Explosives process building.

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

17.08.228 Explosives storage or manufacture.

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

17.08.229 Extremely hazardous waste.

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

17.08.230 Family.

"Family" means a number of related individuals or unrelated individuals living together as a single housekeeping unit, and doing their cooking on the premises exclusively as one (1) household. This definition excludes group homes and short-term rentals. The amount of individuals living together can not exceed applicable health and safety provision. (Ord. 2022-017, 2022; Ord. 2013-001, 2013; Res. 83-10, 1983)

17.08.240 Repealed.

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

17.08.250 Farm.

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

17.08.255 Farm labor shelter.

"Farm labor shelter" means an accessory dwelling unit used exclusively as temporary or seasonal housing of farm laborers who are doing farm labor on the farm on which the shelters are located. This definition shall include all manufactured housing and travel trailers provided all trailers are served by the full range of utilities including water, sewerage and power. (Ord. 2007-22, 2007; Ord. 93-6 (part), 1993)

17.08.255 A Farm visit.

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

17.08.256 Farm Stands.

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

17.08.260 Feedlot.

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

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

(Ord. 2013-001, 2013)

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

17.08.261A Forest product processing.

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

17.08.261B Forest product sales.

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

17.08.261 C Freighting and trucking yard or terminal.

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

17.08.262 Golf course.

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

17.08.262A Grade.

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

17.08.262B Grading

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

17.08.262 C Grazing

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

17.08.263 Group care facility.

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

17.08.265 Group home.

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

17.08.266 Guest house.

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

17.08.270 Guest ranch or guest farm.

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

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

17.08.280 Hazardous waste.

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

17.08.281 Hazardous waste facility.

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

17.08.282 Hazardous waste storage.

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

17.08.283 Hazardous waste treatment.

"Hazardous waste treatment" means the physical, chemical, or biological processing of dangerous waste to make such wastes non-dangerous or less dangerous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume. (Ord. 93-1 (part), 1993)

17.08.290 Home occupation.

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

17.08.300 Hospital.

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

17.08.310 Hospital, animal or veterinary.

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

17.08.320 Impound/towing Yard.

"Impound/towing Yard" means a fully enclosed area which is designed to hold and store vehicles for a period not more than ninety (90) days which have been impounded by a jurisdiction or private party.

(Ord. 2014-015, 2014; Ord. 2013-001, 2013; Res. 83-10, 1983)

17.08.321 Infill.

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

17.08.324 Interlocal agreement.

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

(Ord. 2013-001, 2013; Ord. 2009-25, 2009)

17.08.326 Interpretive Center.

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

17.08.327 Repealed.

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

17.08.329 Junk.

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

17.08.330 Junkyard.

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

17.08.340 Repealed.

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

17.08.360 Lot.

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

17.08.361 Lot, flag.

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

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

(Ord. 2013-001, 2013)

17.08.370 Lot line, front.

"Lot line, front" means a lot line with frontage on any public street, private street, right-of-way or other means of vehicular access, other than an alley. (Ord. 2022-017, 2022; Ord. 2019-013, 2019; Res. 83-10, 1983)

17.08.380 Lot line, rear.

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

17.08.390 Lot line, side.

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

17.08.390B Lot, through.

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

17.08.390C Street frontage.

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

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

17.08.391 Manufactured home.

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

17.08.392 Manufacturing

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

17.08.392A Marijuana processing

"Marijuana processing" means the preparation of marijuana products including, but not limited to, boxing, bulk packaging, portioning, labeling, or the creation of marijuana derivative and edible products. (Ord. 2014-004, 2014;)

17.08.392B Marijuana production

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

17.08.392 C Marijuana, retail sales

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

(Ord. 2014-015, 2014;)

17.08.393 Medium-speed electric vehicle.

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

17.08.395 Repealed.

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

17.08.396 Repealed.

(Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.08.397 Mini warehouse.

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

17.08.397A Mining and Excavation.

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

17.08.398 Mobile home.

"Mobile home" means a structure transportable in one (1) or more sections that are eight (8) feet or more in width and thirty-two (32) feet or more in length, built on a permanent chassis, designed to be used as a permanent dwelling and constructed before June 15, 1976. Beginning September 1, 1998, mobile homes will no longer be allowed to be transported and placed within Kittitas County. Those units presently located in Kittitas County that are to be relocated within Kittitas County must have a fire/life inspection approved by the Washington State Department of Labor and Industries. (Ord. 2013-001, 2013; Ord. 98-22 (part), 1998; Res. 83-10, 1983)

17.08.399 Modular home.

"Modular home" means a manufactured structure originally designed for initial movement without benefit of an undercarriage frame or its own wheels to a site of permanent placement on a full perimeter foundation, used for residential purposes, and exceeds eight hundred sixty-four (846) square feet of enclosed living area. A modular home shall be considered a "dwelling" or "single-family residence". A "modular home" constructed to International Building Code standards and bearing the gold insignia from the Washington State Department of Labor and Industries shall be considered to be a single-family residence. (Ord. 2013-001, 2013; Ord. 2007-22, 2007; Ord. 98-22 (part), 1998; Ord. 93-21 (part), 1993)

17.08.400 Repealed.

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

17.08.408 Neighborhood electric vehicle.

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

17.08.410 Nonconforming use.

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

17.08.412 Non-electric vehicle.

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

17.08.415 Nurseries.

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

17.08.420 Nursing home.

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

17.08.421 Office

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

17.08.424 Off-site hazardous waste facilities.

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

17.08.427 On-site hazardous waste facilities.

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

17.08.428 Open space

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

17.08.430 Outdoor advertising signs and billboards.

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

17.08.430A Overlay Zone/district

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

17.08.430B Ownership

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

17.08.431 Park model trailer.

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

17.08.440 Parking space.

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

17.08.445 Parks and playgrounds.

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

17.08.450 Planned unit development.

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

17.08.455 Planning commission or commission.

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

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

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

17.08.456 Repealed.

(Ord. 2015-010, 2015)

17.08.457 Public facilities.

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

17.08.460 Public office building.

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

17.08.461 Rapid charging station.

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

17.08.462 Receiving site.

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

17.08.463 Recreation, indoor.

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

17.08.464 Recreation, outdoor

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

17.08.465 Recreational vehicle.

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

17.08.465A Recreational vehicle park.

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

17.08.465B Recreational vehicle/equipment service and repair.

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

17.08.466 Refuse disposal/recycling.

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

17.08.467 Religious institutions.

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

17.08.468 Resource based industry.

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

17.08.469 Restaurant.

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

17.08.469A Retail sales

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

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

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

17.08.470 Rezone.

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

17.08.471 Rock Crushing.

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

17.08.469 RV Storage.

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

17.08.472 Services.

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

17.08.480 School, public or private.

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

17.08.485 Shooting range.

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

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

(Ord. 2013-001, 2013; Ord. 2009-25, 2009)

17.08.487 Sending site.

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

17.08.490 Small-scale event facility.

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

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

17.08.500 Special care dwelling.

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

17.08.510 Structural alteration.

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

17.08.520 Structure.

"Structure" means that which is built or constructed, an edifice or building of any kind, or any place of work artificially built up or composed of parts joined together in some definite manner. Fences that are 7 feet or less in height, and retaining walls that are 4 feet or less in height measured from the bottom of the footing to the top of the wall not supporting a surcharge or impounding Class I, II or III-A liquids are excluded from this definition. (Ord. 2022-017, 2022; Ord. 2015-010, 2015; Res. 83-10, 1983)

17.08.530 Repealed.

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

17.08.535 Repealed.

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

17.08.540 Repealed.

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

17.08.541 Trails.

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

17.08.542 Transfer of development rights (TDR).

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

17.08.543 TDR certificate.

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

17.08.544 TDR certificate letter of intent.

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

17.08.545 TDR credit.

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

17.08.546 TDR program.

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

17.08.547 TDR sending site application.

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

17.08.550 Use.

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

1. "Permitted use" means a use allowed outright within a zone classification.
2. "Permitted Administrative use" means a use which may be permitted within a zone classification following review under the provisions of KCC Chapter 17.60B.
3. "Administrative Conditional use" means a use which may be permitted in a zone classification following review under the provisions of KCC Chapter 17.60A.
4. "Conditional use" means a use which may be permitted in a zone classification following review and hearing under the provisions of KCC Chapter 17.60A

5. "Nonconforming use" means a use or structure, that was legally established according to the applicable zoning and/or building regulations of the time, but which does not meet current zoning and/or building regulations.
6. "Prohibited use" means those uses not specifically enumerated as allowed uses under the provisions of KCC Chapter 17.15. (Ord. 2018-001, 2018; Ord. 2013-012, 2013; Ord. 2013-001, 2013; Res. 83-10, 1983)

17.08.550A U-Pick/U-Cut operation

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

(Ord. 2014-015, 2014;)

17.08.560 Variance.

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

17.08.560A Vehicle/equipment service and repair.

"Vehicle/equipment service and repair" means maintenance of motorized vehicles and equipment including exchange of parts, installation of lubricants, tires, batteries, and similar vehicle accessories, minor customizing and detail operations, and body shops. This definition includes gas and service stations. (Ord. 2013-001, 2013)

17.08.560B Warehouse and Distribution.

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

17.08.560C Watershed management facilities.

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

17.08.561 Winery.

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

17.08.570 Yard.

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

17.08.580 Yard depth.

"Yard depth" means the minimum perpendicular distance between any point on a lot line and the nearest part of any structure or building, excluding an 18-inch eave (overhang) no closer than 5 feet to the property line, and excluding retaining walls necessary for access permits as determined by Kittitas County [Public Works Public Services](#). (Ord. 2022-017, 2022; Res. 83-10, 1983)

17.08.590 Yard, front.

"Front yard" means any yard with frontage on a public or private street. (Ord. 2022-017, 2022; Res. 83-10, 1983)

17.08.600 Yard, rear.

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

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

17.08.610 Yard, side.

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

17.08.620 Yurt.

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

Chapter 17.11

URBAN GROWTH AREAS

Sections

- 17.11.010 Purpose and Intent.
- 17.11.020 Intergovernmental Review.
- 17.11.30 City of Ellensburg Urban Growth Area Interlocal Agreements.
- 17.11.31 Conflicts.
- 17.11.32 Adoption by reference and modified code sections.
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- 17.11.35 County/City Zoning conversion chart.
- 17.11.36 Definitions.
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- 17.11.39 Off-Street Parking.
- 17.11.40 Infrastructure.
- 17.11.050 Minimum Density.
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17.11.010 Purpose and Intent.

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

17.11.020 Intergovernmental Review

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

17.11.30 City of Ellensburg Urban Growth Area Interlocal Agreements.

Kittitas County and the City of Ellensburg have adopted an interlocal agreement to facilitate the orderly transition of urban services from the County to the City throughout the Urban Growth Area (UGA) and to coordinate and manage growth and development within the UGA. Permit process and development standards outlined in KCC 17.11.030 through KCC 17.11.039 are adopted for application to properties within the City of Ellensburg Urban Growth Area. (Ord. 2023-006, 2023; Ord. 2022-017, 2022; Ord. 2007-22, 2007)

17.11.31 Conflicts.

If there is a conflict between the provisions within KCC 17.11 or the ILA and other sections of Kittitas County Code, KCC 17.04.020 and 17.04.040 shall be utilized to resolve the conflict. When 17.04 is utilized to resolve a conflict, the county will notify the city. (Ord. 2022-017, 2022)

17.11.32 Adoption by reference and modified code sections.

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

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

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

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

(Ord. 2022-017, 2022)

17.11.33 Applicability.

This Agreement applies to the lands within the Ellensburg Urban Growth Area as currently adopted and identified in the County Comprehensive Plan, as of the date of execution of Resolution No. 2022-1 and hereby amended in the future. Where the ILA does not identify development standards to be utilized for development within the UGA, existing Kittitas County Code standards apply. (Ord. 2023-006, 2023; Ord. 2022-017, 2022)

17.11.34 Airport Zone.

KCC 17.58, Airport Zone, applies to all projects within the City of Ellensburg Urban Growth Area which are located within the Bowers Field Airport Overlay Zone. (Ord. 2022-017, 2022)

17.11.35 County/City Zoning conversion chart.

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

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

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

(Ord. 2022-017, 2022)

17.11.36 Definitions.

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

1. "Accessory dwelling unit" means a self-contained residential unit that is accessory to a single family dwelling on a lot and may be added to, created within, or detached from the primary single-family dwelling unit. An accessory dwelling unit has its own bathroom, kitchen facilities, living and sleeping areas, though it can share other features with the single-family dwelling including the yard, parking, or storage.
2. "Accessory use" means on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.
3. "Adult family home" means a residential home in which a person or persons provide personal care, special care, room and board to more than one but not more than six adults who are not related by blood or marriage to the person or persons providing the services.
4. "Agriculture" means the use of land for farming, dairying, pasturing and grazing, horticulture, floriculture, viticulture, apiaries, animal and poultry husbandry, Christmas trees not subject to the excise tax imposed by RCW 84.33.100 through 84.33.140, finfish in upland hatcheries, and accessory activities, including, but not limited to, storage, harvesting, feeding or maintenance of equipment, but excluding stockyards, slaughtering or commercial food processing.
5. "Boarding houses, lodging houses, sororities, fraternities" means an establishment with lodging for five or more persons on a weekly or longer basis with a central kitchen and dining area maintained exclusively for residents and their guests.
6. "Community residential facility" means a facility that provides, on a regular basis, personal care, including dressing and eating and health-related care and services for at least five, but not more than 15 functionally disabled persons and which is not licensed under Chapter 70.128 RCW. A residential care facility shall not provide the degree of care and treatment that a hospital or longterm care facility provides.
7. "Conference center" means an establishment developed primarily as a meeting facility, including only facilities for recreation, overnight lodging, and related activities provided for conference participants.
8. "Cooperative" means a group of more than one, but no more than four qualified medical marijuana patients and/or designated providers who share responsibility for growing and processing marijuana only for the medical use of the members of the cooperative.
9. "Day care" means an establishment for group care of nonresident adults or children. Specifically:
 - a. Day care shall include child day care services, adult day care centers, and the following:
 - i. Adult day care, such as adult day health centers or social day care as defined by the Washington State Department of Social and Health Services;
 - ii. Nursery schools for children under minimum age for education in public schools;
 - iii. Privately conducted kindergartens or pre-kindergartens when not a part of a public or parochial school; and
 - iv. Programs covering after-school care for school children.
 - b. Day care establishments are subclassified as follows:
 - i. Day care I - a maximum of 12 adults or children in any 24-hour period; and
 - ii. Day care II - over 12 adults or children in any 24-hour period.
10. Dwelling, Cottage. "Cottage" means a small single-family dwelling that is clustered with other similar units surrounding a common open space. See ECC 15.540.050 for special cottage housing provisions.
11. Dwelling, Duplex. "Duplex" refers to a building that is entirely surrounded by open space on the same lot and contains two dwelling units or two dwelling units that are physically separated but on the same lot. A duplex will not be considered a duplex for purposes of the land development code standards if more than one duplex building is located on one lot.
12. Dwelling, Live-Work Unit. "Live-work unit" means an individual dwelling unit that is used for residential and nonresidential use types. The dwelling unit type may be any type that is permitted in the applicable zoning district. Permitted nonresidential uses may be those that are permitted in the applicable zoning district.
13. Dwelling, Multifamily. See definition of "Multifamily"
14. Dwelling, Single-Family. "Single-family dwelling" means one dwelling unit or one dwelling unit with an attached or detached accessory dwelling unit used, intended, or designed to be used, rented, leased, let, or hired out to be occupied for living purposes.
15. Dwelling, Townhouse. "Townhouse" is a single-family dwelling constructed in a group of three or more attached units in which each unit extends from the foundation to the roof and with open space on at least two sides. Ownership of a townhouse includes the unit's building and associated property.
16. "Farmers' market" means a public market at which farmers and other vendors sell agricultural products, crafts, and food and beverages.
17. "Fruit stand" means a building, structure, or land area used for the sale of fresh fruit or vegetables grown on-site.
18. "Heavy service" includes service activities that may have regular exterior service, or storage areas. This use category includes, but is not limited to, contractors, heating fuels, truck stops, breweries and warehousing. Heavy service uses are limited to buildings no larger than 50,000 gross square feet in area.
19. "Home occupation" means any activity undertaken for gain or profit that results in a product or service and is carried on in a dwelling, or building accessory to a dwelling.
20. "Hospital" means an institution receiving inpatients and outpatients and rendering medical, surgical and/or obstetrical care and associated support facilities such as administrative offices, information technology department, or other similar facilities.
21. "Hotel" means any building or portion thereof in which lodging is provided and offered to the public for compensation, and which is open to transient guests and is not a boarding, lodging, sorority or fraternity house.
22. "Kennel" or "shelter" means any outdoor or indoor facility which houses four or more small domestic animals (that number not including one unweaned litter) for periods longer than 24 hours as a commercial venture, as a nonprofit organization, or for a governmental purpose. The facility may be either a separate business or an accessory use. A kennel is to be distinguished from a veterinary clinic which houses animals for periods that may exceed 24 hours as a commercial venture that is accessory to the primary medical activity performed in a veterinary clinic.
23. "Manufactured home park" means a lot, parcel, or tract of land having as its principal use the rental of space for occupancy by two or more manufactured homes, including any accessory buildings, structures or uses customarily incidental thereto.
24. "Marijuana processor" means a person licensed by the State Liquor and Cannabis Board to process marijuana into marijuana concentrates, useable marijuana and marijuana-infused products, package and label marijuana concentrates, useable marijuana and marijuana-infused products for sale in retail outlets, and sell marijuana concentrates, useable marijuana and marijuana-infused products at wholesale to marijuana retailers (as defined in RCW 69.50.101 and provided herein for reference).

25. "Marijuana producer" means a person licensed by the State Liquor and Cannabis Board to produce and sell marijuana at wholesale to marijuana processors and other marijuana producers (as defined in RCW 69.50.101 and provided herein for reference).
26. "Marijuana retailer" means a person licensed by the State Liquor and Cannabis Board to sell marijuana concentrates, useable marijuana and marijuana-infused products in a retail outlet (as defined in RCW 69.50.101 and provided herein for reference).
27. "Miniwarehouse" means an enclosed single-story building(s) designed and constructed to provide individual compartmentalized controlled access stalls or lockers which shall be used only for the storage of personal property. Ministorage is synonymous with miniwarehouse.
28. Motel. See definition for "Hotel".
29. "Nursery and greenhouses" means an establishment for the growth, display, and/or sale of plants, shrubs, trees, and materials used in indoor or outdoor plantings conducted within or without an enclosed building.
30. "Nursing home" means any facility licensed by the Washington State Department of Social and Health Services or other appropriate state agencies, providing convalescent, chronic or domiciliary care for a period in excess of 24 consecutive hours, for three or more patients or residents not related by blood or marriage to the licensee.
31. Office, Business or Professional. "Business or professional office" means an office wherein business, technical or scientific services are rendered involving labor, skill, education and special knowledge for certain compensation or profit, but such labor, skill, education and special knowledge being predominantly mental or intellectual, rather than physical, manual or mercantile in nature. Examples of such uses would include, but not be limited to, the offices of lawyers, accountants, brokers, and insurance agents.
32. Office, Medical. "Medical office" means an office or clinic used primarily by physicians, dentists, optometrists, and similar personnel for the treatment and examination of patients solely on an outpatient basis; provided, that no overnight patients shall be kept on the premises.
33. "Personal services" means services rendered to individuals for their personal physical appearance and conditioning needs. Examples would include but not be limited to the following types of services: barber, beautician, masseur, and steam and sauna baths.
34. "Places of assembly" means a structure for groups of people to gather for an event or regularly scheduled program. Examples include but are not limited to arenas, religious institutions, lecture halls, banquet facilities, and similar facilities.
35. "Public agency or utility office" means a building or portion thereof used primarily for administration purposes by a public agency or utility.
36. "Recreation - indoor commercial" means a commercial recreation land use conducted entirely within a building, including, but not limited to, athletic and health clubs, pool or billiard halls, skating rinks, swimming pools, and tennis courts.
37. "Recreation - outdoor commercial" means a commercial recreation land use conducted primarily outdoors, including, but not limited to, water parks, amusement parks, and miniature golf courses.
38. "Regional retail commercial" refers to any use which involves the display and sale of retail consumer goods as part of a regional retail master site plan. Permitted uses and exceptions are described within ECC 15.390.030. Regional retail commercial developments contain a minimum of 100,000 square feet of enclosed gross floor area of allowable uses; provided, that at least 50,000 square feet must be used by one retailer.
39. Senior citizen assisted housing" means housing in a building consisting of two or more dwelling units restricted to occupancy by at least one occupant 62 years of age or older per unit, and must include at least two of the following support services:
 - a. Common dining facilities or food preparation service;
 - b. Group activity areas separate from dining facilities;
 - c. A vehicle exclusively dedicated to providing transportation services to housing occupants;
 - d. Have a boarding home (assisting living) license from Washington State Department of Social and Health Services.
40. "Tow vehicle storage area" means the approved yard and buildings where stored vehicles are kept. The storage areas and fencing must comply with the requirements established by the Washington State Department of Licensing, Washington State Patrol, and all local zoning rules and regulations. All tow vehicle storage areas must be physically located within the tow zone assigned to the operator.
41. "Utility facility" means any privately, publicly, or cooperatively owned line, facility, or system for producing, transmitting, or distributing communications, power, electricity, light, heat, gas, oil, crude products, water, steam, waste, stormwater not connected with highway drainage, or any other similar commodity, including any fire or police signal system or street lighting system, which directly or indirectly serves the public. For commercial wireless communication support towers, antenna arrays, and facilities.
42. "Wrecking yard, vehicle" means any area, lot, land, parcel, building, structure, or part thereof where buying, selling, or dealing in vehicles of a type required to be registered under Washington State law, for the purpose of wrecking, dismantling, disassembling, or substantially changing the form of a vehicle, or buying or selling integral secondhand parts, in whole or in part is taking place. (Ord. 2022-017, 2022)

17.11.37 Permitted Uses.

1. Purpose:
 - a. The purpose of this chapter is to establish the uses generally permitted in each zone which are compatible with the purpose of the zone and other uses allowed within the zone.
 - b. The use of a property is defined by the activity for which the building or lot is intended, designed, arranged, occupied, or maintained.
 - c. This section only applies to uses within those zones identified within use tables in 17.11.037(4)(a) below. See KCC 17.22.035 for County/City conversation chart. For those zones within the UGA that are not listed in the tables below, the use tables 17.16 through 17.57 shall apply.
2. Interpretation of Land Use Tables:
 - a. The land use tables in this chapter determine whether a use is allowed in a zoning district. The zoning district is located on the vertical column and the use is located on the horizontal row of these tables.
 - b. If no symbol appears in the box at the intersection of the column and the row, the use is not allowed in that district, except for certain temporary uses. For temporary use requirements, see KCC 17.92.010.
 - c. If the letter "P" appears in the box at the intersection of the column and the row, the use is allowed in that district. If allowed, the use would follow the Kittitas County process for permitting.
 - d. If the letter "C" appears in the box at the intersection of the column and the row, the use is allowed subject to the conditional use review procedures specified in KCC 17.60A and the general requirements of the code.
 - e. Clarification of Uses and Special Conditions.
 - i. If a * appears after the use, then the use is defined in KCC 17.11.036.
 - ii. Uses are subject to footnote requirements in KCC 17.15.080.2 except where they conflict with the tables in 17.11.037(4)(a-c) regarding the permit process.
3. Accessory Uses. An accessory use, as defined in KCC 17.11.036 and identified on the use tables in KCC 17.11.037(4)(a) by an "A" is permitted in any zone if:

- a. It is on the same lot as the principal use to which it is accessory; and
- b. It is of a nature customarily incidental and subordinate to, the principal use or structure.

4. Use Tables:

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

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

Table 17.11.037(4)(b) Nonresidential uses.

Use	R-S	C-H	I-L	I-H
RETAIL				
Auto sales, new and used		P		
Farmers' markets*				
Fruit stands*	P	P	P	
Heavy retail		P	P	P
Heavy service		P	P	P
Nurseries and greenhouses that are ancillary to a retail use*	P	P	P	P
Restaurants, bars, and brewpubs*		P	P	
Coffee house, espresso bar	P	P	P	
Retail, small scale (<2,000 sf floor area)	P	P		
Retail, medium scale (2,000 - 20,000 sf floor area)		P		
Retail, large scale (20,001 - 60,000 sf floor area)		P		

Retail, super scale (> 60,000 sf floor area)				
Outlet center		P		
Regional retail commercial projects*	P	P	P	
Marijuana retailer*		P		
PERSONAL AND SERVICES				
Day care I facilities*	P	P	P	
Day care II facilities*	C	P		
General service establishments		P	P	
Heavy services		P	P	P
Hotels/motels*		P		
Hospitals*	C			
Offices, medical*	P	P		
Kennels*		P	P	
Nursing homes*	C			
Marijuana cooperative*	P	P	P	P
Personal service establishments*	P	P		
Places of assembly*	C		C	
Radio station (commercial)		C	C	C
Veterinary clinic		P	C	
BUSINESS SERVICE				
Conference center*		P		
Offices, business or professional*, small scale (<2,000 sf floor area)	P	P	P	
Offices, business or professional*, medium scale (2,000 - 20,000 sf floor area)	P	P	P	
Offices, business or professional*, large scale (20,001 - 60,000 sf floor area)		P	P	
Miniwarehouse facility*		C	P	P
INDUSTRIAL				
Light industry			P	P
Hazardous waste treatment (off-site)			C	C
Hazardous waste treatment (on-site)		C	C	C
Heavy industry				C
Marijuana processor*			P	P
Marijuana producer*			P	P
Tow vehicle storage area*			P	P
Vehicle wrecking yard*				C

Table 17.11.037(4)(c) Special uses.

Use	R-S	C-H	I-L	I-H
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PARK, OPEN SPACE AND RECREATIONAL				
Cemeteries, columbarium or mausoleums	P			
Golf course	P			
Golf driving range (not associated with a golf course)	C	C		
Recreation - outdoor (commercial)*		P	C	
Recreation - indoor (commercial)*		P	C	
Parks, playgrounds (public or private)	P	P	P	
CULTURAL AND ENTERTAINMENT				
Art, performing arts, and recording studios		P		
EDUCATIONAL				
Schools	C	C		
GOVERNMENTAL				
Court		P		
Fire facility		P		
Police facility		P	P	
Public agency or utility office*		P	P	P
Public agency or utility yard	P	P	P	P
Utility facility*	P	P	P	P
Public transportation passenger terminals		P		
RESOURCE				
Gardening or fruit raising (accessory use or noncommercial)	P	P	P	P
Agriculture*	P			
Small wind energy systems	P	P	P	P

(Ord. 2022-017, 2022)

17.11.38 Building Setback and Intensity Standards.

1. Purpose:
 - a. To promote forms of development that reinforce and/or enhance the desired character of Ellensburg neighborhoods;
 - b. To promote compatibility between developments; and
 - c. To minimize environmental impacts of development.
2. Interpretation of Tables:
 - a. The building setback and intensity standards tables address the building setback and intensity of development specific to individual zoning districts. The zoning district is located on the vertical column and the form/intensity topic being addressed is located on the horizontal row of these tables.
 - b. Where a code reference/link appears after the building setback and intensity topic, then the use is subject to standards set forth in that section or chapter.
 - c. If a number appears in the box at the intersection of the column and the row, refer to the development condition with the corresponding number immediately following the table. If there are multiple numbers, then all development conditions apply.
 - d. KCC 17.11.038(4) through 17.11.038(10) provide clarification and exceptions to the building setback and intensity standards herein.
3. Use Tables:

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

Topic	R-S	R-H
DEVELOPMENT INTENSITY AND CONFIGURATION		
Minimum lot area	None ¹	None ¹
Minimum frontage	None ¹	None ¹

Density, minimum (KCC 17.11.038(4)) ⁸	None	15 du/acre
Density, maximum (KCC 17.11.038(4))	6 du/acre	No limit
Maximum building height	35 ft	45 ft ²
Minimum front yard setback ^{3 4}	15 ft	15 ft
Garage front yard setback	22 ft	22 ft
Minimum rear yard setback	20 ft	20 ft
Minimum rear yard setback, accessory buildings (including garages)	5 ft ⁶	5 ft ⁶
Minimum rear yard setback, detached accessory dwelling unit (see KCC 17.11.038(6)(c))	5 ft ⁶	5 ft ⁶
Minimum side yard setback (includes comer lot interior lot line) ⁵	5 ft / 10 ft ⁷	5 ft / 10 ft ⁷
Minimum side yard setback (comer lot exterior lot line)	10 ft	10 ft
Minimum garage side yard setback (comer lot exterior lot line)	22 ft	22 ft

17.11.038(3)(a)(i) Development condition footnotes associated with Table

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

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

Standard	C-H	I-L	I-H
DEVELOPMENT INTENSITY AND CONFIGURATION			
Minimum lot area	None ¹	None ¹	None ¹
Density, minimum (KCC 17.11.038(4))	NA	NA	NA
Density, maximum (KCC 17.11.038(4))	None	NA	NA
Maximum building height (see KCC 17.11.038(5) for height exceptions)	35 ft	35 ft	None
BUILDING PLACEMENT (see KCC 17.11.038(5) through 17.11.038(10))			
Minimum front yard	10 ft	10 ft	10 ft
Garage front yard setback	22 ft	22 ft	22 ft
Minimum rear yard	None ²	None ²	None ²
Minimum side yard	None ²	None ²	None ²

17.11.038(3)(b)(i) Development condition footnotes associated with Table

1. Lot sizes may be variable provided they are sized and shaped sufficient to accommodate permitted uses and conform to applicable design and density standards. For areas within 100 feet of a residential zone, the maximum building height shall be 35 feet.
2. Where the subject property borders a residential zone, the minimum side or rear setbacks shall be the same as the adjacent residential zone.
4. Critical Areas as defined by Kittitas County Code. Calculations for Determining Maximum Density - Gross Developable Acreage.
 - a. All site areas may be used in the calculation of the maximum allowed residential density or project floor area except as outlined under the provisions of subsection (B)(2) of this section.

- b. Critical Areas as defined by Kittitas County Code shall not be credited toward the maximum density or floor area calculations. Property used for new roadways, trails, stormwater facilities, or other features used by residents may be counted as part of the site area for density calculations. Property transferred to the city for the construction of public roadways or other public feature shall be counted as part of the site area if the city and property owner reach such an agreement as part of the transfer.
5. Density Calculations.
- Maximum density for an individual site shall be calculated by multiplying the gross developable acreage by the applicable number of dwelling units. When calculation results in a fraction, the fraction shall be rounded to the nearest whole number as follows:
 - Fractions of 0.50 and above shall be rounded up.
 - Fractions below 0.50 shall be rounded down.
 - Prohibited Reduction. Any portion of a lot that was used to calculate compliance with the standards and regulations of this title shall not be subsequently subdivided or segregated from such lot.
6. Height exceptions. The following structures may be erected above the height limits set forth in KCC 17.11.038(3)(a) and KCC 17.11.038(3)(b):
- An additional two feet in height is allowed for structures with green roofs occupying at least 50 percent of the area of the roof;
 - Skylights, flagpoles, chimneys, church steeples, crosses, spires, communication transmission and receiving structures, and similar structures.
7. Setback measurements.
- Front Yard Setback. The front yard is measured from the street right-of-way or the edge of a surface improvement (sidewalk) which extends beyond a right-of-way, whichever is closer to the proposed structure, to a line parallel to and measured perpendicularly from the street right-of-way or the edge of the surface improvement at the depth prescribed for each zone. For dual frontage properties, the front yard is measured from the street right-of-way that is the property's street address and primary access.
 - Side Yard Setback. The side yard setback is measured from the side lot line adjacent to another private property to a line parallel to and measured perpendicularly from the side lot lines at the depth prescribed for each zone.
 - Rear Yard Setback. The rear yard setback is measured from the rear lot line adjacent to another private property or an alley to a line parallel to and measured perpendicularly from the rear lot lines at the depth prescribed for each zone.
 - Corner Lots. For corner lots with two street frontages, setbacks from the addressed street side shall conform to the front yard setback for the underlying zoning district. The setbacks for the flanking side shall conform to the exterior side yard setbacks for the underlying zoning district.
 - For measurements on a pointed or irregular lot refer to definition of lot line in KCC 17.11.036.
8. Permitted projections into yards. The following structures may extend into or be located in required setbacks:
- Fireplace structures, bay or garden windows, enclosed stair landings, closets, or similar structures may project 30 inches into a front or rear yard, provided such projections are:
 - Limited to two per facade; and
 - Not wider than 10 feet;
 - Eaves, cornices, and signs may not project more than:
 - Three feet into a front or rear yard; and
 - Two feet into the side yard;
 - Porches and covered entries may project up to six feet into the front yard subject to conformance with any required site vision standards set forth in Section 3, Street Standards, of the eCity's Ppublic wWorks development standards applicable to the lot;
 - Uncovered porches and decks, which exceed 18 inches above the finished grade, may project up to six feet into the front or rear yards;
 - Storefront weather protection projections into the public right-of-way are acceptable, provided they don't interfere with street trees or extend beyond the edge of the sidewalk;
 - The following features may project into any front yard:
 - Unenclosed porches and entry features may project six feet into the front yard;
 - Mailboxes and newspaper boxes;
 - Fire hydrants and associated appendages;
 - Bus shelters; and
 - Monument signs;
 - The following features may project into any yard:
 - Telephone poles and lines;
 - Power poles and lines;
 - Cable TV and internet lines;
 - Light and flagpoles;
 - Sprinkler systems;
 - Trellises not exceeding eight feet in height, not wider than 10 feet;
 - Culverts and underground water, sewer, and accessory facilities for the provision of utilities, such as drains;
 - Electrical equipment cabinets and similar utility boxes and vaults;
 - Surface and stormwater water management facilities;
 - Uncovered porches and decks not exceeding 18 inches above the finished grade; and
 - Rockeries, retaining walls and curbs provided these structures do not exceed a height of six feet from the property line grade; and
 - No projections are allowed into a regional utility corridor or access easement.
9. Setbacks from alleys. Accessory buildings and accessory dwelling units, where built on top of an existing garage, may be built to a property line abutting an alley, provided sufficient turning movement and emergency vehicle access is provided within the alley.
10. Setback modifications.
- In addition to providing the standard street setback, a lot adjoining a half-street or designated arterial shall provide an additional width of street setback sufficient to accommodate construction of the planned half-street or arterial.
 - For residential lots adjacent to designated local streets and built to applicable standards set forth in Section 3, Street Standards, of the city's-City's pPublic wWorks development standards, setbacks shall be measured from the back of the sidewalk rather than the right-of-way edge, provided no residential structures are built within the public right-of-way.
 - Variance. See procedures in KCC 17.84.

11. Lot or site divided by zone boundary. When a lot is divided by a zone boundary, the following rules shall apply:
 - a. When a lot contains both residential and nonresidential zoning, the zone boundary between the zones shall be considered a lot line for determining permitted building height and required setbacks on the site;
 - b. When a lot contains residential zones of varying density:
 - i. Any residential density transfer within the lot shall be allowed from the portion with the lesser residential density to that of the greater residential density;
 - ii. Compliance with these criteria shall be evaluated during review of any development proposals in which such a transfer is proposed; and
 - iii. Uses on each portion of the lot shall only be those permitted in each zone pursuant to KCC 17.11.037.

(Ord. 2022-017, 2022)

17.11.39 Off-Street Parking.

1. Purpose:
 - a. The purpose of this chapter is to provide adequate parking for all uses allowed in this title, to reduce demand for parking by encouraging alternative means of transportation including public transit and bicycles, and to increase pedestrian mobility by:
 - i. Setting minimum off-street parking standards for different land uses and districts that assure safe, convenient and adequately sized parking facilities;
 - ii. Recognizing that developed properties are likely to support a variety of different uses over time; and
 - iii. Providing for parking and storage of bicycles.
2. Authority and application.
 - a. The regulations of this chapter apply to all off-street parking areas in all zoning districts within the City of Ellensburg’s Urban Growth Area.
 - b. The regulations of this chapter apply to all new development applications, all new parking lot construction or enlargement. In addition, these regulations shall apply at the time of enlarging, moving or increasing the capacity of existing structures by creating or adding dwelling units, commercial or industrial floor space, or seating facilities, and shall also apply when an existing land use within an existing structure is changed to a category of land use as set forth below that is different than the category of land use for which the existing parking facility was designed and installed.
 - c. Before an occupancy permit may be granted for any new or enlarged building or for a change of use in any existing building, the use shall be required to meet the provisions of this chapter.
 - d. If this chapter does not specify a parking requirement for a land use, the director shall establish the minimum requirement based on a study of anticipated parking demand. Transportation demand management actions taken at the site shall be considered in determining anticipated demand. In the study the applicant shall provide sufficient information to demonstrate that the parking demand for a specific land use will be satisfied. Parking studies shall be prepared by a professional engineer with expertise in traffic and parking analyses, or an equally qualified individual as authorized by the director.
 - e. The Electric Vehicle Infrastructure regulations in KCC 17.66 shall be utilized in conjunction with this Chapter.
3. Parking plan -Building permit, surety bond, and occupancy requirements.
 - a. Building Permit. No building permit nor parking lot construction or enlargement shall be issued until a parking plan showing provisions for the required off-street parking, as specified in this chapter, has been submitted and approved by the director. The plan shall clearly indicate the proposed development, including parking lot location, size, shape, design, number of spaces, curb cuts, lighting, and other features and appurtenances required by this chapter. The parking plan shall show/state the number of parking spaces and handicap spaces required and provided.
 - b. Surety. Before a building permit is issued for any building or structure for which this chapter requires off-street parking and where such off-street parking is not to be contained within the building for which the building permit is requested, the director may require that the applicant provide the city with a surety bond or other sufficient security approved by the director guaranteeing to the county the installation and improvement of the required off street parking within a time not to exceed six months following the completion of the building(s) for which such off-street parking is to be provided.
 - c. Occupancy. All required off-street parking areas must be completed and landscaped prior to occupancy of any structure.
4. Computation of required off-street parking spaces.
 - a. Spaces Required. Except as modified in subsections below, off-street parking areas shall contain at a minimum the number of parking spaces as stipulated in the following table. Off street parking ratios expressed as number of spaces per square feet means the usable or net square footage of floor area, exclusive of nonpublic areas. Nonpublic areas include but are not limited to building maintenance areas, storage areas, closets or restrooms. If the formula for determining the number of off-street parking spaces results in a fraction, the number of off-street parking spaces shall be rounded to the nearest whole number with fractions of 0.50 or greater rounding up and fractions below 0.50 rounding down.

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

Category of Land Use ¹	Minimum Parking Spaces Required
RESIDENTIAL / LODGING	
Dwelling, single-family	2.0 per dwelling unit; for structures containing more than 4 bedrooms, 1 additional space for each bedroom in excess of 4 shall be provided. NOTE: Tandem parking to accommodate 2-car garages is permitted for single-family units.
Accessory dwelling unit	None required
Apartment:	
Duplex	2.0 per dwelling unit; for structures containing more than 4 bedrooms, 1 additional space for each bedroom in excess of 4 shall be provided. NOTE: Tandem parking to accommodate 2-car garages is permitted for duplex dwelling units.

Townhouse	2.0 per dwelling unit; for structures containing more than 4 bedrooms, 1 additional space for each bedroom in excess of 4 shall be provided.
Studio units	1.2 per dwelling unit
Studio and 1-bedroom units in C-C zone outside of the downtown historic district	0.7 per dwelling unit
1-bedroom units	1.5 per dwelling unit
2-bedroom residential units and larger in C-C zone outside of the downtown historic district	0.7 per bedroom
2-bedroom units or larger	1.0 per bedroom
Cottage housing	1.5 per dwelling unit
Senior housing	1.0 per dwelling unit (this may be reduced based on the characteristics of the use)
Adult family home	2.0 per dwelling unit; for structures containing more than 4 bedrooms, 1 additional space for each bedroom in excess of 4 shall be provided. NOTE: Tandem parking to accommodate 2-car garages is permitted.
Senior citizen assisted housing	1.0 per 2 dwelling or sleeping units
Community residential facilities	1.0 per 2 bedrooms
Boarding houses, lodging houses, sororities, fraternities	1.0 per bedroom
Hotel/motels (where restaurants and conference facilities are included, see standards for applicable use)	1.0 per guest room
Bed and breakfast guesthouse	1.0 per guest room, plus 2.0 per facility
GENERAL RETAIL AND SERVICE	
Offices, banks, medical clinics, supermarkets, retail shops, department stores, or similar uses	1.0 per 300 square feet of gross floor area
General retail or service use with drive-in facility	Same parking for retail and service as provided herein, plus sufficient off- street drive-through stacking area to accommodate 3 vehicles without negatively impacting other required parking areas, ingress and egress into such parking areas, or traffic on public streets
Day care facility	1.0 per employee plus 1.0 temporary loading parking per each 8 full-day equivalent children
FOOD AND BEVERAGE	
Restaurant, taverns, or similar uses where patrons sit down for service	1.0 per 200 square feet of gross floor area for sit-down facilities with a minimum number of 5 spaces required
Drive-in restaurant	Same parking as restaurant plus sufficient off-street drive-through stacking area to accommodate 6 vehicles without negatively impacting other required parking areas, ingress and egress into such parking areas, or traffic on public streets
Drive-in coffee stand	2.0 per facility plus sufficient off- street drive-through stacking area to accommodate 6 vehicles without negatively impacting other required parking areas, ingress and egress into such parking areas, or traffic on public streets
PLACES OF ASSEMBLY	
Churches, funeral homes, mortuaries, clubs, lodges, museums, auditoriums, theaters, conference facilities, public or commercial recreational facilities, or similar uses	0.25 per person of maximum occupancy as established by the fire marshal with a minimum of 5 spaces required

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

17.11.039(4)(a)(ii) Footnotes Associated with Table

1. In those situations where a particular use is not specifically mentioned in this table, the requirements for off-street parking shall be determined by the director and in accordance with the most comparable use listed.
 - a. Shell Building Permit Applications. When the county has received a shell building permit application, off-street parking requirements shall be based on the possible tenant improvements or uses authorized by the zone designation and compatible with the limitations of the shell permit. When the range of possible uses results in different parking requirements, the director shall establish the amount of parking based on a likely range of uses. For example, an applicant submits a permit for a 5,000-square-foot shell building in the C-H zone. The zone allows for a range of retail, personal, and general service retail uses. Most permitted uses in this zone fall in the category of general retail and service uses in Table 17.11.039(4)(a)(i) which requires one space per 300 square feet of gross floor area. Restaurants require more parking (one space per 200 square feet of gross floor area). While the director might find it unreasonable to require parking for the "worst case scenario" in terms of possible use types, he or she will typically choose a requirement that falls between the possible use scenarios. In this case, the odds are that most possible uses fall in the general retail and service use category with a lower parking requirement, though a slightly higher parking requirement would make sense given the possibility of a use such as a restaurant, which requires greater parking. Thus, a compromise standard, requiring a minimum of one space per 275 square feet of gross floor area, would be reasonable in this instance.
 - b. Other Provisions of Code. Where other provisions of this code stipulate reduced minimum parking requirements, those provisions shall apply.
 - c. Bicycle Parking. Multifamily and nonresidential developments shall provide for bicycle parking per the standards below.
 - i. Amount of Bicycle Parking.

Computation of required off-street bicycle parking spaces.

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

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

property is in an accessory use, the required off-street parking shall be calculated on the gross floor area of the building as if it were all under the primary use.

Examples:

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

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

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

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

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

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

- c. For storefronts and other similar buildings sited adjacent to a street without individual businesses over 10,000 square feet and no alley access, loading space may be provided by on street designated loading zones upon approval of the public works and utilities director as an administrative decision based on access and safety considerations. A site plan, proposed conditions, and reason for on-street loading facilities shall be included in the application.
 - d. Each loading space required by this section shall be a minimum of 10 feet wide, 30 feet long, and have an unobstructed vertical clearance of 14 feet six inches, and shall be surfaced, improved and maintained as required by this chapter. Loading spaces shall be located so that trucks shall not obstruct pedestrian or vehicle traffic movement or project into any public right-of-way. All loading space areas shall be separated from parking areas and shall be designated as truck loading spaces.
 - e. Any loading space located within 100 feet of areas zoned for residential use shall be screened and operated as necessary to reduce noise and visual impacts. Noise mitigation measures may include architectural or structural barriers, beams, walls, or restrictions on the hours of operation.
 - f. Multi-story self-service storage facilities shall provide two loading spaces, and single-story facilities one loading space, adjacent to each building entrance that provides common access to interior storage units. Each loading berth shall measure not less than 25 feet by 12 feet with an unobstructed vertical clearance of 14 feet six inches, and shall be surfaced, improved, and maintained as required by this chapter. Any floor area additions or structural alterations to a building shall be required to provide loading space or spaces as set forth in this chapter.
15. Parking lot design and construction standards.
- a. Parking Area Access Standards. See Section 6, Parking Standards, of the city's public works development standards.
 - b. Parking Stall and Aisle Dimensions. See Section 6, Parking Standards, of the city's public works development standards.
 - c. Parking Area Development and Design Provisions.
 - i. For parking area surfacing standards, see Section 6, Parking Standards, of the city's public works development standards. Fire lane shall be in accordance with the International Fire Code (IFC) as adopted in KCC 14.04.

(Ord. 2022-017, 2022)

17.11.40 Infrastructure.

Except as modified by a UGA interlocal agreement, development of infrastructure relating to municipal water and sewer services shall be referred to the requirements as outlined by the corresponding cities code. Joint review shall occur in the development of roads with both the city and county road standards. (Ord. 2022-017, 2022; Ord. 2007-22, 2007)

17.11.050 Minimum Density.

Density calculations shall be calculated based on lands available after removal of lands protected under Critical Areas as identified in Kittitas County Code Title 17A and lands used for the purpose of development and placement of roads. This provision shall not apply to the Airport Overlay. (Ord. 2022-017, 2022; Ord. 2019-013, 2019; Ord. 2007-22, 2007)

17.11.060 Maximum Lot Coverage.

Except as modified by a UGA interlocal agreement, the ground area covered by all buildings, including accessory buildings, shall be consistent with the associated City's maximum lot coverage regulations for the associated land use zone. This applies only to those zones with a Maximum Lot Coverage. (Ord. 2022-017, 2022; Ord. 2018-014, 2018)

Chapter 17.12

ZONES DESIGNATED - MAP

Sections

- 17.12.010 Zones classified.
- 17.12.020 Official county map.
- 17.12.030 Boundary determination.

17.12.010 Zones classified.*

1. The unincorporated territory of Kittitas County is divided into the following land use zone classifications:

- R Residential
- R-2 Residential 2
- UR Urban Residential
- A-3 Agriculture 3
- A-5 Agriculture 5
- A-20 Agriculture 20
- RR Rural Recreation
- R-3 Rural 3
- R-5 Rural 5
- CA Commercial Agriculture
- CF Commercial Forest
- C-L Limited Commercial
- C-G General Commercial
- C-H Highway Commercial
- PUD Planned Unit Development

- I-L Light Industry
- I-G General Industry
- F-R Forest and Range
- HT-C Historic Trailer Court
- A Airport
- MPR Master Planned Resort

2. The unincorporated territory of Kittitas County includes the following overlay zones and areas:

- Agricultural Study Overlay Zone
- Agricultural Production District
- Airport Overlay Zoning District
- Bowers Field Overlay Zone
- Liberty Historic Overlay Zone
- Wind Farm Resource Overlay Zone
- Wind Farm Resource Overlay Zone - Pre-identified Areas for Siting
- Wind Farm Resource Overlay Zone - Swauk Ranch (Ord. 2013-008, 2013; Ord. 2013-001, 2013; Ord. 2011-013, 2011; Ord. 2007-22, 2007; Ord. 2000-13, 2000; Ord. 88-4 § 1, 1988; Ord. 83-Z-2 (part), 1983; Res. 83-10, 1983)

* This section has been amended to reflect the provisions of Ords. Z-77-2, 80-Z-2, 89-10, and 90-6.

17.12.020 Official County Map.

1. Digital Map. The above zones or area classifications and the boundaries of such are established as shown on the Kittitas County Geographic Information System (GIS) Spatial Data Base Engine (SDE) as a dataset designated as "Zoning". The GIS zoning dataset shall be the County's "Official Zoning Map;" it shall be maintained and edited under the conditions set forth in KCC Title 15B, KCC Chapter 17.36 and KCC Chapter 17.98 as necessary by qualified personnel within the Community Development Services Department ~~Public Service Department~~. Delineations and alterations shall be recorded in a manner as to preserve the details of their size, configuration, adoption ordinance, adoption date, and any other information deemed necessary by the Director within the dataset's attribute data for the purpose of maintaining the public record. Standard operating procedures shall be developed and monitored to assure that delineations and alterations are recorded properly, and that all appropriate county agencies and departments are notified, and given appropriate supplemental details and information. The zoning dataset shall be integrated into Kittitas County's web based mapping system for viewing by the general public and be made available either digitally or physically by staff at the ~~Community Development Public Services Department~~ for those without computer/internet access.
2. Physical Map. As part of the annual Comprehensive Plan Amendment process, or at any time deemed desirable or beneficial by the Board, a physical map or set of maps, shall be produced by ~~Community Development the Public Services Department~~ reflecting the information contained within the zoning dataset, as well as notations, references, and detailed information regarding changes since the previous map(s); a signature block shall be provided for verification and approval by the Board.
3. Map Designations. The zones or areas hereby established and shown on said dataset and maps, and boundaries thereof, are hereby designated. Said dataset and maps and all notations, references and other information shown thereon shall be as much a part of this title as if the matters and information set forth by said maps were all fully described herein. (Ord. 2013-001, 2013; Ord. 2010-014, 2010; Ord. 2007-22, 2007; Res. 83-10, 1983)

17.12.030 Boundary Determination.

Where uncertainty exists as to any of the zone boundaries as shown on the zoning map, the following rules apply:

1. Where such boundaries are indicated as approximately following the centerline of roads, highways, power lines, railroads, rivers or canals, the centerline shall be construed to be such boundaries.
2. Where such boundaries are indicated as approximately following lot lines, the lot lines shall be construed to be such boundaries.
3. In un-subdivided land and where a zone boundary divides an ownership, the location of the boundary, unless it is indicated by dimensions shown on the map, shall be determined by scale measurement.
4. (Deleted by Ord. 83-Z-2)
5. Boundary lines along navigable rivers shall be pierhead or outer harbor lines. Where such pierhead or outer harbor lines are not established, then the zone boundary lines shall extend five hundred (500) feet from the natural shoreline. (Ord. 2013-001, 2013; Ord. 2007-22, 2007; Ord. 83-Z-2 (part), 1983; Res. 83-10, 1983)

Chapter 17.13

TRANSFER OF DEVELOPMENT RIGHTS

Sections

- 17.13.010 Purpose.
- 17.13.020 TDR Sending Sites.
- 17.13.030 TDR Receiving Sites.
- 17.13.040 Calculations of Available Development Rights on Sending Sites.
- 17.13.050 Sending Site Development Limitations.
- 17.13.060 TDR Documentation of Restrictions.
- 17.13.070 TDR Sending Site Certification and TDR Committee Review Process.
- 17.13.080 TDR Transfer Process.
- 17.13.090 TDR Amenity Funding for Cities.
- 17.13.100 Condemned Lands.

17.13.010 Purpose.

The purpose of the transfer of development rights (TDR) is to provide public benefits by permanently conserving rural farm and forest land through acquisition and extinguishment of the development rights on those lands designated as "sending sites." All other rights of ownership, including the right to continue operation of such businesses as farming, timber harvesting, sports and recreation, and other uses permitted within the zone remain with the owner of the underlying fee. Transfer through conversion of the acquired development rights to density credits redeemable on eligible sites, designated as "receiving sites" per KCC 17.13.030(1), shall be accomplished as set out herein. (Ord. 2010-006, 2010 ; Ord. 2009-25, 2009)

17.13.020 TDR Sending Sites.

Sending sites must contain a public benefit such that the preservation of that benefit by transferring residential development rights, in the form of density credits, to another site is in the public interest. A sending site will be presumed to contain a public benefit if it meets either criteria 1, 2, 3 or 4, as stated below:

1. Farm and Agricultural Land (must satisfy criteria 1.a. thru 1.e.)
 - a. Is land in the Commercial Agriculture, Ag-20, Ag-5, Forest & Range, or R-5 zoning;
 - b. Is a minimum of twenty (20) acres in size;
 - c. Is located within the boundary of the Agricultural Production District area shown on the Kittitas County zoning map;
 - d. Includes proof of commercial agricultural income as required for Current Use Agricultural taxation under RCW 84.34; and
 - e. Has value above that associated with resource value ("higher and better use").
2. Forest Land (must satisfy criteria 2.a. thru 2.e.)
 - a. Is land in Commercial Forest, Forest & Range, or R-5 zoning;
 - b. Is a minimum of twenty (20) acres in size;
 - c. Is not publicly owned;
 - d. Has a Timber Management Plan that is in compliance with Washington State Department of Revenue's guidelines dated June 2010 or as thereafter amended; and
 - e. Has value above that associated with resource value ("higher and better use").
3. Frequently Flooded Area as defined in KCC 17A.02.140.
4. Lands designated as eligible sending sites in a TDR agreement with a city.
5. Lands must be located within Kittitas County.
6. If a sending site consists of more than one lot, the lots must be contiguous. For purposes of this chapter, lots divided by a street are considered contiguous if the lots would share a common lot line if the street was removed.
7. Development rights acquired from eligible sending sites may be converted to density credits which may be transferred to eligible receiving sites through the TDR transfer process. After completion of the conveyance of a sending site's development rights, the property shall be maintained in a condition that is consistent with the criteria in this chapter under which the sending site was qualified by means of a TDR conservation easement.
8. Publicly owned property shall not be eligible to become a sending site.

(Ord. 2014-015, 2014; Ord. 2013-001, 2013; Ord. 2011-013, 2011; Ord. 2011-005, 2011; Ord. 2010-006, 2010; Ord. 2009-25, 2009)

17.13.030 TDR Receiving Sites.

1. Eligible receiving sites shall be those sites as listed below and shall be located within Kittitas County. For eligible receiving sites, the transfer and exchange of TDR density credits shall occur consistent with KCC 17.13.080:
 - a. Cities where new growth is or will be encouraged under the Growth Management Act and Countywide Planning Policies.
 - b. All city receiving sites shall be designated pursuant to an agreement with the County.
 - c. Sites within Urban Growth Areas, with a density greater than six (6) dwelling units (du) per acre, where new growth is or will be encouraged under the Growth Management Act and Countywide Planning Policies.
 - d. Unincorporated sites outside of Urban Growth Areas for which an amendment to the official zoning map or rezone to a zoning classification allowing greater than one (1) dwelling unit (du) per twenty (20) acres.
 - e. Unincorporated sites outside of Urban Growth Areas for which an associated map amendment to the Comprehensive Plan has been requested pursuant to Kittitas County Code in conjunction with a rezone under (1)(4) of this section.
 - f. Unincorporated sites for which a Cluster Plat has been requested pursuant to KCC Chapter 16.09 and KCC Chapter 17.30 Rural Recreation.
 - g. LAMIRDS.
 - h. Unincorporated sites for which a Planned Unit Development (PUD) designation amendment to the zoning map has been requested pursuant to Kittitas County Code, when such amendment results in an increase in density.
2. The provisions of this chapter shall only apply to receiving site development proposals that vest after the effective date of this chapter. For purposes of vesting and this chapter, site development proposals include both legislative and quasi-judicial land use decisions associated with the eligible receiving sites outlined in KCC 17.13.030.1.

(Ord. 2013-001, 2013; Ord. 2011-005, 2011; Ord. 2010-006, 2010; Ord. 2009-25, 2009)

17.13.040 Calculations of Available Development Rights on Sending Sites.

1. The number of residential development rights that an unincorporated sending site is eligible to sell under this program shall be determined by applying the sending site base density dictated by the underlying zoning as established in Title 17, Zoning, to the area of the sending site, provided that the number of development rights shall not exceed one (1) per twenty (20) acres. Any portion of the sending site used for residential development or reserved for future residential development in the TDR conservation easement shall be subtracted from the calculation at base density.
2. Any fractions of development rights that result from the calculations in KCC 17.13.040 1. shall not be included in the final determination of total development rights available for sale.
3. For purposes of calculating the number of development rights a sending site may sell, the area of a sending site shall be determined as follows:
 - a. If the sending site is an entire lot, the acreage shall be determined by:
 - i. Kittitas County Assessor records; or
 - ii. A survey funded by the applicant that has been prepared and stamped by a surveyor licensed in the State of Washington.
 - b. If the sending site consists of multiple lots, the acreage in sum shall be determined through the means outlined in KCC 17.13.040 3.a.i.

4. Development rights from one sending site may be converted and transferred to more than one (1) receiving site and one receiving site may accept density credits from more than one (1) sending site.
5. The determination of the number of residential development rights a sending site has available shall be valid for transfer purposes only, shall be documented in a TDR certificate, and shall be considered a final determination, not to be revised due to changes to the sending site's zoning.
6. No density credits may be allowed from land already encumbered by a conservation easement, unless such land was encumbered by a TDR demonstration project.
7. The development right determinations and applications in 1. through 6. above extend only to the TDR program and do not change the sending site parcel's existing zone designation. (Ord. 2013-001, 2013; Ord. 2011-013, 2011; Ord. 2010-006, 2010 ; Ord. 2009-25, 2009)

17.13.050 Sending Site Development Limitations.

1. When only a portion of a site's development rights have been conveyed and extinguished, a sending site may subsequently accommodate remaining residential dwelling units, if any, on the remaining buildable portion of the parcel(s) or be subdivided consistent with the base density provisions for the applicable zone pursuant to Kittitas County Code and other Kittitas County development regulations.
2. Only those nonresidential uses directly related to the conservation values of the property and supportive of the criteria under which the sending site qualified are allowed on a sending site.
3. The TDR conservation easement by its terms may reserve dwelling units that may be developed in the future consistent with the easement. All development rights not explicitly reserved in the TDR conservation easement shall be extinguished through the TDR conservation easement. (Ord. 2009-25, 2009)

17.13.060 TDR Documentation of Restrictions.

1. Upon issuance of TDR certificates, deed restrictions documenting the development rights conveyance shall be recorded by the County and notice placed on the title of the sending parcel. The County shall establish and maintain an internal tracking system that identifies all certified transfers.
2. Upon issuance of TDR certificates, a TDR conservation easement granted by an appropriate land management nonprofit or quasi-governmental organization such as the Conservation District, shall be required for the sending site.
3. A TDR conservation easement permanently encumbers a sending site, excepting extraordinary circumstances and a determination of public benefit. The associated process for opting out of a TDR conservation easement for those qualifying shall include a finding by the Board of the following:
 - a. Demonstration of a hardship beyond the land owner's control; and
 - b. Purchase equivalent transfers of development rights; and
 - c. Adoption of a resolution by the Board finding that there is an equivalent or better public benefit to exchange the previously held easement for the easement described above in KCC 17.13.060(3)(b).
 - d. At the discretion of the Board, Kittitas County may elect to secure an appropriate land management nonprofit or quasi-governmental organization to receive, manage, and steward TDR conservation easements. (Ord. 2017-001, 2017; Ord. 2013-001,2013; Ord. 2010-006, 2010; Ord. 2010-02, 2010; Ord. 2009-25, 2009)

17.13.070 TDR Sending Site Certification.

1. The Director shall be responsible for determining whether properties are eligible to be considered a sending site. The Director shall base his/her decision on the materials provided by the landowner in a TDR sending site application and a satisfaction of the sending site requirements outlined in KCC 17.13.020.
2. Responsibility for preparing a completed sending site application rests exclusively with the applicant.
3. Following the Director's review and approval of a properly filed sending site application, the County shall issue a TDR certificate in conversion for the proposed sending site TDR conservation easement.
4. Sending site landowners may obtain TDR certificates which can be transferred pursuant to KCC 17.13.080 and used by receiving area landowners. The process for obtaining the TDR certificates is as follows:
 - a. Following an application for TDR certificates by the sending site owner, the County shall issue a TDR certificate letter of intent. The certificate letter of intent shall contain a determination of the number of development rights calculated for the sending site pursuant to KCC 17.13.040 and an agreement by the County to issue a corresponding number of TDR certificates in conversion for a sending site conservation easement granted to Kittitas County or an appropriate land management nonprofit or quasi-governmental organization by the sending site owner pursuant to KCC 17.13.060. The sending site owner may use the TDR certificate letter of intent to market sending site development rights to potential purchasers, but the certificate letter of intent shall have no value and cannot be transferred or used to obtain increased development rights within receiving areas.
 - b. A TDR certificate letter of intent shall be valid for a period of five (5) years from the date of issuance. If a TDR certificate letter of intent has not been converted to a serially numbered TDR certificate within a period of five (5) years from the date of issuance, then the landowner must reapply to CDS to determine whether the property is eligible to be considered a sending site.
 - c. As provided by the TDR certificate letter of intent, the County shall issue serially numbered TDR certificates to the sending site owner upon acceptance of a TDR conservation easement; provided, however, that the County shall have twenty-eight (28) days from the date of the conservation easement is offered by the sending site owner in which to conduct, at its discretion, a review of the sending site permit file and/or a site inspection.
 - d. A TDR conservation easement will not encumber a sending site until such time as a TDR certificate or certificates have been issued. (Ord. 2017-001, 2017; Ord. 2013-001, 2013; Ord. 2010-006, 2010; Ord. 2009-25, 2009)

17.13.080 TDR Transfer Process.

1. TDR transaction transferring density credits from within unincorporated Kittitas County to within an incorporated city shall be reviewed and transferred using the city's development application review process. The transfer shall be subject to a TDR agreement between Kittitas County and the city. The County and any city located within the County may also establish by agreement general procedures for facilitating and completing TDR transactions transferring density credits from unincorporated Kittitas County to any such city.
2. Density credits shall be required for approved amendments to the Comprehensive Plan associated with receiving sites detailed in KCC 17.13.030 1.a thru 1.h. Applications may be submitted without the purchase of density credits, but no final plat approval or other permits, if no land division is involved, for development associated with a TDR requirement shall be issued until the density credit requirement is satisfied.
 - a. The tender of density credits is not a precondition for any amendment to the Comprehensive Plan, Zoning Map or proposed development to be approved. The density credits are required before the County issues final plat approval or permits, if no land division is involved, for any development of the additional units in the Comprehensive Plan amendment. The developer must submit the density credits when applying for the permit.
 - b. The ordinance granting each Comprehensive Plan Amendment shall condition the approval upon the applicant's compliance with the requirement of development credits.

3. The required density credits may be acquired by:
 - a. Purchasing density credits from certified sending sites;
 - b. Transferring density credits from certified sending sites owned by a receiving site owner; or
 - c. Purchasing previously purchased, unexecuted TDR credits from another buyer.
4. All development using density credits must be in accordance with all other applicable laws and regulations.
5. The County may waive or modify the density credit requirements if it is determined by the Prosecuting Attorney that strict application of the requirement in a specific situation would result in an unconstitutional taking of property or a violation of the property owner's right to substantive due process. Modifications made under this provision shall be no greater than necessary to avoid the taking or substantive due process violation. The County shall provide written documentation supporting each application of the provision.
6. Density credits shall not be required as a condition of project permit approval when the development contains conditions requiring at least 30% of the proposed residential units be constructed as affordable housing. For the purposes of this chapter, affordable housing is defined as single family housing which is affordable to be purchased by low income individuals and families earning 80% of the area median income at the time of purchase, or multifamily housing where the rental fee per month is no greater than 30% of the monthly income of the individuals and families earning 80% of the area median income at the time of rental. Agreements must also be in place between the developer and Kittitas County to assure that rental properties remain affordable for a minimum of 25 years. Area median income is defined as the area median income for Kittitas County as determined by the United States Department of Housing and Urban Development.
7. For receiving sites listed in KCC 17.13.030, the exchange rate shall be as follows:

Receiving Sites	Exchange Rate
Urban Growth Areas	1 TDR Credit = 2 Additional Units
Planned Unit Developments	1 TDR Credit Per 20 Acres of Receiving Site Area
Rural Rezones	1 TDR Credit Per 20 Acres of Receiving Site Area

Example: Owner A wishes to rezone 80 acres of land currently zoned Forest and Range to Rural - 5 (receiving site). Owner B owns 640 acres of land zoned Commercial Forest (sending site). Owner B's property is eligible for up to eight TDR credits (640 ac. / 80 ac. = 8 or the total sending site acreage divided by the base density of underlying zoning). Owner A would be required to obtain four TDR credits from Owner B (4 x 20 ac. = 80 ac. or 1 TDR credit per 20 ac. of receiving site area). Owner B could then choose to retain the remaining four TDR credits or sell them to additional receiving sites. (Ord. 2016-023, 2016; Ord. 2011-005, 2011; Ord. 2010-006, 2010; Ord. 2009-25, 2009)

17.13.090 TDR Amenity Funding for Cities.

1. TDR amenity funding may be authorized from Kittitas County to cities as an incentive to enter into and utilize the TDR program.
2. TDR amenity funding shall be described in the TDR agreement between the County and the city. Amenity funding may differ between cities based upon the unique needs of the County and city. (Ord. 2009-25, 2009)

17.13.100 Condemned Lands.

All condemnation actions on sending sites encumbered by a TDR conservation easement in favor of Kittitas County or its assigns shall be mitigated. Mitigation value shall equal the value of the development rights at the time the property was encumbered with a TDR conservation easement, plus eight percent annual interest, irrespective of whether the development rights purchased on the property have been extinguished, banked or sold to a private party. (Ord. 2009-25, 2009)

**Chapter 17.14
PERFORMANCE BASED CLUSTER PLAT USES**

Repealed by Ord. 2013-001, 2013.

**Chapter 17.15
ALLOWED USES**

Sections

- 17.15.010 Categories of uses established.
- 17.15.015 Allowed uses for certain zones within the Ellensburg Urban Growth Area (UGA).
- 17.15.020 Establishment of zoning use tables.
- 17.15.030 Interpretation of tables.
- 17.15.040 Zoning use tables.
- 17.15.050 Allowed uses in resource lands.
- 17.15.060 Allowed uses in rural non-LAMIRD lands.
- 17.15.070 Allowed uses in rural LAMIRD lands.
- 17.15.080 Allowed uses in urban lands.

17.15.010 Categories of uses established.

This chapter establishes permitted, permitted administrative, administrative conditional use and conditional uses, by zone, for all properties within Kittitas County. All uses in a given zone are one (1) of four (4) types:

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

(Ord. 2016-023, 2016; Ord. 2013-012, 2013; Ord. 2013-001, 2013)

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

Properties located within the Ellensburg UGA which are zoned R, UR, C-H, C-L, I-L, I-G, and PUD (Bender Reecer and the Verge) shall utilize the use tables in KCC 17.11.037(4)(a), 17.11.037(4)(b), and 17.11.037(4)(c). (Ord. 2022-017, 2022)

17.15.020 Establishment of zoning use tables.

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

17.15.030 Interpretation of tables.

1. Legend. The following letters have the following meanings when they appear in the box at the intersection of the column and the row:

- P Permitted Use
- PA Permitted Administrative Use
- AC Administrative Conditional Use
- CU Conditional Use

2. Definitions. Uses defined in KCC Chapter 17.08 are indicated with an asterisk (*).

3. Additional Use-Related Conditions. The small numbers (superscript) in a cell indicate additional requirements or detailed information for uses in specific zones. Those additional requirements can be found in the footnotes that follow each allowed use table. All applicable Federal, State and local requirements shall govern a use whether specifically identified in this chapter or not.

4. The Director has the authority to allow uses that are substantially similar to an allowed use listed on the table subject to the same review procedures as the substantially similar use. In such cases, all adjacent property owners shall be given official notification for an opportunity to appeal such decisions within ten working days pursuant to Title 15A of this code, Project permit application process, except in the case of PUDs located inside the UGA where determination of substantially similar uses shall be made by the planning commission during review of the development plan required under KCC 17.36.030.

5. Accessory uses. The administrative official has the authority to permit uses that are customarily incidental to an allowed use listed on the table.

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

17.15.040 Zoning use tables.

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

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

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

(Ord. 2013-001, 2013)

17.15.50 Allowed Uses in Resource Lands.

17.15.50.1 Resource Use Table

P Permitted PA Permitted Administrative CU Conditional Use ACU Admin. Conditional Use <i>*See KCC Chapter 17.08 Definitions</i>	Resource	
	Commercial Agriculture	Commercial Forest
A. Agriculture		
Animal boarding*	P	P
Animal Crematory*	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	
Commercial Activities associated with agriculture*	AC	
	Commercial Agriculture	Commercial Forest
B. Civic Cultural Uses		
Cemetery	p ¹³	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	
Interpretive Center*		
	Commercial Agriculture	Commercial Forest
C. Commercial		
Auction sales of non-agriculture products		
Bank		
Bed and breakfast*	AC	
Clinic*		
Day care facilities*		
Funeral home/mortuary		
Hospital*		
Hospital, animal or veterinary*		
Hotel/motel		
Office*		
Restaurant		

Retail sales,* general		
Retail sales,* lumber and building materials		
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		
Explosives, storage or manufacture		
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		
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	
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*		
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		
Electric vehicle infrastructure*	P ³	P ³
Public facilities*	PA ¹⁹	PA ¹⁹
Solar Power Production Facilities	31	31
Utilities	P ¹ /ACU ¹ /CU ¹	P ¹ /ACU ¹ /CU ¹
Watershed management activities*	PA	PA

17.15.50.2 Footnotes Associated with Resource Use Table.

1. Pursuant to KCC Chapter 17.61, Utilities.
2. Provided:
 - a. The shelters are used to house farm laborers on a temporary or seasonal basis only, regardless of change of ownership, if it remains in farm labor-needed status;
 - b. The shelters must conform with all applicable building and health regulations;
 - c. The number of shelters shall not exceed four (4) per twenty (20) contiguous acres of land area;
 - d. The shelters are owned and maintained by the owner or operator of an agricultural operation which clearly demonstrates the need for farm laborers;
 - e. Should the parent agricultural operation cease or convert to non-agriculture use, then the farm labor shelters shall conform with all applicable buildings and health regulations.
3. Pursuant to KCC Chapter 17.66, Electric Vehicle Infrastructure.
4. Subject to the following requirements:
 - a. ADUs shall be allowed as a permitted use within designated UGAs;
 - b. ADUs shall be subject to obtaining an Administrative Use permit in areas outside UGAs;
 - c. Only one ADU shall be allowed per lot;
 - d. Owner of the property must reside in either the primary residence or the ADU;
 - e. The ADU shall not exceed the square footage of the habitable area of the primary residence;
 - f. All setback requirements for the zone in which the ADU is located shall apply;
 - g. The ADU shall meet the applicable health department standards for potable water and sewage disposal;
 - h. No mobile homes or recreational vehicles shall be allowed as an ADU;
 - i. The ADU shall provide additional off-street parking;
 - j. An ADU is not permitted on the same lot where a special care dwelling or an Accessory Living Quarters exists.
 - k. An ADU must have adequate acreage to meet maximum density within the zone classification.
5. Subject to the following requirements:
 - a. Accessory Living Quarters shall be located within an owner occupied primary residence;
 - b. Accessory Living Quarters are limited in size to no greater than fifty percent (50%) of the habitable area of the primary residence;
 - c. The Accessory Living Quarters are subject to applicable health district standards for water and sewage disposal;
 - d. Only one (1) Accessory Living Quarters shall be allowed per lot;
 - e. Accessory Living Quarters are to provide additional off-street parking;
 - f. Accessory Living Quarters are not allowed where an Accessory Dwelling Unit or Special Care Dwelling exists.
6. As of September 1, 1998, mobile homes are no longer allowed to be transported and placed within Kittitas County. Those units presently located in Kittitas County that are to be relocated within Kittitas County must have a fire/life inspection approved by the Washington State Department of Labor and Industries.
7. Subject to the following requirements:

The Special Care Dwelling must meet all setback requirements for the zone in which it is located;

 - a. The Special Care Dwelling must meet all applicable health department requirements for potable water and sewage disposal;
 - b. Placement is subject to obtaining a building permit for the manufactured home;
 - c. Owner must record a notice to title prior to the issuance of building permit which indicates the restrictions and removal requirements;
 - d. The Special Care Dwelling unit cannot be used as a rental unit;
 - e. The Special Care Dwelling unit must be removed when the need for care ceases;
 - f. A Special Care Dwelling is not permitted on the same lot where an Accessory Dwelling Unit or Accessory Living Quarter exists.
 - g. Park model trailers shall obtain the same building permit as for placement of a manufactured home.
 - h. Park model trailers shall be inspected and approved by Washington State Department of Labor and Industries.
8. No sign advertising a home occupation shall exceed sixteen (16) square feet in size. Home occupations with no outdoor activities or noise are permitted; home occupations with outdoor activities or noise are a conditional use. In-home daycares shall be limited to no more than six (6) individuals receiving care in a twenty-four (24) hour period.
9. Maximum of four (4) boarders and two (2) bedrooms dedicated to the use.
10. Pursuant to RCW 70.128.140.
11. When used for temporary occupancy for a period not-to-exceed one (1) year related to permanent home construction or seasonal/temporary employment.
12. Existing schools are permitted; new schools require a conditional use permit.
13. No new cemeteries. Existing cemeteries may expand or enlarge within established cemetery boundaries as of the date of amendment adoption, and in compliance with applicable standards and regulations.
14. Noncommercial sand and gravel excavation is permitted for on-site use without a conditional use permit.
15. Washington State Natural Area Preserves and Natural Resource Conservation Areas are permitted outright.
16. When located no more than forty-five (45) feet from the centerline of the public street or highway and selling goods produced on site.
17. Hay processing and small-scale processing of agricultural products produced on the premises are permitted outright.
18. Limited to campsites or primitive campgrounds as defined by KCC 17.08.155A.
19. Pursuant to KCC Chapter 17.62, Public Facilities Permits.
20. When used primarily in conjunction with agricultural activities.
21. For emergency and forest related management uses and practices only.

22. Limited to farm implement repair and maintenance.
23. Structures and facilities associated with the operation of shooting ranges are permitted and subject to all associated Kittitas County building codes and regulations. Shooting ranges may be operated in conjunction with other permitted or conditional uses for the specified zone. Shooting ranges are subject to periodic inspection and certification as deemed necessary by the Kittitas County Sheriff's Department. In considering proposals for the location of shooting ranges a detailed site plan shall be required; the Hearings Examiner's review of said site plan and the proposal as a whole shall include, but not be limited, to the following criteria:
 - a. The general health, safety, and welfare of surrounding property owners, their livestock, their agricultural products, and their property.
 - b. Adherence to the practices and recommendations of the "NRA Range Sourcebook."
 - c. Adherence to the practices and recommendations of the "EPA Best Management Practices for Lead at Outdoor Shooting Ranges."
 - d. Proposed shooting ranges in areas designated as agricultural land of long-term commercial significance shall comply with RCW 36.70A.177(3) as currently existing or hereafter amended, and shall be limited to lands with poor soils or those unsuitable for agriculture.
24. Limited to facilities that serve traditional rural or resource activities (such as granges).
25. Use shall not exceed 10,000 square feet and no more than eight (8) events shall occur within a calendar year.
26. Existing facilities are permitted; new facilities require a conditional use permit. Limited to agricultural products.
27. Limited to seasonal, non-structural hay storage.
28. An administrative conditional use permit is required when enhanced agricultural sales or sales of goods produced offsite are provided and/or when the farm stand is located more than forty-five (45) feet from the centerline of the public street or highway.
29. When enhanced agricultural sales are provided.
30. Agricultural Enhanced Uses which include eating and drinking establishments and/or event facilities for seminars or other social gatherings are limited to 4,000 square feet of total indoor floor area.
31. Pursuant to KCC 17.61C.050 and 17.61C.060.

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

17.15.060 Allowed uses in rural non-LAMIRD lands

17.15.060.1 Rural Non-LAMIRD Use Table

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
A. Agriculture								
Agricultural Enhanced Uses*			p55	p55		p55		
Agricultural direct marketing activities*	p62	p62	p62	p62				
Agricultural seasonal harvest festivities*	p63	p63	p63	p63				
Agricultural expanded seasonal harvest festivities*	C	C	C	C				
Animal boarding*	P	P	P	P		CU	CU	
Agriculture processing*	CU ²³		CU ²³	CU **		P		
Agriculture production*	p24	P	P	p24	p24	p24	p24	p24
Farm Stand,*	p22 / AC ⁵¹	p22 / AC ⁵¹	p22 / AC ⁵¹	p22 / AC ⁵¹	p22 / AC ⁵¹	P	p22 / AC ⁵¹	p22 / AC ⁵¹
Agriculture Sales,*	CU		CU			P		
Dairy	CU	CU	CU	CU	CU	CU	CU	
Feedlot*			CU	CU **				
Grazing*	P	P	P	P	P	P	P	P
Marijuana processing*								
Marijuana production*								
Marijuana, retail sales*								
Nurseries	P	P	P	CU **		P	CU ⁶¹	
Riding academies	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	p ⁵²
Commercial Activities associated with agriculture*	AC		AC					
	Ag 5 ⁵¹	Rural 5 ⁵¹	Ag 20 ⁵¹	Forest & Range	Master Planned	General Commercial	Rural Recreation	PUD
B. Civic Uses / Community Services								
Cemetery	p 21	p 21	p 21	CU **	p 21	p 21	p 21	p 21
Clubhouses, fraternities and lodges*	AC 44	AC 44	AC 3	AC 35	AC		AC	
Cultural and education facilities					P		P	
Libraries			CU 3			CU		
Meeting facilities					P			
Museums and galleries						CU		
Religious institutions	CU		CU	CU	CU	CU	CU	
Schools, public or private*	p 25		p 25	CU			CU	
Interpretive Center*			AC	AC			AC	
	Ag 5 ⁵¹	Rural 5 ⁵¹	Ag 20 ⁵¹	Forest & Range	Master Planned	General Commercial	Rural Recreation	PUD
C. Commercial								
Auction sales of non-agriculture products						CU		
Bank						CU		
Bed and breakfast*	AC	AC	AC	AC **			AC	
Clinic*								
Day care facilities*								
Funeral home/mortuary								
Hospital*								
Hospital, animal or veterinary*			CU			CU		
Hotel/motel					CU 6			
Office*						p 17		
Restaurant				CU 36	P	CU	CU	
Retail sales,* general				CU 36	P	CU 18	CU 18	
Retail sales,* lumber and building materials								
Retail sales,* vehicles								
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		

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	P
Dwelling, two-family*	P		p 3	p 34	p 1		CU	P
Dwelling, multiple-family*					p 1			P
Farm labor shelter*	CU 4		CU 4	CU 4 **				
Group home*	CU	CU					CU	
Group Care Facility*	CU ⁵⁶	CU	CU ⁵⁶	CU			CU	
Home occupation*	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								
Mobile home	p 38	p 38		p 34				
Special care dwelling*	p30	p30	p30	p30			CU ³⁰	p30
Temporary trailer	p 7	p 7	p 7	p 7 **	p 7	p 7	p 7	p 7
	Ag 5 ⁵¹	Rural 5 ⁵¹	Ag 20 ⁵¹	Forest & Range ⁵¹	Master Planned	General Commercial	Rural Recreation	PUD

G. Resource

Forestry*	P	P	P	p 34				
Forest product sales*				P				
Mining and excavation*	CU	CU 39	CU	p 34				
Rock crushing*		CU 39		p 34				
	Ag 5 ⁵¹	Rural 5 ⁵¹	Ag 20 ⁵¹	Forest & Range 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 32	p 26
Public facilities*	PA ⁵³	PA ⁵³	PA ⁵³	PA ⁵³	PA ⁵³	PA ⁵³	PA ⁵³	PA ⁵³
Solar Power Production Facilities	57	57	57	57	57	57	57	57
Utilities	P 9 /ACU 9 /CU 9	P 9 /ACU 9 /CU 9	P 10 /ACU 10 /CU 10	P 9 /ACU 9 /CU 9	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	

** Publisher's Note: Footnote 37 was erroneously referenced in this section by Ordinance 2013-001

17.15.060.2 Footnotes Associated with Rural Non-LAMIRD Use Table.

1. Provided use is integrated into and supports the on-site recreational nature of the master planned resort and short-term visitor accommodation units constitute greater than fifty percent (50%) of the total resort accommodation units.
2. No new residence shall be permitted except that related to the business or enterprises allowed in this zone such as janitor or night watchman. Any such residence shall meet the requirements of the residential zone.
3. Not permitted in the Agriculture Study Overlay Zone. Clubhouses, fraternities and lodges limited to facilities that serve traditional rural or resource activities (such as granges).
4. Provided:
 - a. The shelters are used to house farm laborers on a temporary or seasonal basis only, regardless of change of ownership, if it remains in farm labor-needed status;
 - b. The shelters must conform with all applicable building and health regulations;
 - c. The number of shelters shall not exceed four (4) per twenty (20) contiguous acres of land area;
 - d. The shelters are owned and maintained by the owner or operator of an agricultural operation which clearly demonstrates the need for farm laborers;
 - e. Should the parent agricultural operation cease or convert to non-agriculture use, then the farm labor shelters shall conform with all applicable buildings and health regulations.
5. No sign advertising a home occupation shall exceed sixteen (16) square feet in size. Home occupations with no outdoor activities or noise are permitted; home occupations with outdoor activities or noise are a conditional use. In-home daycares with six (6) or fewer individuals receiving care in a twenty-four (24) hour period are permitted; in-home daycares with seven to twelve (7-12) individuals receiving care in a twenty-four (24) hour period require a Conditional Use Permit.

6. Provided short-term visitor accommodation units constitute greater than fifty percent (50%) of the total resort accommodation units.
 7. When used for temporary occupancy for a period not-to-exceed one (1) year related to permanent home construction or seasonal/temporary employment.
 8. Public transportation deadhead stations permitted; passenger terminals are a Conditional Use.
 9. Utilities are defined and regulated by KCC Chapter 17.61, Utilities.
 10. Utilities are defined and regulated by KCC Chapter 17.61, Utilities. Not permitted in the Agriculture Study Overlay Zone.
 11. Utilities are defined and regulated by KCC Chapter 17.61, Utilities. Limited to the capital facilities, utilities, and services necessary to maintain and operate the master planned resort.
 12. In considering proposals for location of campgrounds, the Board shall consider at a minimum the following criteria:
 - a. Campgrounds should be located at sufficient distance from existing rural residential/residential development so as to avoid possible conflicts and disturbances;
 - b. Traffic volumes generated by such a development should not create a nuisance or impose on the privacy of nearby residences or interfere with normal traffic flow;
 - c. Landscaping or appropriate screening should be required and maintained where necessary for buffering;
 - d. Adequate and convenient vehicular access, circulation and parking should be provided;
 - e. Public health and safety of campers and those reasonably impacted by the campground (i.e. health, water, sanitation).
 13. Campgrounds and Recreational vehicle sites with power and water are permitted; campgrounds and recreational vehicle sites without power and water require a conditional use permit.
 14. The following standards shall apply to the approval and construction of mini-warehouses:
 - a. A mini-warehouse proposal (application) must include plans for aesthetic improvements and/or sight screening;
 - b. All buildings with storage units facing property boundaries shall have a minimum setback of thirty-five (35) feet;
 - c. No commercial or manufacturing activities will be permitted within any building or storage unit;
 - d. Lease documents shall spell out all conditions and restrictions of the use;
 - e. Signs, other than on-site direction aids, shall number not more than two (2) and shall not exceed forty (40) square feet each in area.
 15. Permitted when conducted wholly within an enclosed building (excluding off-street parking and loading areas).
 16. Limited to farm implement repair and maintenance.
 17. Limited to offices directly related to tourism and recreation.
 18. Retail sales are limited to groceries and sales directly related to tourism and recreation. Structural footprint containing all of these activities may not exceed 4,000 square feet.
 19. Limited to composting facilities.
 20. Limited to those services typically found on other destination resort properties and designed to serve the convenience needs of the users and employees of the master planned resort. Shall be designed to discourage use from non-resort users by locating such services well within the site rather than on its perimeter.
 21. No new cemeteries. Existing cemeteries may expand or enlarge within established cemetery boundaries as of the date of amendment adoption, and in compliance with applicable standards and regulations.
 22. When located no more than forty-five (45) feet from the centerline of the public street or highway and selling goods produced on site.
 23. Hay processing, and small-scale processing of agricultural products produced on the premises are permitted without a conditional use permit.
 24. Excluding swine and mink, provided a minimum of one (1) acre is available. When located in the Liberty Historic Overlay Zone, this use is subject to the provisions of KCC Chapter 17.59.
 25. Existing schools are permitted; new schools require a conditional use permit. Not permitted in the Agriculture Study Overlay Zone.
 26. Recreational vehicle storage may be enclosed or outdoor storage of recreational vehicles or both. Permitted where the use is only serving a residential PUD or in the Rural Recreation and Forest and Range zoning districts and subject to the following standards and conditions:
 - a. All stored vehicles must be licensed if required by law, and operational. This land use does not include vehicle sales.
 - b. Unless it is limited to serving a residential PUD and otherwise permitted or authorized, recreational vehicles shall not be stored outside when the site is contiguous to a residential zoning district.
 - c. No commercial or manufacturing activities are permitted except when recreational vehicle/equipment service and repair has been permitted subject to the requirements of KCC 17.15.060.2 Footnote 60.
 - d. In the Forest and Range zoning district, and when not limited to serving a recreational planned unit development, the site shall either be:
 - i. Contiguous to a State Highway, or
 - ii. Contiguous to a designated urban arterial or rural collector road located near a highway intersection or freeway interchange.
 - iii. It is not necessary for the site to have direct access to such arterial, collector or highway to meet this requirement.
 - e. Recreational vehicle storage shall be designed to be compatible with the surrounding rural character, subject to the following standards:
 - i. Storage areas shall be enclosed with a minimum five-foot-high, security fence. The applicant may be required to provide additional plans for aesthetic improvements and/or site-screening.
 - ii. Additional setbacks, physical barriers or site-screening may be required on sites that border resource lands in the Commercial Agriculture or Commercial Forest zoning districts.
 - iii. Findings shall be made that the proposal does not require urban governmental services such as municipal sewer or water service and does not compromise the long-term viability of designated resource lands.
 - iv. Measures shall be taken to protect ground and surface water.
- Electric Vehicle Infrastructure subject to provisions of KCC Chapter 17.66.
27. Subject to the following requirements:
 - a. ADUs shall be allowed as a permitted use within designated UGAs;
 - b. ADUs shall be subject to obtaining an Administrative Use permit in areas outside UGAs;
 - c. Only one ADU shall be allowed per lot;
 - d. Owner of the property must reside in either the primary residence or the ADU;
 - e. The ADU shall not exceed the square footage of the habitable area of the primary residence;
 - f. All setback requirements for the zone in which the ADU is located shall apply;
 - g. The ADU shall meet the applicable health department standards for potable water and sewage disposal;
 - h. No mobile homes or recreational vehicles shall be allowed as an ADU;
 - i. The ADU shall provide additional off-street parking;

- j. An ADU is not permitted on the same lot where a special care dwelling or an Accessory Living Quarters exists.
 - k. An ADU must have adequate acreage to meet maximum density within the zone classification.
28. Subject to the following requirements:
 - a. Accessory Living Quarters shall be located within an owner-occupied primary residence;
 - b. Accessory Living Quarters are limited in size to no greater than fifty percent (50%) of the habitable area of the primary residence;
 - c. The Accessory Living Quarters are subject to applicable health district standards for water and sewage disposal;
 - d. Only one (1) Accessory Living Quarters shall be allowed per lot;
 - e. Accessory Living Quarters are to provide additional off-street parking;
 - f. Accessory Living Quarters are not allowed where an Accessory Dwelling Unit or Special Care Dwelling exists.
 29. Maximum of four (4) boarders and two (2) bedrooms dedicated to the use.
 30. Subject to the following requirements:
 - a. The Special Care Dwelling must meet all setback requirements for the zone in which it is located;
 - b. The Special Care Dwelling must meet all applicable health department requirements for potable water and sewage disposal;
 - c. Placement is subject to obtaining a building permit for the manufactured home;
 - d. Owner must record a notice to title prior to the issuance of building permit which indicates the restrictions and removal requirements;
 - e. The Special Care Dwelling unit cannot be used as a rental unit;
 - f. The Special Care Dwelling unit must be removed when the need for care ceases;
 - g. A Special Care Dwelling is not permitted on the same lot where an Accessory Dwelling Unit or Accessory Living Quarter exists.
 - h. Park model trailers shall obtain the same building permit as for placement of a manufactured home.
 - i. Park model trailers shall be inspected and approved by Washington State Department of Labor and Industries.
 31. Structures and facilities associated with the operation of shooting ranges are permitted and subject to all associated Kittitas County building codes and regulations. Shooting Ranges may be operated in conjunction with other permitted or conditional uses for the specified zone. Shooting Ranges are subject to periodic inspection and certification as deemed necessary by the Kittitas County Sheriff's Department. In considering proposals for the location of Shooting Ranges a detailed site plan shall be required; the Board's review of said site plan and the proposal as a whole shall include, but not be limited, to the following criteria:
 - a. The general health, safety, and welfare of surrounding property owners, their livestock, their agricultural products, and their property.
 - b. Adherence to the practices and recommendations of the "NRA Range Sourcebook."
 - c. Adherence to the practices and recommendations of the "EPA Best Management Practices for Lead at Outdoor Shooting Ranges."
 - d. Proposed shooting ranges in areas designated as agricultural land of long-term commercial significance shall comply with RCW 36.70A.177(3) as currently existing or hereafter amended, and shall be limited to lands with poor soils or those unsuitable for agriculture.
 32. Subject to the provisions of KCC Chapter 17.66, Electric Vehicle Infrastructure.
 33. Single family homes located in Twin Pines Trailer Park, Central Mobile Home Park, or Swiftwater shall be subject to the provisions of KCC Chapter 17.24, Historic Trailer Court Zone.
 34. When located in the Liberty Historic Overlay Zone, this use is subject to the provisions of KCC Chapter 17.59.
 35. Limited to facilities that serve traditional rural or resource activities (such as granges). Allowed as a permitted use in the Liberty Historic Overlay Zone, subject to the provisions of KCC Chapter 17.59.
 36. Allowed only as a conditional use in the Liberty Historic Overlay Zone, subject to the provisions of KCC Chapter 17.59.
 37. Prohibited in the Liberty Historic Overlay Zone. Temporary asphalt plants only.
 38. As of September 1, 1998, mobile homes are no longer allowed to be transported and placed within Kittitas County. Those units presently located in Kittitas County that are to be relocated within Kittitas County must have a fire/life inspection approved by the Washington State Department of Labor and Industries. Mobile homes located in Twin Pines Trailer Park, Central Mobile Home Park, or Swiftwater shall be subject to the provisions of KCC Chapter 17.24, Historic Trailer Court Zone.
 39. Permitted when located within an established mining district; conditional use permit required when located outside established mining district.
 40. Single family homes located in Twin Pines Trailer Park, Central Mobile Home Park, or Swiftwater shall be subject to the provisions of KCC Chapter 17.24, Historic Trailer Court Zone.
 41. Pursuant to RCW 70.128.140.
 42. Permitted when conducted wholly within an enclosed building (excluding off-street parking and loading areas).
 43. Includes truck stop operations. Minor repair work permitted.
 44. Limited to facilities that serve traditional rural or resource activities (such as granges).
 45. Use shall not exceed 10,000 square feet and no more than eight (8) events shall occur within a calendar year.
 46. Existing facilities are permitted; new facilities require a conditional use permit. Limited to agricultural products.
 47. Limited to seasonal, non-structural hay storage.
 48. Services limited to resource based industries
 49. All lots greater than one-half (1/2) acre will not have more than fifty percent (50%) of the lot covered by impervious surface.
 50. An administrative conditional use permit is required when enhanced agricultural sales or sales of goods produced offsite are provided and/or when the farm stand is located more than forty-five (45) feet from the centerline of the public street or highway.
 51. When enhanced agricultural sales are provided.
 52. When approved as part of the PUD development plan.
 53. Pursuant to KCC Chapter 17.62, Public Facilities Permits.
 54. Limited to primitive campgrounds as defined by KCC 17.08.155A.
 55. Agricultural Enhanced Uses which include eating and drinking establishments and/or event facilities for seminars or other social gatherings are limited to 4,000 square feet of total indoor floor area.
 56. Only allowed as a conditional use when primary use of land is agriculture.
 57. Pursuant to KCC 17.61C.050 and 17.61C.060.
 58. (Removed per Ord. 2022-017, 2022)
 59. The following standards shall apply to the approval and construction of mini warehouses in the Forest and Range zone:
 - a. The site shall either be contiguous to a State Highway or contiguous to a designated urban arterial or rural collector road located near a highway intersection or freeway interchange. It is not necessary for the site to have direct access to such arterial, collector or highway to meet this requirement;

- b. Findings shall be made that the use does not require urban government services such as municipal sewer or water service and does not compromise the long-term viability of designated resource lands;
 - c. Additional setbacks, physical barriers or site-screening may be required on sites that border resource lands in the Commercial Agriculture or Commercial Forest zoning districts;
 - d. Measures shall be taken to protect ground and surface water;
 - e. A mini-warehouse proposal (application) must include plans for aesthetic improvements and/or sight screening;
 - f. All buildings with storage units facing property boundaries shall have a minimum setback of thirty-five (35) feet;
 - g. No commercial or manufacturing activities will be permitted within any building or storage unit except for RV storage when authorized under KCC 17.15.060.2, Footnote 60;
 - h. Lease documents shall spell out all conditions and restriction of the use;
 - i. Signs, other than on-site direction aids, shall number not more than two (2) and shall not exceed forty (40) square feet each in area.
60. Recreational vehicle/equipment service and repair is permitted by conditional use permit in the Forest and Range zoning district. The site shall either be:
- a. Contiguous to a State Highway, or
 - b. Contiguous to a designated urban arterial or rural collector road located near a highway intersection or freeway interchange.
 - c. It is not necessary for the site to have direct access to such arterial, collector or highway to meet this requirement.
- Vehicles under repair shall either be kept inside buildings or visually screened from surrounding areas. No on-street vehicle parking shall be allowed associated with the use. All vehicles, including recreational vehicles and customer and employee automobiles shall be stored or parked on-site at all times. Maintenance and repair activities shall not take place in RV storage enclosures or spaces, except limited maintenance and minor repairs may be performed on RV's that are already being stored at the site in order to avoid having to move them, when such maintenance and repair activities can be completed in two hours or less and only in the enclosures or spaces in which the RV's are already being kept. This use shall be designed to be compatible with the surrounding rural character, subject to the following standards:
- a. Findings shall be made that the use does not require urban governmental services such as municipal sewer or water service and does not compromise the long-term viability of designated resource lands.
 - b. Additional setbacks, physical barriers or site-screening may be required on sites that border resource lands in the Commercial Agriculture or Commercial Forest zoning districts.
 - c. Measures shall be taken to protect ground and surface water.
61. Nurseries limited to the growth, display, and/or sale of plants, shrubs, trees, and materials used in indoor or outdoor planting. Sale of bulk landscape materials such as rock, bark, mulch and topsoil shall not be permitted in this zone. Pre-packaged landscape materials are excluded from this restriction.
62. Agricultural direct marketing activities shall comply with all of the following standards:
- a. The subject property shall be actively farmed by the property owner.
 - b. Retail structures shall not total more than three thousand (3,000) square feet.
 - c. The parcel, or adjacent parcel, shall include the residence of the owner or operator of the farm.
 - d. Carnival rides, helicopter rides, inflatable features and other typical amusement park games, facilities and structures are not permitted.
 - e. The use shall be operated in accordance with all applicable federal, state, and local ordinances.
 - f. New structures or existing structures converted for public use shall meet current building and fire codes.
 - g. Adequate sanitary facilities shall be provided in accordance with Kittitas County Public Health Department requirements.
 - h. Adequate ingress/egress shall be provided to and from the site in accordance with Kittitas County ~~Public Works~~ [Public Services](#) requirements.
 - i. Sufficient land area is provided to accommodate the proposed use and related parking, and the use and any appurtenant structures shall be so arranged on the land as to minimize any adverse effects on surrounding properties. The use shall not create particular hazards to adjacent properties.
63. Agricultural seasonal harvest festivities shall comply with all of the following standards:
- a. The site shall conform to the requirements for "agricultural direct marketing activities" except as provide for herein.
 - b. Hours of operation shall occur between 8:00 a.m. and 6:00 p.m.
 - c. Seasonal harvest festivities are prohibited on vacant property, unless the vacant land adjoins property occupied by the owner/operator of the festivities.
 - d. Seasonal harvest festivities shall be limited to Friday, Saturday, Sunday, and Monday, from the second weekend of June through the December 31.
 - e. Inflatable amusement devices, such as moonwalks, slides, or other inflatable games for children, shall be limited to a maximum of five (5) per seasonal harvest festivities event.

(Ord. 2022-017, 2022; Ord. 2021-015, 2021; Ord. 2019-013, 2019; Ord. 2018-021, 2018; Ord. 2018-018, 2018; Ord. 2018-001, 2018; Ord. 2016-023, 2016; Ord. 2015-010, 2015; Ord. 2014-015, 2014; Ord. 2014-005, 2014; Ord. 2014-004, 2014; Ord. 2013-012, 2013; Ord. 2013-008, 2013; Ord. 2013-001, 2013)

17.15.70 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.

17.15.70.1 Rural LAMIRD Use Table

P Permitted PA Permitted Administrative CU Conditional Use ACU Admin. Conditional Use *See KCC Chapter 17.08 Definitions	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

A. Agriculture														
Animal boarding*	CU ¹	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*	CU ¹		P	P ⁵			P ⁴	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	P
Marijuana Processing*							ACU ⁵⁶	ACU ⁵⁶						
Marijuana Production*							ACU ⁵⁶	ACU ⁵⁶						
Marijuana, retail sales*														
Nurseries	CU	CU		P	P	P			CU		P	P	P	CU
Riding academies				CU					CU					
Small-scale event facility*														
U-Pick/Cut Operations*														
Farm Visit*														
Commercial Activities associated with agriculture*				AC										
	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

B. Civil and Cultural														
Cemetery	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹	CU	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹
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	
Religious institutions*	CU	CU		CU					CU					
Schools, public and private*	CU	CU	CU	CU	CU				CU					

Interpretive Center*														
	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
C. Commercial														
Auction sales of non-agriculture products											P	P		
Bank					PA	PA								
Bed and breakfast*	CU	CU	CU	CU	CU	CU				CU	CU	CU ⁵¹	CU ⁵¹	CU ⁵¹
Clinic*	CU ¹²			CU	CU									
Day care facilities*	P/CU ⁶¹	P/CU ⁶¹		CU	CU							CU		
Funeral home/mortuary					CU									
Hospital*														
Hospital, animal or Veterinary*					CU						CU	CU		
Hotel/motel					CU	CU				P		CU ⁵³	CU ⁵³	
Office*					PA	PA ¹³						PA	PA ¹³	
Restaurant					PA	PA				P	P	P	P	
Retail sales,* general					p ⁴⁸	p ¹⁴				P	p ⁴⁸	p ⁴⁸	p ¹⁴	
Retail sales,* lumber and building materials					p ¹⁵							p ¹⁵		
Retail sales,* vehicles												PA		
Services					p ⁴⁵	p					p ⁴⁵	p ⁴⁵		
Shooting range*					CU ⁴⁰							CU ⁴⁰		
Tavern					P	P				P		P	P	
Temporary sales office														
Vehicle/equipment service and repair*					p ¹¹	p ¹⁹						p ¹⁸	p ¹¹	p ¹⁹
	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
D. Industrial														
Airport*				CU										CU ⁴⁶
Asphalt/Concrete plants									CU					
Explosives, storage or manufacture							CU	CU						CU

Forest product processing* (portable)			P	P					CU			CU		CU
Forest product processing* (permanent)				CU					CU			CU		CU
Freighting and trucking yard or terminal*														
Hazardous waste storage*														CU
Hazardous waste treatment*														
Impound/Towing Yard*						CU 60	p 60			CU 60				
Junkyard*														
Manufacturing*												P		P
Mini-warehouse					CU 22		P		CU 22		p 22	p 22		P
Refuse disposal/recycle*														
Research laboratories											CU			P
Wastewater treatment														
Warehousing and distribution														
Wholesale business											CU54	p54		p54
	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

E. Recreation

Campgrounds			CU 21	CU 21	CU 21	CU 21			CU21 p 57					CU 21
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	
Recreation, indoor*					P	P				p 35		P	P	
Recreation, outdoor*					CU	CU				p 35		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	PA	PA
	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

F. Residential

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	p 42
Boarding house	CU 37			CU 37						CU 37				
Convalescent home				CU						CU				
Dwelling, single-family	P	P	P	P	P					p	p	p 25	p 25	
Dwelling, two-family	P	P		p	p 25					p	p			
Dwelling, multiple-family	CU									p				
Farm Labor Shelter				CU 26						CU 26				
Group Home Facility*			CU											
Group Care			CU							CU				
Home occupation	P/CU 27	P/CU 28	P/CU 28	P/CU 28	P/CU 28	P/CU 28	P/CU 28	P/CU 28	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 25	p 25	
Manufactured home park	CU 58		CU 58	CU 58	p					CU 58	p		p	
Mobile homes		p 38	p 6							p				
Special care dwelling	p 39	p 39	p 39	p 39	p 39					p	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
	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

G. Resource

Forestry*			P	P						p				
Forest product sales*										p				
Mining and excavation*												CU		CU
Rock crushing*												CU		CU

	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
H. Utilities and Public Facilities														
Electric vehicle infrastructure	p 23	p 23	p 23	p 23	p 23	p 23	p 23	p 23	p 23	p 23	p 35	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
Solar Power Production Facilities	59	59	59	59	59	59	59	59	59	59	59	59	59	59
Utilities	p 33 /ACU 33 /CU 33	p 33 /ACU 33 /CU 33	p 33 /ACU 33 /CU 33	p 33 /ACU 33 /CU 33	p 33 /ACU 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 /CU 33	p 33 /ACU 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 /CU 33
Watershed management activities	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA

17.15.70.2 Footnotes Associated with Rural LAMIRD Use Table.

1. Limited to the keeping of horses or cattle for personal enjoyment of the owner or occupant of the lot, provided that the lot contains one (1) acre or more.
2. Limited to products produced on the premises.
3. Hay processing and small-scale processing of agricultural products produced on the premises are permitted outright.
4. Slaughterhouses require a conditional use permit.
5. Provided the lot contains one (1) acre or more. Agriculture production on smaller lots requires a conditional use permit. Raising of swine and mink prohibited.
6. As of September 1, 1998, mobile homes are no longer allowed to be transported and placed within Kittitas County. Those units presently located in Kittitas County that are to be relocated within Kittitas County must have a fire/life inspection approved by the Washington State Department of Labor and Industries. Single family and mobile homes located in Twin Pines Trailer Park, Central Mobile Home Park or Swiftwater shall be subject to the provisions of KCC Chapter 17.24, Historic Trailer Court Zone.
7. When located no more than forty-five (45) feet from the centerline of the public street or highway and selling goods produced on site.
8. Feedlots existing at the time of adoption of the ordinance codified herein may expand or be enlarged only in compliance with standards and regulations contained herein, and such operations shall comply with all state and/or county health regulations.
9. No new cemeteries. Existing cemeteries may expand or enlarge within established cemetery boundaries as of the date of amendment adoption, and in compliance with applicable standards and regulations.
10. Not permitted in the Agriculture Study Overlay Zone.
11. Permitted when conducted wholly within an enclosed building (excluding off-street parking and loading areas).
12. Provided the minimum lot size shall be fifteen thousand (15,000) square feet.
13. When the office activities are directly related to tourism and recreation.
14. Retail sales limited to groceries and sales of souvenirs, gifts, novelties, curios and handicraft products. Grocery stores may not exceed four thousand (4,000) square feet.
15. Any open storage shall be enclosed by a sight-obscuring fence not less than six (6) feet and not more than seven (7) feet high.
16. Not to exceed two (2) years.
17. Limited to farm implement repair and maintenance, but not to include automobiles, trucks or bikes
18. Limited to service stations, provided there shall be no repairing, repainting, reconstruction or sale of motor vehicles from the premises.
19. Includes truck stop operations. Minor repair work permitted.
20. Because of considerations of odor, dust, smoke, noise, fumes, vibration or hazard, the following uses shall not be permitted in the industrial zone unless a conditional use permit authorizing such use has been granted by the Board:
 - a. All chemical manufacture, storage and/or packaging;
 - b. Asphalt manufacture, mixing, or refining;
 - c. Automobile dismantling, wrecking or junk yards;
 - d. Blast furnaces or coke ovens;
 - e. Cement, lime, gypsum or plaster of Paris manufacture;
 - f. Drop forge industries;
 - g. Reduction or disposal of garbage, offal or similar refuse;
 - h. Oil refining; alternative energy refinery (i.e. biofuels, ethanol)
 - i. Rubber reclaiming;
 - j. Feed yards, livestock sales yards or slaughterhouses;
 - k. Smelting, reduction or refining of metallic ores;
 - l. Tanneries;
 - m. Wineries;
 - n. Manufacturing of industrial or household adhesives, glues, cements, or component parts thereof, from vegetable, animal or synthetic plastic materials;

- o. Waste (refuse) recycling and processing;
 - p. On-site and off-site hazardous waste storage and/or treatment. Off-site materials shall be accepted only from Kittitas County source sites.
- In considering the issuance of conditional use permits for the foregoing listed uses, the Board shall:
- 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. Only one (1) ADU shall be allowed per lot;
 - b. Owner of the property must reside in either the primary residence or the ADU;
 - c. The ADU shall not exceed the square footage of the habitable area of primary residence;
 - d. The ADU shall be designed to maintain the appearance of the primary residence;
 - e. All setback requirements for the zone in which the ADU is located shall apply;
 - f. The ADU shall meet the applicable health department standards for potable water and sewage disposal;
 - g. No mobile homes or recreational vehicles shall be allowed as an ADU;
 - h. The ADU shall provide additional off-street parking;
 - i. An ADU is not permitted on the same lot where a special care dwelling or an Accessory Living Quarters exists.
 - j. An ADU must have adequate acreage to meet maximum density within the zone classification.
 25. No new residence shall be permitted except that related to the business or enterprises allowed in this zone such as janitor or night watchman. Any such residence shall meet the requirements of the residential zone.
 26. Provided that:
 - a. The shelters are used to house farm laborers on a temporary or seasonal basis only, regardless of change of ownership, if it remains in farm labor-needed status;
 - b. The shelters must conform with all applicable building and health regulations;
 - c. The number of shelters shall not exceed four (4) per twenty (20) contiguous acres of land area;
 - d. The shelters are owned and maintained by the owner or operator of an agricultural operation which clearly demonstrates the need for farm laborers;
 - e. Should the parent agriculture operation cease or convert to non-agriculture use, then the farm labor shelters shall conform with all applicable building, zoning, and platting requirements or be removed
 27. Home occupations with no outdoor activities or noise are permitted; home occupations with outdoor activities or noise are a conditional use. Offices of a physician, dentist or other professional person when located in his or her dwelling as well as home occupations engaged in by individuals within their dwellings are allowed provided that no window display is made or any sign shown other than one (1) not exceeding two (2) square feet in area and bearing only the name and occupation of the occupant.
 28. Home occupations with no outdoor activities or noise are permitted; home occupations with outdoor activities or noise are a conditional use. In Type 3 LAMIRDS, home occupations are allowed only in existing residences.
 29. When used for temporary occupancy for a period not-to-exceed one (1) year related to permanent home construction or seasonal/temporary employment.
 30. Noncommercial sand and gravel excavation is permitted for on-site use without a conditional use permit.
 31. Permitted when located within an established mining district; requires conditional use permit outside an established mining district.
 32. Public transportation deadhead stations permitted; passenger terminals are a Conditional Use.
 33. Utilities are defined and regulated by KCC Chapter 17.61, Utilities.
 34. Utilities are defined and regulated by KCC Chapter 17.61, Utilities. Not permitted in the Agriculture Study Overlay Zone.
 35. Where the use is only serving a residential PUD and where all applicable standards are met. Electric Vehicle Infrastructure subject to KCC Chapter 17.66.
 36. Subject to the following requirements:
 - a. Accessory Living Quarters shall be located within an owner occupied primary residence;
 - b. Accessory Living Quarters are limited in size to no greater than fifty percent (50%) of the habitable area of the primary residence;
 - c. The Accessory Living Quarters are subject to applicable health district standards for water and sewage disposal;
 - d. Only one (1) Accessory Living Quarters shall be allowed per lot;
 - e. Accessory Living Quarters are to provide additional off-street parking;
 - f. Accessory Living Quarters are not allowed where an Accessory Dwelling Unit or Special Care Dwelling exists; and
 - g. In Type 3 LAMIRDS, Accessory Living Quarters may only be allowed in an existing residence.
 37. Maximum of four (4) boarders and two (2) bedrooms dedicated to the use.
 38. As of September 1, 1998, mobile homes are no longer allowed to be transported and placed within Kittitas County. Those units presently located in Kittitas County that are to be relocated within Kittitas County must have a fire/life inspection approved by the Washington State Department of Labor and Industries.

39. Subject to the following requirements:
 - a. The Special Care Dwelling must meet all setback requirements for the zone in which it is located;
 - b. The Special Care Dwelling must meet all applicable health department requirements for potable water and sewage disposal;
 - c. Placement is subject to obtaining a building permit for the manufactured home;
 - d. Owner must record a notice to title prior to the issuance of building permit which indicates the restrictions and removal requirements;
 - e. The Special Care Dwelling unit cannot be used as a rental unit;
 - f. The Special Care Dwelling unit must be removed when the need for care ceases;
 - g. A Special Care Dwelling is not permitted on the same lot where an Accessory Dwelling Unit or Accessory Living Quarter exists.
 - h. Park model trailers shall obtain the same building permit as for placement of a manufactured home.
 - i. Park model trailers shall be inspected and approved by Washington State Department of Labor and Industries.
40. Structures and facilities associated with the operation of shooting ranges are permitted and subject to all associated Kittitas County building codes and regulations. Shooting ranges may be operated in conjunction with other permitted or conditional uses for the specified zone. Shooting Ranges are subject to periodic inspection and certification as deemed necessary by the Kittitas County Sheriff's Department. Shooting ranges in Type 1 LAMIRDS must be indoors. In considering proposals for the location of shooting ranges a detailed site plan shall be required; the Hearings Examiner's review of said site plan and the proposal as a whole shall include, but not be limited, to the following criteria:
 - a. The general health, safety, and welfare of surrounding property owners, their livestock, their agricultural products, and their property.
 - b. Adherence to the practices and recommendations of the "NRA Range Sourcebook."
 - c. Adherence to the practices and recommendations of the "EPA Best Management Practices for Lead at Outdoor Shooting Ranges."
 - d. Proposed shooting ranges in areas designated as agricultural land of long-term commercial significance shall comply with RCW 36.70A.177 (3) as currently existing or hereafter amended, and shall be limited to lands with poor soils or those unsuitable for agriculture.
41. Outdoor recreation activities that cause noise require a conditional use permit.
42. Subject to provisions of RCW 70.128.140.
43. Use shall not exceed 10,000 square feet and no more than eight (8) events shall occur within a calendar year.
44. Existing facilities are permitted; new facilities require a conditional use permit. Limited to agricultural products.
45. Services limited to resource based industries, barbershops, beauty parlors, dry cleaning and laundry branch offices, self-service laundry and cleaning, shoe repair shops and physical culture and health services.*
46. No new airports. Existing airports may expand or enlarge in compliance with applicable standards and regulations.*
47. (Removed per Ord. 2022-017, 2022)
48. Permitted when conducted wholly within an enclosed building (excluding off-street parking and loading areas), provided the use does not exceed four thousand (4,000) square feet.*
49. All allowed uses identified on this use table are subject to compliance with WAC 365-196-425.6.c.i. RCW 36.07A.070(5)(d)(i).*
50. All allowed uses identified on this use table are subject to compliance with WAC 365-196-425.6.c.iii RCW 36.70A.070(5)(d)(iii).*
51. Allowed only in existing residences.*
52. Any new Type 3 LAMIRD is required to be at least one-half mile from another Type 3 LAMIRD, and will permit only one business and/or businesses associated with the primary business in the new LAMIRD Type 3. Type 3 LAMIRDS existing as of 2014 are not limited to one business.*
53. Permitted only within existing Type 3 LAMIRDS.*
54. Wholesale activity will not exceed 4000 square feet in space.*
55. Pursuant to KCC Chapter 17.62, Public Facilities Permits.
56. Required to meet all the review criteria requirements for conditional use permits found in KCC 17.60A.015.
57. Limited to primitive campgrounds as defined by KCC 17.08.155A.
58. Subject to the following requirements:
 - a. Manufactured home parks shall require approval of a binding site plan pursuant to KCC Title 16.
 - b. Manufactured home park density shall not to exceed twelve (12) units per acre. A minimum of five (5) manufactured home spaces shall be required per park.
 - c. Manufactured home parks shall provide not less than ten percent (10%) of the gross area of the park for common open space for the use of its residents.
 - d. Each manufactured home space shall have direct frontage on a public or private street.
 - e. The minimum setbacks shall be consistent with the zoning classification they are located in.
59. Pursuant to KCC 17.61C.050 and 17.61C.060.
60. Applies only to Snoqualmie Pass LAMIRD.
61. Day Care Facilities servicing 13 or more adults or children within a 24-hour period require a Conditional Use Permit. All Day Care Facilities must comply with all State licensing requirements.

(Ord. 2022-017, 2022; Ord. 2021-015, 2021; Ord. 2018-021, 2018; Ord. 2018-018, 2018; Ord. 2018-001, 2018; Ord. 2015-010, 2015; Ord. 2014-015, 2014; Ord. 2014-005, 2014; Ord. 2014-004, 2014; Ord. 2013-012, 2013; Ord. 2013-008, 2013; Ord. 2013-001, 2013)

17.15.80 Allowed Uses in Urban Lands.

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

17.15.80.1 Urban Use Table

P Permitted PA Permitted Administrative CU Conditional Use ACU Admin. Conditional Use *See KCC Chapter 17.08 Definitions	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

A. Agriculture													
Animal boarding*	CU ¹			CU				CU				CU	
Agricultural Enhanced Uses*								p ⁴⁹				p ⁴⁹	
Agriculture processing*				p ²				P		p ⁴	p ⁴	CU	
Agriculture production*	CU ¹	CU ⁵		p ⁵	P	P				p ⁴	p ⁴	p ⁵	
Agriculture sales,* Produce Farm stand				p ⁷ / AC ⁴⁶					P			p ⁷ / AC ⁴⁶	
Agriculture sales		CU		CU				CU				CU	
Dairy													
Feedlot*				CU ⁸								CU ⁸	
Grazing*		P		P	P	P	P	P	P	P	P	P	
Marijuana Processing*										ACU ⁴⁴	ACU ⁴⁴		
Marijuana Production*										ACU ⁴⁴	ACU ⁴⁴		
Marijuana, retail sales*													
Nurseries	CU	CU		P	P	P	P	P	P			CU	
Riding Academies		CU		CU		CU						CU	
Small-scale event facility*				AC ⁴² /CU	AC ⁴² /CU	AC ⁴² /CU						AC ⁴² /CU	
U-Cut/U-Pick operation*				P / AC ⁴⁵									
Farm Visit*				CU	CU	CU	CU	CU	CU			CU	
Commercial Activities associated with agriculture*		AC		AC									
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD

B. Civic and Cultural													
Cemetery	p ⁹	p ⁹	p ⁹	p ⁹	p ⁹	p ⁹	p ⁹	p ⁹	p ⁹	p ⁹	p ⁹	CU	p ⁹
Clubhouses, fraternities and lodges*	AC	AC		P	P	P						AC	

Cultural and educational facilities	CU												
Libraries				CU			P	P					
Meeting facilities													
Museums and galleries	CU	CU		CU				p 11	p			CU	
Religious institutions*	CU	CU		CU								CU	
Schools, public or private*		CU		CU			P	P				CU	
Interpretive Center*													
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD

C. Commercial

Auction sales of non-agriculture products				CU				P				CU	
Bank								P	P				
Bed and breakfast*				AC		AC						AC	
Clinic*	CU 12												
Day care facilities*	P/CU ⁵²	P/CU ⁵²		CU	P/CU ⁵²	P/CU ⁵²	CU	CU	CU			CU	
Funeral home/mortuary								CU					
Hospital*	CU			CU				P				CU	
Hospital, animal or veterinary*								CU					
Hotel/motel								P	P				P
Office*								P	p 13				
Restaurant							P	P	P				P
Retail sales,* general							p 11	p 11	p 14				P
Retail sales,* lumber and building materials								p 15					P
Retail sales,* vehicles								P					P
Services							p 11	p 11	p 11				
Shooting range*								CU 6				CU 6	
Tavern								P	P				P
Temporary sales office													
Vehicle/ equipment service and repair*							p 18	p 11	p 19	p 19			
	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

Recreational vehicle storage													P
Stadiums								CU					
Trails	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD

F. Residential

Accessory dwelling unit*	p 24	p 24		p 24	p 24	p 24		p 25					p 24
Accessory living quarters*	p 36	p 36		p 36	p 36	p 36		p 25					p 36
Adult family home*	p 41	p 41	p 41	p 41	p 41	p 41	p 41	p 41	p 41			p 41	p 41
Boarding house	CU 37			CU 37								CU 37	
Convalescent home												CU	
Dwelling, single-family*	P	P	p 40	P	P	P	P	p25				P	P
Dwelling, two-family*	P	P		P			P	p25				P	P
Dwelling, multiple-family*	AC												P
Farm labor shelter*				CU ²⁶								CU ²⁶	
Group home*					CU	CU						CU	
Group Care Facility*						CU						CU	
Home occupation*	P/CU ²⁷	P/CU ²⁸		P/CU ²⁸	P/CU ²⁸	P/CU ²⁸						P/CU ²⁸	P/CU ²⁸
Manufactured home*	P	P	P	P	P	P	P	P				P	P
Manufactured home park	CU ⁵⁰	CU ⁵⁰		CU ⁵⁰	CU ⁵⁰	CU ⁵⁰		P				CU ⁵⁰	CU ⁵⁰
Mobile home		p 38	p 40		p 38							p 38	p 38
Special care dwelling*	p 17	p 17		p 17	p 17	p 17	p 17						p 17
Temporary trailer	p 29	p 29	p 29	p 29	p 29	p 29	p 29	p 29	p 29	p 29	p 29		CU 29
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD

G. Resource

Forestry*				P	P	P							P
Forest product sales*													P
Mining and excavation*				CU 30	CU 31	CU 31							P
Rock crushing"					CU 31	CU 31							P
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD

H. Utilities and Public Facilities

Electric vehicle infrastructure*	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
Solar Power Production Facilities	51	51	51	51	51	51	51	51	51	51	51	51	51
Utilities	p 33 /ACU 33 /CU 33	p 33 /ACU 33 /CU 33		p 33 /ACU 33 /CU 33	p 33 /ACU 33 /CU 33	p 33 /ACU 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 /CU 33	p 33 /ACU 33 /CU 33	p 33 /ACU 33 /CU 33	p 33 /ACU 33 /CU 33
Watershed management activities*	PA	PA		PA	PA	PA	PA	PA	PA	PA	PA	PA	PA

17.15.80.2 Footnotes Associated with Urban Use Table.

1. Limited to the keeping of horses or cattle for personal enjoyment of the owner or occupant of the lot, provided that the lot contains one (1) acre or more.
2. Limited to products produced on the premises.
3. Hay processing and small-scale processing of agricultural products produced on the premises are permitted outright.
4. Feed yards, livestock sales yards, and slaughterhouses require a conditional use permit.
5. Provided the lot contains one (1) acre or more. Agriculture production on smaller lots requires a conditional use permit except for the raising of swine specific to youth educational projects. Raising of mink is prohibited.
 - a. Fencing and housing adequate to fully contain swine shall be provided when permitted.
6. Structures and facilities associated with the operation of shooting ranges are permitted and subject to all associated Kittitas County building codes and regulations. Shooting Ranges may be operated in conjunction with other permitted or conditional uses for the specified zone. Shooting Ranges are subject to periodic inspection and certification as deemed necessary by the Kittitas County Sheriff's Department. In considering proposals for the location of Shooting Ranges a detailed site plan shall be required; the Board review of said site plan and the proposal as a whole shall include, but not be limited to the following criteria:
 - a. The general health, safety, and welfare of surrounding property owners, their livestock, their agricultural products, and their property.
 - b. Adherence to the practices and recommendations of the "NRA Range Sourcebook."
 - c. Adherence to the practices and recommendations of the "EPA Best Management Practices for Lead at Outdoor Shooting Ranges."
 - d. Proposed shooting ranges in areas designated as agricultural land of long term commercial significance shall comply with RCW 36.70A.177(3) as currently existing or hereafter amended, and shall be limited to lands with poor soils or those unsuitable for agriculture.
7. When located not less than forty-five (45) feet from the centerline of the public street or highway and selling goods produced on site.
8. Feedlots existing at the time of adoption of the ordinance codified herein may expand or be enlarged only in compliance with standards and regulations contained herein, and such operations shall comply with all state and/or county health regulations.
9. No new cemeteries. Existing cemeteries may expand or enlarge within established cemetery boundaries as of the date of amendment adoption, and in compliance with applicable standards and regulations.
10. Subject to provisions of KCC Chapter 17.66, Electric Vehicle Infrastructure.
11. Permitted when conducted wholly within an enclosed building (excluding off-street parking and loading areas).
12. Provided the minimum lot size shall be fifteen thousand (15,000) square feet.
13. When the office activities are directly related to tourism and recreation.
14. Retail sales limited to groceries and sales of souvenirs, gifts, novelties, curios and handicraft products. Grocery stores may not exceed four thousand (4,000) square feet.
15. Any open storage shall be enclosed by a sight-obscuring fence not less than six (6) feet and not more than seven (7) feet high.
16. Not to exceed two (2) years.
17. Subject to the following requirements:
 - a. The Special Care Dwelling must meet all setback requirements for the zone in which it is located.
 - b. The Special Care Dwelling must meet all applicable health department requirements for potable water and sewage disposal.
 - c. Placement is subject to obtaining a building permit for the manufactured home.
 - d. Owner must record a notice to title prior to the issuance of building permit which indicates the restrictions and removal requirements.
 - e. The Special Care Dwelling unit cannot be used as a rental unit.
 - f. The Special Care Dwelling unit must be removed when the need for care ceases.
 - g. A Special Care Dwelling is not permitted on the same lot where an Accessory Dwelling Unit or Accessory Living Quarter exists.
 - h. Park model trailers shall obtain the same building permit as for placement of a manufactured home.
 - i. Park model trailers shall be inspected and approved by Washington State Department of Labor and Industries.
18. Limited to service stations, provided there shall be no repairing, repainting, reconstruction or sale of motor vehicles from the premises.
19. Includes truck stop operations. Minor repair work permitted.
20. Because of considerations of odor, dust, smoke, noise, fumes, vibration or hazard, the following uses shall not be permitted in the industrial zone unless a conditional use permit authorizing such use has been granted by the Board:
 - a. All chemical manufacture, storage and/or packaging;
 - b. Asphalt manufacture, mixing, or refining;
 - c. Automobile dismantling, wrecking or junk yards;
 - d. Blast furnaces or coke ovens;
 - e. Cement, lime, gypsum or plaster of Paris manufacture;
 - f. Drop forge industries;
 - g. Reduction or disposal of garbage, offal or similar refuse;

- h. Oil refining; alternative energy refinery (i.e. biofuels, ethanol)
- i. Rubber reclaiming;
- j. Feed yards, livestock sales yards or slaughterhouses;
- k. Smelting, reduction or refining of metallic ores;
- l. Tanneries;
- m. Wineries;
- n. Manufacturing of industrial or household adhesives, glues, cements, or component parts thereof, from vegetable, animal or synthetic plastic materials;
- o. Waste (refuse) recycling and processing;
- p. On-site and off-site hazardous waste storage and/or treatment. Off-site materials shall be accepted only from Kittitas County source sites.

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

- 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 such campgrounds, the Board shall consider at a minimum the following criteria:
- a. Campgrounds should be located at sufficient distance from existing rural residential/residential development so as to avoid possible conflicts and disturbances.
 - b. Traffic volumes generated by such a development should not create a nuisance or impose on the privacy of nearby residences or interfere with normal traffic flow.
 - c. Landscaping or appropriate screening should be required and maintained where necessary for buffering.
 - d. Adequate and convenient vehicular access, circulation and parking should be provided.
 - e. Public health and safety of campers and those reasonably impacted by the campground (i.e. health, water, sanitation)
22. The following standards shall apply to the approval and construction of mini-warehouses:
- a. A mini-warehouse proposal (application) must include plans for aesthetic improvements and/or sight screening;
 - b. All buildings with storage units facing property boundaries shall have a minimum setback of thirty-five (35) feet;
 - c. No commercial or manufacturing activities will be permitted within any building or storage unit;
 - d. Lease documents shall spell out all conditions and restrictions of the use;
 - e. Signs, other than on-site direction aids, shall number not more than two (2) and shall not exceed forty (40) square feet each in area;
23. Subject to all state and/or county health regulations and to regulations in this title, provided a minimum of one (1) acre is available. Excluding swine and mink.
24. Accessory Dwelling Unit (ADU) subject to the following requirements:
- a. ADUs shall be allowed as a permitted use within designated UGAs.
 - b. ADUs shall be subject to obtaining an Administrative Use permit in areas outside of UGAs.
 - c. Only one (1) ADU shall be allowed per lot.
 - d. Owner of the property must reside in either the primary residence or the ADU.
 - e. The ADU shall not exceed the square footage of the habitable area of primary residence.
 - f. The ADU shall be designed to maintain the appearance of the primary residence.
 - g. All setback requirements for the zone in which the ADU is located shall apply.
 - h. The ADU shall meet the applicable health department standards for potable water and sewage disposal.
 - i. No mobile homes or recreational vehicles shall be allowed as an ADU.
 - j. The ADU shall provide additional off-street parking.
 - k. An ADU is not permitted on the same lot where a special care dwelling or an Accessory Living Quarters exists.
 - l. An ADU must have adequate acreage to meet maximum density within the zone classification.
25. No new residence shall be permitted except that related to the business or enterprises allowed in this zone such as janitor or night watchman. Any such residence shall meet the requirements of the residential zone.
26. Provided that:
- a. The shelters are used to house farm laborers on a temporary or seasonal basis only, regardless of change of ownership, if it remains in farm labor-needed status;
 - b. The shelters must conform with all applicable building and health regulations;
 - c. The number of shelters shall not exceed four (4) per twenty (20) contiguous acres of land area;
 - d. The shelters are owned and maintained by the owner or operator of an agricultural operation which clearly demonstrates the need for farm laborers;
 - e. Should the parent agriculture operation cease or convert to non-agriculture use, then the farm labor shelters shall conform with all applicable building, zoning, and platting requirements or be removed
27. Home occupations with no outdoor activities or noise are permitted; home occupations with outdoor activities or noise are a conditional use. Offices of a physician, dentist or other professional person when located in his or her dwelling as well as home occupations engaged in by individuals within their dwellings are allowed provided that no window display is made or any sign shown other than one (1) not exceeding two (2) square feet in area and bearing only the name and occupation of the occupant.
28. Home occupations with no outdoor activities or noise are permitted; home occupations with outdoor activities or noise are a conditional use. No sign advertising a home occupation shall exceed sixteen (16) square feet in size.
29. When used for temporary occupancy for a period not to exceed one (1) year related to permanent home construction or seasonal/temporary employment.
30. Noncommercial sand and gravel excavation is permitted for on-site use without a conditional use permit.
31. Permitted when located within an established mining district; requires conditional use permit outside an established mining district.
32. Public transportation deadhead stations permitted; passenger terminals are a Conditional Use.
33. Utilities are defined and regulated by KCC Chapter 17.61, Utilities.
34. Utilities are defined and regulated by KCC Chapter 17.61, Utilities. Not permitted in the Agriculture Study Overlay Zone.
35. Where the use is only serving a residential PUD and where all applicable standards are met.
36. Subject to the following requirements:
- a. Accessory Living Quarters shall be located within an owner occupied primary residence.
 - b. Accessory Living Quarters are limited in size to no greater than fifty percent (50%) of the habitable area of the primary residence.

- c. The Accessory Living Quarters are subject to applicable health district standards for water and sewage disposal.
 - d. Only one (1) Accessory Living Quarters shall be allowed per lot.
 - e. Accessory Living Quarters are to provide additional off-street parking.
 - f. Accessory Living Quarters are not allowed where an Accessory Dwelling Unit or Special Care Dwelling exists.
37. Maximum of four (4) boarders and two (2) bedrooms dedicated to the use.
 38. As of September 1, 1998, mobile homes are no longer allowed to be transported and placed within Kittitas County. Those units presently located in Kittitas County that are to be relocated within Kittitas County must have a fire/life inspection approved by the Washington State Department of Labor and Industries.
 39. Outdoor recreation activities that cause noise require a conditional use permit.
 40. Pursuant to KCC Chapter 17.24, Historic Trailer Court Zones.
 41. Pursuant to RCW 70.128.140.
 42. Use shall not exceed 10,000 square feet and no more than eight (8) events shall occur within a calendar year.
 43. Limited to seasonal, non-structural hay storage.
 44. Required to meet all the review criteria requirements for conditional use permits found in KCC 17.60A.015.
 45. An administrative conditional use permit is required when enhanced agricultural sales or sales of goods produced offsite are provided and/or when the farm stand is located more than forty-five (45) feet from the centerline of the public street or highway.
 46. When enhanced agricultural sales are provided.
 47. Pursuant to KCC Chapter 17.62, Public Facilities Permits.
 48. Limited to primitive campgrounds as defined by KCC 17.08.155A.
 49. Agricultural Enhanced Uses which include eating and drinking establishments and/or event facilities for seminars or other social gatherings are limited to 10,000 square feet of total indoor floor area.
 50. Subject to the following requirements:
 - a. Manufactured home parks shall require approval of a binding site plan pursuant to KCC Title 16.
 - b. Manufactured home park density shall not to exceed twelve (12) units per acre. A minimum of five (5) manufactured home spaces shall be required per park.
 - c. Manufactured home parks shall provide not less than ten percent (10%) of the gross area of the park for common open space for the use of its residents.
 - d. Each manufactured home space shall have direct frontage on a public or private street.
 - e. The minimum setbacks shall be consistent with the zoning classification they are located in.
 51. Pursuant to KCC 17.61C.050 and 17.61C.060.
 52. Day Care Facilities servicing 13 or more adults or children within a 24-hour period require a Conditional Use Permit. All Day Care Facilities must comply with all State licensing requirements.

(Ord. 2022-017, 2022; Ord. 2021-015, 2021; Ord. 2019-013, 2019; Ord. 2018-018, 2018; Ord. 2018-001, 2018; Ord. 2016-023, 2016; Ord. 2015-010, 2015; Ord. 2015-002, 2015; Ord. 2014-015, 2014; Ord. 2014-005, 2014; Ord. 2014-004, 2014; Ord. 2013-012, 2013; Ord. 2013-008, 2013; Ord. 2013-001, 2013)

Chapter 17.16

R - RESIDENTIAL ZONE*

Sections

- 17.16.010 Purpose and intent.
- 17.16.015 Development within the Ellensburg Urban Growth Area (UGA).
- 17.16.020 Allowed uses.
- 17.16.030 Minimum lot requirements.
- 17.16.040 Maximum lot coverage.
- 17.16.050 Maximum structure height.
- 17.16.060 Yard requirements - Front.
- 17.16.070 Yard requirements - Side.
- 17.16.080 Yard requirements - Rear.
- 17.16.085 Yard requirements - Zones Adjacent to Commercial Forest Zone.
- 17.16.090 Half streets.
- 17.16.100 Sale or conveyance of lot portion.
- 17.16.110 Off-street parking.
- 17.16.120 Repealed.
- 17.16.121 Repealed.

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

17.16.010 Purpose and intent.

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

17.16.015 Development within the Ellensburg Urban Growth Area (UGA).

For properties located within the City of Ellensburg UGA, the uses and development standards in KCC 17.11.030 through 17.11.039 shall be utilized. Where KCC 17.11.030 through 17.11.039 does not identify development uses and standards to be utilized for development within the Ellensburg UGA, this chapter shall apply. (Ord. 2022-017, 2022)

17.16.020 Allowed uses.

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

17.16.030 Minimum lot requirements.

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

17.16.040 Maximum lot coverage.

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

17.16.050 Maximum structure height.

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

17.16.060 Yard requirements - Front.

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

17.16.070 Yard requirements - Side.

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

17.16.080 Yard requirements - Rear.

- a. There shall be a rear yard with a minimum depth of twenty-five (25) feet.
- b. The rear yard setback depth shall be fifteen (15) feet for parcels within the Snoqualmie Pass LAMIRD.
- c. Rear yard setbacks may be modified in accordance with KCC 16.10.065. (Ord. 2022-017, 2022; Ord. 2022-005, 2022; Ord. 2019-013, 2019; Ord. 2013-001, 2013; Res. 83-10, 1983)

17.16.085 Yard requirements - Zones Adjacent to Commercial Forest Zone

Properties bordering or adjacent to the Commercial Forest zone are subject to a two hundred (200)-foot setback from the Commercial Forest Zone. (KCC 17. 57.050(1)). For properties where such setback isn't feasible, development shall comply with KCC 17.57.050(2). (Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.16.090 Half streets.

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

17.16.100 Sale or conveyance of lot portion.

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

17.16.110 Off-street parking.

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

17.16.120 Repealed.

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

17.16.121 Repealed.

(Ord. 2013-001, 2013; Ord. 2007-22, 2007)

Chapter 17.18**R-2 - RESIDENTIAL****Sections**

- 17.18.010 Purpose and intent.
- 17.18.020 Allowed uses.
- 17.18.025 Repealed.
- 17.18.030 Minimum lot requirements.
- 17.18.040 Maximum lot coverage.

- 17.18.050 Maximum structure height.
- 17.18.060 Yard requirements - Front.
- 17.18.070 Yard requirements - Side.
- 17.18.080 Yard requirements - Rear.
- 17.18.085 Yard requirements- Zones Adjacent to Commercial Forest Zones.
- 17.18.090 Repealed.

17.18.010 Purpose and intent.

The purpose and intent of the Residential 2 one is to provide for and protect areas for homesite development designed to meet contemporary building and living standards where public water and sewer systems are provided. (Ord. 2013-001, 2013; Ord. 8910 (part), 1989)

17.18.020 Allowed uses.

Uses allowed in the Residential 2 zone include those uses pursuant to KCC Chapter 17.15. (Ord. 2011-013, 2011; Ord. 2007-22, 2007; Ord. O-2006-01, 2006; Ord. 96-19 (part), 1996; Ord. 89-10 (part), 1989)

17.18.025 Repealed.

(Ord. 2013-001, 2013; Ord. 2007-22, 2007; Ord. O-2006-01, 2006; Ord. 95-8, 1995)

17.18.030 Minimum lot requirements.

1. Minimum lot sizes in the R-2 zone are as follows:
 - a. Single-family dwelling, seven thousand two hundred square feet for any lots created after the date of the ordinance codified in this chapter; 5,000 square feet for all existing platted lots.
 - b. Two-family dwelling, ten thousand square feet.
2. The minimum lot depth shall be one hundred feet.
3. The minimum average lot width shall be sixty-five feet.
4. In no case shall there be more than one main dwelling and its accessory buildings constructed on one lot unless such lot is twice the minimum required for a single-family dwelling.
5. No main dwelling shall be built or moved on to a lot not abutting a public street, with the exception of special cases where the county may approve other suitable access. (Ord. 2013-001, 2013; Ord. 89-10 (part), 1989)

17.18.040 Maximum lot coverage.

The ground area covered by all buildings including accessory buildings shall not exceed thirty percent (30%) for lots six thousand five hundred (6,500) square feet or more in area (created after the date of the ordinance codified in this chapter) and forty percent (40%) for lots less than six thousand five hundred (6,500) feet in area. (Ord. 2013-001, 2013; Ord. 89-10 (part), 1989)

17.18.050 Maximum structure height.

Maximum structure height. No structure shall exceed two and one-half (2½) stories, or thirty-five feet (35), whichever is less in height. (Ord. 2013-001, 2013; Ord. 89-10 (part), 1989)

17.18.060 Yard requirements - Front.

- a. There shall be a front yard having a minimum depth of fifteen feet (15), unless a previous building line less than this has been established, in which case the minimum front yard for interior lots shall be the average of the setbacks of the main structures on the abutting lots on either side if both lots are occupied. If one (1) lot is occupied and the other vacant, the setback shall be the setback of the occupied lot plus one-half (½) the remaining distance to the required fifteen (15) foot setback. If neither of the abutting side lots or tracts are occupied by a structure, the setback shall be fifteen (15) feet.
- b. The front yard setback depth shall be twenty-five (25) feet for parcels within the Snoqualmie Pass LAMIRD. (Ord. 2019-013, 2019; Ord. 2013-001, 2013; Ord. 89-10 (part), 1989)

17.18.070 Yard requirements - Side.

There shall be a side yard of not less than ten (10) feet on one side, and five (5) feet on the opposite side of a building. (Side of building means outer face, any part of building nearest to the side line, not including roof eaves.) Side yard setbacks may be modified in accordance with KCC 16.10.065. (Ord. 2022-005, 2022; Ord. 2019-013, 2019; Ord. 2013-001, 2013; Ord. 89-10 (part), 1989)

17.18.080 Yard requirements - Rear.

- a. There shall be a rear yard with a minimum depth of twenty-five (25) feet. However one accessory structure may be constructed within five (5) feet of the rear lot line.
- b. The rear yard setback depth shall be fifteen (15) feet for parcels within the Snoqualmie Pass LAMIRD.
- c. Rear yard setbacks may be modified in accordance with KCC 16.10.065. (Ord. 2022-017, 2022; Ord. 2022-005, 2022; Ord. 2019-013, 2019; Ord. 2013-001, 2013; Ord. 8910 (part), 1989)

17.18.085 Yard requirements - Zones Adjacent to Commercial Forest Zone

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

17.18.090 Repealed.

(Ord. 2013-001, 2013; Ord. 2007-22, 2007)

Chapter 17.19

R-3 - RURAL-3 ZONE*

Sections

- 17.19.010 Purpose and intent.
- 17.19.020 Allowed uses.
- 17.19.030 Repealed.
- 17.19.040 Lot size required.
- 17.19.045 Development Standards.
- 17.19.050 Yard requirements.
- 17.19.055 Yard requirements- Zones Adjacent to Commercial Forest Zone.
- 17.19.060 Sale or conveyance of lot portion.
- 17.19.070 Repealed.
- 17.19.080 Repealed.
- 17.19.090 Repealed.

* Chapter 17.19 R-3 - Rural-3 Zone was renumbered from 17.30 (Ord. 2013-001, 2013)

17.19.010 Purpose and intent.

The purpose and intent of the Rural-3 zone is to provide areas where residential development may occur on a low density basis. A primary goal and intent in siting R-3 zones will be to minimize adverse effects on adjacent natural resource lands. (Ord. 92-4 (part), 1992)

17.19.020 Uses permitted.

Uses allowed in the Rural-3 zone include those uses pursuant to KCC Chapter 17.15. (Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2011-013, 2011; Ord. O-2006-01, 2006; Ord. 96-19 (part), 1996; Ord. 92-4 (part), 1992)

17.19.030 Repealed.

(Ord. 2013-001, 2013; Ord. 2007-22, 2007; Ord. O-2006-01, 2006; Ord. 92-4 (part), 1992)

17.19.040 Lot size required.

The minimum residential lot size shall be three acres in the Rural-3 zone, unless within a cluster plat as provided for in KCC Chapter 16.09, Cluster Platting and Conservation Platting. Lots within a cluster plat shall be a minimum of one-half (½) acre. The overall density of any residential development shall not exceed one (1) dwelling for each three (3) acres. (Ord. 2013-001, 2013; Ord. 2007-22, 2007; Ord. 92-4 (part), 1992)

17.19.050 Yard requirements.

There shall be a minimum front yard setback of twenty-five (25) feet. Side and rear yard setbacks shall be fifteen (15) feet. Side and rear yard setbacks may be modified in accordance with KCC 16.10.065. (Ord. 2022-005, 2022; Ord. 2013-001, 2013; Ord. 92-4 (part), 1992)

17.19.055 Yard requirements - Zones Adjacent to Commercial Forest Zone.

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

17.19.060 Sale or conveyance of lot portion.

No sale or conveyance of any portion of a lot, for other than a public purpose, shall leave a structure on the remainder of the lot with less than the minimum lot, yard or setback requirements of this zone. (Ord. 2013-001, 2013; Ord. 92-4 (part), 1992)

17.19.070 Repealed.

(Ord. 2013-001, 2013; Ord. 92-4 (part), 1992)

17.19.080 Repealed.

(Ord. 2016-006, 2016; Ord. 2013-001, 2013; Ord. 92-4 (part), 1992)

17.19.090 Repealed.

(Ord. 2013-001, 2013; Ord. 2007-22, 2007)

Chapter 17.20

RR - RURAL RESIDENTIAL ZONE*

Repealed by Ord. 2013-001, 2013

Chapter 17.22

UR - URBAN RESIDENTIAL ZONE*

Sections

- 17.22.010 Purpose and intent.
- 17.22.015 Development within the Ellensburg Urban Growth Area (UGA).
- 17.22.020 Allowed uses.
- 17.22.030 Lot - Size required.
- 17.22.040 Maximum lot coverage.
- 17.22.050 Maximum height permitted.
- 17.22.060 Yard requirements.

17.22.065 Yard requirements- Zones Adjacent to Commercial Forest Zone.

17.22.090 Grazing.

17.22.100 Repealed.

17.22.110 Repealed.

17.22.120 Repealed.

* Prior history: Ord. Z77-2.

17.22.010 Purpose and intent.

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

17.22.015 Development within the Ellensburg Urban Growth Area (UGA).

For properties located within the City of Ellensburg UGA, the uses and development standards in KCC 17.11.030 through 17.11.039 shall be utilized. Where KCC 17.11.030 through 17.11.039 does not identify uses and development standards to be utilized for development within the Ellensburg UGA, this chapter shall apply. (Ord. 2023-006, 2023; Ord. 2022-017, 2022)

17.22.020 Allowed uses.

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

17.22.030 Lot - Size required.

1. This provision shall not apply to the Airport Overlay.
2. Minimum lot sizes in the UR zone are as follows:
 - a. Single family dwelling, seven thousand two hundred (7,200) square feet.
 - b. Two (2) family dwelling, ten thousand (10,000) square feet.
3. All lots of record at the time of passage of the ordinance codified in this chapter shall be considered as conforming to lot size requirements. (Ord. 2023-006, 2023; Ord. 2022-017, 2022; Ord. 2019-013, 2019; Ord. 2013-001, 2013; Ord. 2007-22, 2007; Res. 83-10, 1983)

17.22.040 Maximum lot coverage.

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

17.22.050 Maximum height permitted.

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

17.22.060 Yard requirements.

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

17.22.065 Yard requirements at Zones Adjacent to Commercial Forest Zone.

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

17.22.090 Repealed.

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

17.22.100 Repealed.

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

17.22.110 Repealed.

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

17.22.120 Repealed.

(Ord. 2013-001, 2013; Ord. 2007-22, 2007)

Chapter 17.24

H-T-C - HISTORIC TRAILER COURT ZONES*

Sections

17.24.010 Purpose and intent.

17.24.015 Development within the Ellensburg Urban Growth Area (UGA).

17.24.020A Existing Uses.

17.24.020B Repealed.

17.24.030 Minimum requirements.

17.24.040 Yard requirements.

17.24.045 Yard requirements- Zones Adjacent to Commercial Forest Zone.

17.24.050 Design standards.

17.24.060 Plot plan required.**

17.24.070 Off-street parking.

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

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

17.24.010 Purpose and intent.

The purpose and intent of the trailer court zone is to recognize established mobile home developments located in Kittitas County. No further expansion of these developments is allowed. (Ord. 2007-22, 2007; Ord. 83-Z-2 (part), 1983)

17.24.015 Development within the Ellensburg Urban Growth Area (UGA).

For properties located within the City of Ellensburg UGA, the uses and development standards in KCC 17.11.030 through 17.11.039 shall be utilized. Where KCC 17.11.030 through 17.11.039 does not identify uses and development standards to be utilized for development within the Ellensburg UGA, this chapter shall apply. (Ord. 2022-017, 2022)

17.24.020A Existing Uses.

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

17.24.020B Repealed.

(Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.24.030 Minimum requirements.

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

1. Mobile Homes. The minimum area for a historic trailer (mobile home) court site shall be three thousand five hundred (3,500) square feet times the number of individual trailer sites to be provided. Densities must have the approval of the county health office.
2. Single Family Home. The requirements are the same as the requirements of the Rural-5 zone.
3. Electric Vehicle Infrastructure. See KCC Chapter 17.66 (Ord. 2013-001, 2013; Ord. 2011-013, 2011; Ord. 2007-22, 2007; Res. 83-10, 1983)

17.24.040 Yard requirements.

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

17.24.045 Yard requirements - Zones Adjacent to Commercial Forest Zone.

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

17.24.050 Design standards.

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

17.24.060 Repealed.

Repealed by Ordinance 2007-22, 2007.

17.24.070 Off-street parking.

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

Chapter 17.28

A-3 - AGRICULTURAL 3 ZONE*

Sections

17.28.010 Purpose and intent.

17.28.020 Allowed uses.

17.28.030 Lot size required.

17.28.040 Yard requirements - Front.

17.28.050 Yard requirements - Side.

17.28.060 Yard requirements - Rear.

17.28.065 Yard requirements- Zones Adjacent to Commercial Forest Zone.

17.28.080 Sale or conveyance of lot portion.

17.28.090 Off-street parking.

17.28.100 Access requirement.

17.28.110 Setback lines.

17.28.120 Prohibited uses. (Deleted by Ord. 87-11)

17.28.130 Conditional uses.

17.28.140 Administrative uses.

* Prior history: Ords. 82-Z-1, 79-Z-3, 79-Z-2,76-2, 75-12, 75-9, 75-5, 73-7, 73-5, 73-3, 72-8, 71-5, 71-1, 709, 70-8, 69-7, 69-1, 68-17, 2.

17.28.010 Purpose and intent.

The purpose and intent of the agricultural (A-3) zone is to provide for an area where various agricultural activities and low density residential developments co-exist compatibly. A-3 zones are predominately agricultural-oriented lands and it is not the intent of this section to impose further restrictions on continued agricultural activities therein. (Ord. 83-Z-2 (part), 1983)

17.28.020 Uses permitted.

Uses allowed in the agricultural (A-3) zone include those uses pursuant to KCC Chapter 17.15.

(Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2011-013, 2011; Ord. 2007-22, 2007; Ord. O-2006-01, 2006; Ord. 96-19 (part), 1996; Ord. 88-4 § 3, 1988; Ord. 83-Z-2 (part), 1983; Res. 83-10, 1983)

17.28.030 Lot size required.

1. The minimum residential lot size shall be three (3) acres in the Agricultural-3 zone, unless within a cluster plat as provided for in KCC Chapter 16.09, Cluster Platting and Conservation Platting. Lots within a clusterplat shall be a minimum of one-half (½) acre. The overall density of any residential development shall not exceed one dwelling for each three acres.
2. The minimum average lot width shall be two hundred fifty (250) feet.
3. Ag-3 property within Urban Growth Areas shall defer to the density requirements of KCC 17.11.050. The minimum average lot width of 250 feet shall not apply in Urban Growth Areas.

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

17.28.040 Yard requirements - Front.

There shall be a minimum front yard of twenty-five (25) feet. (Ord. 2013-001, 2013; Ord. 96-19 (part), 1996; Res. 83-10, 1983)

17.28.050 Yard requirements - Side.

Side yard shall be a minimum of five (5) feet. Side yard setbacks may be modified in accordance with KCC 16.10.065. (Ord. 2022-005, 2022; Ord. 2019-013, 2019; Ord. 2013-001, 2013; Res. 83-10, 1983)

17.28.060 Yard requirements - Rear.

There shall be a rear yard with a minimum depth of twenty-five (25) feet. Rear yard setbacks may be modified in accordance with KCC 16.10.065. (Ord. 2022-017, 2022; Ord. 2022-005, 2022; Ord. 2013-001, 2013; Res. 83-10, 1983)

17.28.065 Yard requirements - Zones Adjacent to Commercial Forest Zone

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

17.28.080 Sale or conveyance of lot portion.

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

17.28.090 Off-street parking.

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

17.28.100 Access requirement.

No dwelling shall be constructed or located on a lot or parcel which is not served by a legal sixty-(60)-foot right-of-way or existing county road. (Ord. 2013-001, 2013; Res. 8310, 1983)

17.28.110 Setback lines.

None of the following uses shall be located within the distances indicated of any public street or road, any school or public park, or any dwelling (except such dwelling as may exist upon the same property with the restricted use):

1. Within one and one-half (1½) miles:
 - a. (Repealed by Ord. 88-5)
 - b. Farms or establishments for feeding of garbage or other refuse to hogs or other animals:
 - i. Provision is made that all such operations of subsections 1 and 2 shall be conducted in compliance with all state and county health regulations, and
 - ii. Complete protection from any potential detrimental effects such use might have on surrounding properties and/or use zones will be provided;
2. (Deleted by Ord. 87-11)
3. Within one hundred (100) feet: barns, shelters or other buildings or structures for keeping or feeding of any livestock, poultry, or other animals or birds whether wild or domestic;
4. Feedlots containing fifty (50) to one hundred (100) head at a density of less than five hundred (500) square feet per head for a period of six (6) months or more shall be located no closer than three hundred (300) feet to any existing home, school or park. (Ord. 2013-001, 2013; Ord. 88-5 (part), 1988; Ord. 87-11 (part), 1987; Res. 83-10, 1983)

17.28.120 Prohibited uses.

(Deleted by Ord. 87-11). (Res. 83-10, 1983)

17.28.130 Repealed.

(Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2009-25, 2009; Ord. 2007-22, 2007; Ord. O-2006-01, 2006; Ord. 93-6 (part), 1993; Ord. 9015 §§ 2, 3, 1990; Ord. 90-10 (part), 1990; Ord. 88-4 § 4, 1988; Ord. 87-9 § 3, 1987; Ord. 83-Z6, 1983; Ord. 83-Z-2 (part), 1983; Res. 83-10, 1983)

17.28.140 Repealed. (Ord. 2013-001, 2013; Ord. 2007-22, 2007)

Chapter 17.28A

A-5 - AGRICULTURE ZONE

Sections

- 17.28A.010 Purpose and intent.
- 17.28A.020 Allowed uses.
- 17.28A.030 Lot size required.
- 17.28A.040 Yard requirements - Front.
- 17.28A.050 Yard requirements - Side.
- 17.28A.060 Yard requirements - Rear.
- 17.28A.065 Yard requirements- Zones Adjacent to Commercial Forest Zone.
- 17.28A.080 Sale or conveyance of lot portion.
- 17.28A.090 Off-street parking.
- 17.28A.100 Access requirement.
- 17.28A.110 Setback lines.
- 17.28A.130 Conditional uses.
- 17.28A.140 Administrative uses.

17.28A.010 Purpose and intent.

The purpose and intent of the agriculture (A-5) zone is to provide for an area where various agricultural activities and low density residential developments co-exist compatibly. A-5 zones are predominately agricultural-oriented lands and it is not the intent of this section to impose further restrictions on continued agricultural activities therein. (Ord. 2013-008, 2013; Ord. 2005-05, 2005)

17.28A.020 Allowed uses.

Allowed uses in the agriculture (A-5) zone include those uses pursuant to KCC Chapter 17.15. (Ord. 2013-008, 2013; Ord. 2013-001, 2013; Ord. 2011-013, 2011; Ord. 2007-22, 2007; Ord. O-2006-01, 2006; Ord. 2005-05, 2005)

17.28A.030 Lot size required.

1. The minimum residential lot size shall be five (5) acres in the agriculture zone, unless within a cluster plat as provided for in KCC Chapter 16.09, Cluster Platting and Conservation Platting. Lots within a cluster plat shall be a minimum of one-half (½) acre. The overall density of any residential development shall not exceed one (1) dwelling for each five (5) acres.
2. The minimum average lot width shall be two hundred fifty (250) feet. (Ord. 2013-008, 2013; Ord. 2013-001, 2013; Ord. 2007-22, 2007; Ord. 2005-05, 2005)

17.28A.040 Yard requirements - Front.

There shall be a minimum front yard of twenty-five (25) feet. (Ord. 2013-001, 2013; Ord. 2005-05, 2005)

17.28A.050 Yard requirements - Side.

Side yard shall be a minimum of five (5) feet. Side yard setbacks may be modified in accordance with KCC 16.10.065. (Ord. 2022-005, 2022; Ord. 2019-013, 2019; Ord. 2013-001, 2013; Ord. 2005-05, 2005)

17.28A.060 Yard requirements - Rear.

There shall be a rear yard with a minimum depth of twenty-five (25) feet. Rear yard setbacks may be modified in accordance with KCC 16.10.065. (Ord. 2022-017, 2022; Ord. 2022-005, 2022; Ord. 2013-001, 2013; Ord. 2005-05, 2005)

17.28A.065 Yard requirements - Zones Adjacent to Commercial Forest Zone.

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

17.28A.080 Sale or conveyance of lot portion.

No sale or conveyance of any portion of a lot, for other than a public purpose, shall leave a structure or the remainder of the lot with less than the minimum lot, yard or setback requirements of this zone. (Ord. 2013-001, 2013; Ord. 2005-05, 2005)

17.28A.090 Off-street parking.

One automobile parking space shall be provided for each dwelling unit and shall be located to the rear of the building setback line. (Ord. 2005-05, 2005)

17.28A.100 Access requirement.

No dwelling shall be constructed or located on a lot or parcel which is not served by a legal sixty-foot (60) right-of-way or existing county road. (Ord. 2013-001, 2013; Ord. 2005-05, 2005)

17.28A.110 Setback lines.

None of the following uses shall be located within the distances indicated of any public street or road, any school or public park, or any dwelling (except such dwelling as may exist upon the same property with the restricted use):

1. Within one and one-half (1½) miles:
 - a. (Publisher's note: this item intentionally left blank.)
 - b. Farms or establishments for feeding of garbage or other refuse to hogs or other animals:
 - i. Provision is made that all such operations of subsections 1 and 2 shall be conducted in compliance with all state and county health regulations, and
 - ii. Complete protection from any potential detrimental effects such use might have on surrounding properties and/or use zones will be provided;
2. (Publisher's note: this item intentionally left blank.)
3. Within one hundred (100) feet: barns, shelters or other buildings or structures for keeping or feeding of any livestock, poultry, or other animals or birds whether wild or domestic;
4. Feedlots containing fifty (50) to one hundred (100) head at a density of less than five hundred (500) square feet per head for a period of six (6) months or more shall be located no closer than three hundred (300) feet to any existing home, school or park. (Ord. 2013-001, 2013; Ord. 2005-05, 2005)

17.28A.130 Repealed.

(Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2009-25, 2009; Ord. 2007-22, 2007; Ord. O-2006-01, 2006; Ord. 2005-05, 2005)

17.28A.140 Repealed.

(Ord. 2013-001, 2013; Ord. 2007-22, 2007)

Chapter 17.29

A-20 - AGRICULTURE ZONE*

Sections

- 17.29.010 Purpose and intent.
- 17.29.020 Allowed uses.
- 17.29.030 Repealed.
- 17.29.040 Lot size required.
- 17.29.050 Yard requirements - Front yard.
- 17.29.060 Yard requirements - Side yard.
- 17.29.070 Yard requirements - Rear yard.
- 17.29.075 Yard requirements- Zones adjacent to Commercial Forest Zone.
- 17.29.080 Yard requirements - Sale or conveyance restrictions.
- 17.29.090 Dimensional requirements.
- 17.29.100 Repealed.
- 17.29.110 Access.
- 17.29.120 Special setback requirements.
- 17.29.130 Repealed.

* For provisions on the right to farm for protection of agricultural activities, see Ch. 17.74. For provisions on the commercial agricultural and commercial agricultural overlay zones, see Ch. 17A.55. Prior history: Ords. 81-Z-1, 80-Z-2, 68-1.

17.29.010 Purpose and intent.

The agriculture (A-20) zone is an area wherein farming, ranching and rural life styles are dominant characteristics. The intent of this zoning classification is to preserve fertile farmland from encroachment by nonagricultural land uses; and protect the rights and traditions of those engaged in agriculture. (Ord. 2013-008, 2013; Ord. 83-Z-2 (part), 1983; Res. 83-10, 1983)

17.29.020 Allowed uses.

Uses allowed in the agriculture (A-20) zone include those uses pursuant to KCC Chapter 17.15. (Ord. 2013-008, 2013; Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2011-013, 2011; Ord. 2009-25, 2009; Ord. 2007-22, 2007; Ord. 92-1 (part), 1992; Ord. 83-Z-2 (part), 1983; Res. 83-10, 1983)

17.29.030 Repealed.

(Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2009-25, 2009; Ord. 2007-22, 2007; Ord. 2001-13 (part), 2001; Ord. 93-6 (part), 1993; Ord. 92-1 (part), 1992; Ord. 90-10 (part), 1990; Res. 83-10, 1983)

17.29.040 Lot size required.

1. Minimum lot (homesite) requirements in the agricultural (A-20) zone are:
 - a. (20) acres, unless within a conservation plat as provided for in KCC Chapter 16.09, Cluster Platting and Conservation Platting
 - b. In no case shall there be more than one dwelling (residence) on any lot or tax parcel unless such parcel is twice the required minimum (twenty-(20)-acre) size.
 - c. One-half (½) acre for lots in a conservation plat.
2. Agriculture Study Overlay Zone: Properties containing prime farmland soils with capability grades between 1 and 4 shall be a minimum of twenty (20) acres in size. (Ord. 2016-023, 2016; Ord. 2013-001, 2013; Ord. 2010-014, 2010; Ord. 2009-25, 2009; Ord. 2007-22, 2007; Ord. 96-15 (part), 1996; Ord. 95-13 (part), 1995; Ord. 83Z-2 (part), 1983; Res. 83-10, 1983)

17.29.050 Yard requirements - Front yard.

There shall be a minimum front yard of twenty-five (25) feet. (Ord. 2013-001, 2013; Ord. 96-19 (part), 1996; Res. 83-10, 1983)

17.29.060 Yard requirements - Side yard.

Side yard shall be a minimum of five (5) feet. Side yard setbacks may be modified in accordance with KCC 16.10.065. (Ord. 2022-005, 2022; Ord. 2019-013, 2019; Ord. 2013-001, 2013; Res. 83-10, 1983)

17.29.070 Yard requirements - Rear yard.

There shall be a rear yard with a minimum depth of twenty-five (25) feet. Rear yard setbacks may be modified in accordance with KCC 16.10.065. (Ord. 2022-017, 2022; Ord. 2022-005, 2022; Ord. 2013-001, 2013; Res. 83-10, 1983)

17.29.075 Yard requirements - Zones Adjacent to Commercial Forest Zone

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

17.29.080 Yard requirements - Sale or conveyance restrictions.

No sale or conveyance of any portion of a lot for other than a public purpose shall leave a structure or the remainder of the lot with less than the minimum lot, yard, or setback requirements of this zone. (Res. 83-10, 1983)

17.29.090 Dimensional requirements.

The minimum average lot width shall be two hundred (200) feet. No platted lot or parcel may be created with a dimensional ratio greater than 4:1. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.29.100 Division of nonconforming lots.

Repealed by Ord. 95-13. (Res. 83-10, 1983)

17.29.110 Access.

No dwelling shall be constructed or located on a lot or parcel which is not served by a legal sixty-(60)-foot right-of-way or existing county road. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.29.120 Special setback requirements.

None of the following uses shall be located within the distances indicated of any public street or road, any school or public park, or any dwelling (except such dwelling as may exist upon the same property with the restricted):

1. Within one and one-half (1½) miles:
 - a. (Deleted by Ord. 88-5)
 - b. Farms or establishments for feeding of garbage or other refuse to hogs or other animals:
 - i. Provisions made that all other operations (subdivisions 1 and 2 of Section 17.28.110A1) shall be conducted in compliance with all state and county health regulations, and
 - ii. Reasonable protection from any potential detrimental effects such use might have on surrounding properties will be provided.
2. (Deleted by Ord. 87-11)
3. Within one hundred (100) feet:
 - a. Barns, shelters or other buildings or structures for keeping or feeding of any livestock, poultry, or other animals or birds whether wild or domestic.
4. Feed lots containing fifty (50) to one hundred (100) head at a density of less than five hundred (500) square feet per head for a period of six (6) months or more shall be located no closer than three hundred (300) feet to any existing home, school or park. (Ord. 2013-001, 2013; Ord. 88-5 (part), 1988; Ord. 87-11 (part), 1987; Res. 83-10, 1983)

17.29.130 Repealed.

(Ord. 2013-001, 2013; Ord. 2007-22, 2007)

Chapter 17.30**R-R - Rural Recreation Zone*****Sections**

- 17.30.010 Purpose and intent.
- 17.30.020 Allowed uses.
- 17.30.040 Lot size required.
- 17.30.050 Yard requirements.
- 17.30.055 Yard requirements- Zones Adjacent to Commercial Forest Zone.

* Chapter 17.19 R-3 - Rural-3 Zone was renumbered from 17.30 (Ord. 2013-001, 2013)

17.30.010 Purpose and intent.

The purpose and intent of the Rural - Recreation zone is to provide areas where residential development may occur on a low density basis or in residential clusters. A primary goal and intent in siting R-R zones will be to promote rural recreation residential development associated with the many natural amenities found within Kittitas County. (Ord. 2013-001, 2013)

17.30.020 Uses permitted.

Uses allowed in the Rural Recreation zone include those uses pursuant to KCC Chapter 17.15. (Ord. 2013-001, 2013)

17.30.040 Lot size required.

The minimum residential lot size in the Rural Recreation zone shall be:

1. Five (5) acres, unless within a cluster plat as provided for in KCC Chapter 16.09, Cluster Platting and Conservation Platting;
2. For lots in cluster plats, the county may approve lots as small as one half (½) acre with the ability to increase the base density of one (1) unit per five (5) acres to a density of 0.4 units per acre (2 units per 5 acres), provided development rights are transferred pursuant to KCC Chapter 17.13.

(Ord. 2013-001, 2013)

17.30.050 Yard requirements.

There shall be a minimum front yard setback of twenty-five (25) feet. Side and rear yard setbacks shall be fifteen (15) feet. Side and rear yard setbacks may be modified in accordance with KCC 16.10.065. (Ord. 2022-005, 2022; Ord. 2013-001, 2013)

17.30.055 Yard requirements - Zones Adjacent to Commercial Forest Zone.

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

Chapter 17.30A

R-5 - RURAL-5 ZONE

Sections

17.30A.010 Purpose and intent.

17.30A.020 Allowed uses.

17.30A.030 Repealed.

17.30A.040 Lot size required.

17.30A.050 Yard requirements.

17.30A.055 Yard requirements- Zones Adjacent to Commercial Forest Zone.

17.30A.060 Sale or conveyance of lot portion.

17.30A.070 Repealed.

17.30A.080 Repealed.

17.30A.090 Repealed.

17.30A.010 Purpose and intent.

The purpose and intent of the Rural-5 zone is to provide areas where residential development may occur on a low density basis. A primary goal and intent in siting R-5 zones will be to minimize adverse effects on adjacent natural resource lands. (Ord. 2005-05, 2005)

17.30A.020 Uses permitted.

Uses allowed in the Rural-5 zone include those uses pursuant to KCC Chapter 17.15. (Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2011-013, 2011; Ord. O-2006-01, 2006; Ord. 2005-05, 2005)

17.30A.030 Repealed.

(Ord. 2013-001, 2013; Ord. O-2006-01, 2006; Ord. 2005-05, 2005)

17.30A.040 Lot size required.

The minimum lot size for parcels created after the adoption of the ordinance codified in this chapter shall be:

1. Five (5) acres for lots served by individual wells and septic tanks;
2. One-half (½) acre for lots in a cluster plat. (Ord. 2013-001, 2013; Ord. 2005-05, 2005)

17.30A.050 Yard requirements.

There shall be a minimum front yard setback of twenty-five (25) feet. Side and rear yard setbacks shall be fifteen (15) feet. (Ord. 2013-001, 2013; Ord. 2005-05, 2005)

17.30A.055 Yard requirements - Zones Adjacent to Commercial Forest Zone

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

17.30A.060 Sale or conveyance of lot portion.

No sale or conveyance of any portion of a lot, for other than a public purpose, shall leave a structure on the remainder of the lot with less than the minimum lot, yard or setback requirements of this zone. (Ord. 2013-001, 2013; Ord. 2005-05, 2005)

17.30A.070 Repealed.

(Ord. 2013-001, 2013; Ord. 2005-05, 2005)

17.30A.080 Repealed.

(Ord. 2016-006, 2016; Ord. 2013-001, 2013; Ord. 2005-05, 2005)

17.30A.090 Repealed.

(Ord. 2013-001, 2013; Ord. 2007-22, 2007)

Chapter 17.31

CA - COMMERCIAL AGRICULTURE ZONE

Sections

17.31.010 Purpose and intent.

17.31.020 Allowed uses.

17.31.030 Repealed.

17.31.040 Lot size required.

- 17.31.050 Yard requirements - Front yard.
- 17.31.060 Yard requirements - Side yard.
- 17.31.070 Yard requirements - Rear yard.
- 17.31.075 Yard requirements- Zones Adjacent to Commercial Forest Zone.
- 17.31.080 Yard requirements - Sale or conveyance restrictions.
- 17.31.090 Dimensional requirements.
- 17.31.100 Access.
- 17.31.110 Special setback requirements.
- 17.31.120 Repealed.

17.31.010 Purpose and intent.

The commercial agriculture zone is an area wherein farming and ranching are the priority. The intent of this zoning classification is to preserve fertile farmland from encroachment by nonagricultural land uses and protect the rights and traditions of those engaged in agriculture. (Ord. 96-15 (part), 1996)

17.31.020 Uses permitted.

Uses allowed in the commercial agriculture zone include those uses pursuant to KCC Chapter 17.15. (Ord. 2013-001, 2013; Ord. 2011-013, 2011; Ord. 2007-22, 2007; Ord. O-2006-01, 2006; Ord. 96-15 (part), 1996)

17.31.030 Repealed.

(Ord. 2013-001, 2013; Ord. 2009-25, 2009; Ord. 2007-22, 2007; Ord. O-2006-01, 2006; Ord. 96-15 (part), 1996)

17.31.040 Lot size required.

Minimum lot (homesite) requirements in the commercial agriculture zone are:

1. Twenty (20) acres, unless within a conservation plat as provided for in KCC Chapter 16.09, Cluster Platting and Conservation Platting.
2. One half (½) acre for lots in a conservation plat.
3. Commercial Agricultural Zones. In no case shall there be more than one (1) dwelling (residence) on any lot or tax parcel unless such parcel is twice the required minimum (twenty-(20)-acre) size. (Ord. 2016-023, 2016; Ord. 2013-001, 2013; Ord. 2007-22, 2007; Ord. 96-15 (part), 1996)

17.31.050 Yard requirements - Front yard.

There shall be a minimum front yard of twenty-five (25) feet unless previous building lines less than the required minimum exist, in which case the Hearing Examiner may grant a variance of up to ten (10) feet. (Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 96-15 (part), 1996)

17.31.060 Yard requirements - Side yard.

Side yard shall be a minimum of five (5) feet. Side yard setbacks may be modified in accordance with KCC 16.10.065. (Ord. 2022-005, 2022; Ord. 2019-013, 2019; Ord. 2013-001, 2013; Ord. 96-15 (part), 1996)

17.31.070 Yard requirements - Rear yard.

There shall be a rear yard with a minimum depth of twenty-five (25) feet. Rear yard setbacks may be modified in accordance with KCC 16.10.065. (Ord. 2022-017, 2022; Ord. 2022-005, 2022; Ord. 2013-001, 2013; Ord. 96-15 (part), 1996)

17.31.075 Yard requirements - Zones Adjacent to Commercial Forest Zone.

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

17.31.080 Yard requirements - Sale or conveyance restrictions.

No sale or conveyance of any portion of a lot for other than a public purpose shall leave a structure or the remainder of the lot with less than the minimum lot, yard, or setback requirements of this zone. (Ord. 96-15 (part), 1996)

17.31.090 Dimensional requirements.

The minimum average lot width shall be two hundred (200) feet. No platted lot or parcel may be created with a dimensional ratio greater than 4:1. (Ord. 2013-001, 2013; Ord. 96-15 (part), 1996)

17.31.100 Access.

No dwelling shall be constructed or located on a lot or parcel which is not served by a legal sixty-(60)-foot right-of-way or existing county road. (Ord. 2013-001, 2013; Ord. 96-15 (part), 1996)

17.31.110 Special setback requirements.

None of the following uses shall be located within the distances indicated of any public street or road, any school or public park, or any dwelling (except such dwelling as may exist upon the same property with the restricted use):

1. Within one and one-half (1½) miles:
 - a. Farms or establishments for feeding of garbage or other refuse to hogs or other animals:
 - i. Provisions made that all other operations shall be conducted in compliance with all state and county health regulations, and
 - ii. Reasonable protection from any potential detrimental effects such use might have on surrounding properties will be provided.
2. Within one hundred (100) feet:
 - a. Barns, shelters, or other buildings or structures for keeping or feeding of any livestock, poultry, or other animals or birds whether wild or domestic.
3. Feed lots containing fifty (50) to one hundred (100) head at a density of less than five hundred (500) square feet per head for a period of six (6) months or more shall be located no closer than three hundred (300) feet to any existing home, school or park. (Ord. 2013-001, 2013; Ord. 96-15 (part), 1996)

17.31.120 Repealed.

(Ord. 2013-001, 2013; Ord. 2007-22, 2007)

Chapter 17.32

C-L - LIMITED COMMERCIAL ZONE*

Sections

- 17.32.010 Purpose and intent.
- 17.32.015 Development within the Ellensburg Urban Growth Area (UGA).
- 17.32.020 Allowed uses.
- 17.32.030 Lot size required.
- 17.32.040 Yard requirements - Front.
- 17.32.050 Yard requirements - Side.
- 17.32.060 Yard requirements - Rear.
- 17.32.065 Yard requirements- Zones Adjacent to Commercial Forest Zone.
- 17.32.070 Maximum structure height.
- 17.32.090 Access requirement.
- 17.32.110 Setback for vehicle service businesses.

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

17.32.010 Purpose and intent.

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

17.32.015 Development within the Ellensburg Urban Growth Area (UGA).

For properties located within the City of Ellensburg UGA, the uses and development standards in KCC 17.11.030 through 17.11.039 shall be utilized. Where KCC 17.11.030 through 17.11.039 does not identify uses and development standards to be utilized for development within the Ellensburg UGA, this chapter shall apply. (Ord. 2022-017, 2022)

17.32.020 Allowed uses.

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

17.32.030 Lot size required.

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

17.32.040 Yard requirements - Front.

There shall be a front yard having a minimum depth of twenty (20) feet, unless a previous building line less than this has been established, in which case the minimum front yard for interior lots shall be the average of the setbacks of the main structures on abutting lots on either side if both lots are occupied; if one lot is occupied and the other vacant, the setback shall be the setback of the occupied lot, plus one-half (½) the remaining distance to the required twenty-(20)-foot setback. If neither of the abutting side lots or tracts are occupied by a structure, the setback shall be twenty (20) feet long. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.32.050 Yard requirements - Side.

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

17.32.060 Yard requirements - Rear.

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

17.32.065 Yard requirements - Zones Adjacent to Commercial Forest Zone

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

17.32.070 Maximum structure height.

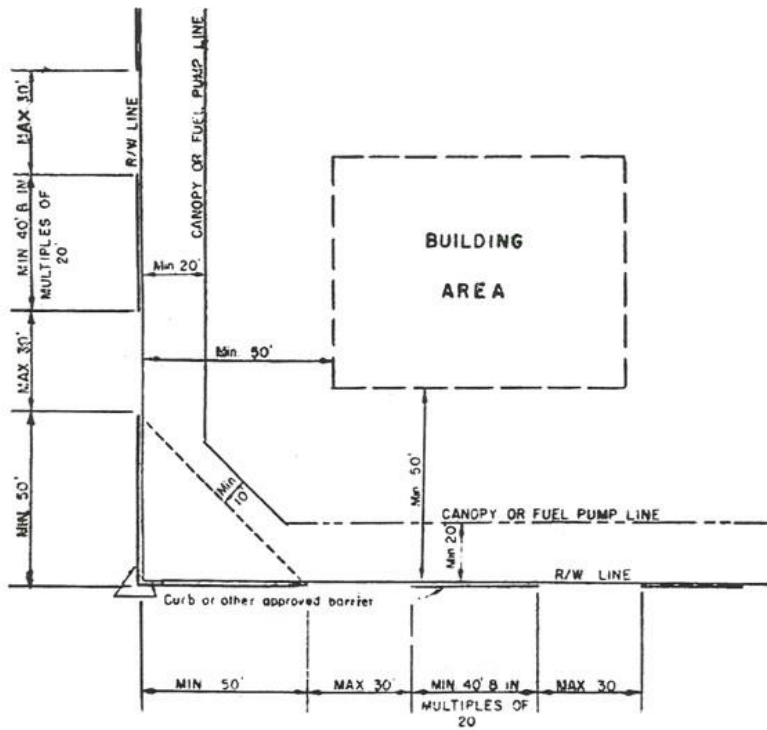
The maximum height of any structure shall be two and one-half (2½) stories or thirty-five (35) feet, whichever is less. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.32.090 Access requirement.

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

17.32.110 Setback for vehicle service businesses.

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



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

JOE MCMANUS CHAIRMAN

HOWARD P SORENSON

ROY A LUMACO

Office of County Road Engineer
KITKITAS COUNTY
COUNTY ROAD PLAN NO. 1
STANDARD PLAN
VEHICLE SERVICE BUSINESS*
Drawn by BS Date 1-30-69
APPROVED *Boleig Thullen P. Sorenson*
Public Action Planning Committee

Chapter 17.36 PLANNED UNIT DEVELOPMENT ZONE*

Sections

- 17.36.010 Purpose and intent.
- 17.36.15 Applicability.
- 17.36.16 Development within the Ellensburg Urban Growth Area (UGA) - Bender/Reecer and the Verge PUDs.
- 17.36.020 Uses permitted.
- 17.36.025 Allowed density.
- 17.36.030 Submittal requirements - Preliminary development plan.
- 17.36.040 Submittal requirements - Final development plan.
- 17.36.45 Review criteria.
- 17.36.050 Permit issuance and conditions.
- 17.36.060 Required improvements.
- 17.36.070 Repealed.
- 17.36.080 Planned unit development alterations.
- 17.36.090 Extensions and expiration.

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

17.36.010 Purpose and intent.

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

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

- h. To permit flexibility of design that will create desirable public and private open space,; to vary the type, design and layout of buildings,; and to utilize the potentials of individual sites and alternative energy services to the extent possible;
(Ord. 2013-001, 2013; Ord. 2007-22, 2007; Ord. 90-6 (part), 1990; Res. 83-10, 1983)

17.36.15 Applicability.

1. Inside the Urban Growth Area (UGA) and Rural LAMIRDs: The provisions of this chapter can be used for any property over two (2) acres in size.
2. Outside the Urban Growth Area (UGA) and Rural LAMIRDs: The provisions of this chapter can be used for properties over twenty (20) acres in size, except that PUDs are prohibited on Resource Lands and Rural Lands in the Rural Working Land Use Designation.
(Ord. 2013-001, 2013)

17.36.16 Development within the Ellensburg Urban Growth Area (UGA) – Bender/Reecer and the Verge PUDs.

For properties located within the Bender/Reecer and the Verge PUDs which are located within the City of Ellensburg UGA, the uses and development standards in KCC 17.11.030 through 17.11.039 shall be utilized. Where KCC 17.11.030 through 17.11.039 does not identify uses and development standards to be utilized for development within the Ellensburg UGA, this chapter shall apply. (Ord. 2022-017, 2022)

17.36.020 Allowed uses.

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

17.36.025 Allowed density.

1. Inside the Urban Growth Area (UGA): The county may approve an increase of dwelling unit density for residential PUDs of not more than three (3) times the density permitted in the underlying zone, provided development rights are transferred pursuant to KCC Chapter 17.13 and additional natural and social amenities beyond the required minimums are provided.
2. Outside the Urban Growth Area (UGA) and Rural LAMIRDs: The density of the underlying zone or existing density within the boundaries of the proposed PUD shall not be exceeded by a PUD. For Rural LAMIRDs, the density shall be consistent with the character of the existing area as required by RCW 36.70A.070(5)d).
(Ord. 2021-015, 2021; Ord. 2013-001, 2013)

17.36.030 Submittal requirements - Preliminary development plan.

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

1. Application forms and fees required by the County;
2. Legal description of the subject property including section, township, range, parcel numbers and number of acres;
3. A vicinity map showing the location of the site and its relationship to surrounding areas and roads;
4. A Development plan drawn to a scale no smaller than two hundred (200) feet to the inch with elevation contours of no more than twenty-(20)-foot intervals showing the following:
 - a. Existing buildings, roads, utilities and easements;
 - b. Arrangement of proposed land uses by type (residential, commercial, open spaces, etc.) with the approximate percentage of land in each category.
 - c. Proposed traffic circulation and parking;

- d. Critical areas and natural features;
- 5. A Landscaping plan.
- 6. A Phasing plan with identified timelines.
- 7. A Project narrative addressing the following:
 - a. Adjacent natural areas;
 - b. The type, design and characteristics of the surrounding properties;
 - c. Developer's intent with regard to providing landscaping and retention of open spaces;
 - d. Future land ownership patterns within the development including homeowners associations if planned;
 - e. Proposed water supply, storage and distribution system, sewage disposal/treatment plan, solid waste collection plan;
 - f. Documentation from the Director that environmental review (SEPA) has been completed or will be completed;
 - g. An explanation and specification of any nonresidential uses proposed within the project;
 - h. Planned residential densities expressed in terms of dwelling units per building and per net acre (total acreage minus dedicated rights-of-way);
 - i. The method proposed to insure the permanent retention and maintenance of common open space;
 - j. Proposed development standards, including an analysis of the public benefit provided in exchange for the deviations from the standards of the underlying zone;
 - k. Timing for the construction and installation of improvements, buildings, other structures and landscaping;
 - l. A master plan of the site, if the proposed PUD is to be developed in phases. The master plan need not be fully engineered, but shall be of sufficient detail to illustrate the property's physical features and probable development pattern. The master plan will serve as a guide in each successive stage of development until its completion;
 - m. If the proposed PUD rezone will result in an increase in unit density over the existing zone, include a narrative of the transfer of development rights in accordance with KCC Chapter 17.13, Transfer of Development Rights. (Ord. 2013-001, 2013; Ord. 2010-006, 2010; Ord. 2007-22, 2007; Ord. 90-6 (part), 1990: Res. 83-10, 1983)

17.36.040 Submittal requirements - Final development plan.

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

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

17.36.045 Review criteria.

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

17.36.050 Permit issuance and conditions.

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

17.36.060 Required improvements.

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

17.36.070 Inter-jurisdiction review.

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

17.36.080 Planned Unit Development Alterations.

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

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

17.36.090 Extensions and expiration.

1. Filing of final development plan - Non-phased PUDs. The applicant shall have five (5) years from the date of Board action to submit the final PUD application pursuant to 17.36.040, unless an extension has been granted pursuant to subsections 3 or 4 below. If the PUD is associated with a plat with a longer submittal timeframe the longer timeframe shall apply, pursuant to RCW 58.17.140.
2. Filing of final development plan - Phased PUDs. Applicants may develop a planned unit development in phases, provided a phasing plan is approved as part of the initial application. In such cases, a final development plan shall be submitted for phases in the time limit established in the approved phasing plan, unless an extension has been granted pursuant to subsections 3 or 4 below. If the PUD phase is associated with a plat with a longer submittal timeframe the longer timeframe shall apply, pursuant to RCW 58.17.140.
3. One-(1)-year extension. An applicant who files a written request with the Director prior to the end of the five-(5)-year expiration period (or applicable timeline established in an approved phasing plan) shall be granted a one-(1)-year extension upon showing a good faith attempt to complete the requirements necessary for submittal of the final development plan.
4. Additional extensions. Upon written request from the applicant, the Board may grant two (2) additional one-(1)-year extensions beyond the extension authorized in subsection 3 if they find there is reasonable justification for the granting of additional extensions. The Board may take into consideration changes in rules and regulations that occurred since the original PUD approval and may condition the extension to require compliance with any such rules and regulations, or portions thereof.
5. Expiration. Planned unit developments which do not obtain final approval and implementing permits within the time frames established in this section shall expire without prejudice. For phased PUDs the expiration shall apply to all portions or phases of the PUD that have not applied for or been granted final approval. All future permits shall be subject to the requirements of the underlying zone unless a new application for a planned unit development is submitted and approved.
6. Timeframe for implementing permits. Implementing permits, including land divisions for lot sales or building permits when there is no associated land division, shall be submitted within two (2) years of final development plan approval.
7. PUDs approved prior to 2007. Planned unit developments with preliminary development plans approved prior to adoption of the expiration standards contained in Ordinance 2007-22 shall have until December 31, 2017, to submit final development plans and shall be subject to the timeframes established in subsection 6 above for implementing permits. Undeveloped PUDs with final development plans approved prior to 2007 shall have until December 31, 2015, to complete land divisions for lot sales or building permits when there is no associated land division. Failure to obtain final plan or permit approvals or make substantial progress toward such approvals within the time frames in this subsection shall result in expiration without prejudice.
8. Lapse of zoning. If the planned unit development is not completed within the time periods in this section, the rezone to Planned Unit Development Zone is void for the area not completed, and the official zoning map shall be amended to the underlying zoning. (Ord. 2022-017, 2022; Ord. 2013-001, 2013; Ord. 2007-22, 2007)

Chapter 17.37

MASTER PLANNED RESORTS

Sections

- 17.37.010 Legislative findings, purpose and intent.
- 17.37.020 Definitions.
- 17.37.030 Allowed uses.
- 17.37.040 Applications/approvals required for new master planned resorts.
- 17.37.050 Applications/approvals required for existing resorts.

17.37.010 Legislative findings, purpose and intent.

1. Kittitas County has a wide range of natural features, including climate, vegetation, water, resources, scenic qualities, cultural, and geological features, which are desirable for a wide range of recreational users to enjoy. Master planned resorts authorized by RCW 36.70A.360 offer an opportunity to utilize these special features for enjoyment and recreational use, while bringing significant economic diversification and benefits to communities. The purpose of this chapter is to establish a master planned resort zoning district to be applied to those properties the Board determines are appropriate for development as a master planned resort consistent with county comprehensive plan policies and RCW 36.70A.360.
2. It is the county's intent that a master planned resort be located only on a site of at least three hundred twenty (320) contiguous acres. (Ord. 2013-001, 2013; Ord. 2000-13, 2000)

17.37.020 Definitions.

The following definitions shall be used in conjunction with the administration of this chapter:

1. "Existing resort," consistent with RCW 36.70A.362, means a resort in existence on July 1, 1990, and developed, in whole or in part, as a significantly self-contained and integrated development that includes short-term visitor accommodations associated with a range of indoor and outdoor recreational facilities within the property boundaries in a setting of significant natural amenities. An existing resort may include other permanent residential uses, conference facilities, and commercial activities supporting the resort, but only if these other uses are integrated into and consistent with the on-site recreational nature of the resort.
2. "Master planned resort," consistent with RCW 36.70A.360, means a self-contained and fully integrated planned unit development, located in a setting of significant natural amenities, with a primary focus on destination resort facilities consisting of short-term visitor accommodations associated with a range of developed on-site indoor or outdoor recreational facilities. A master planned resort may include other residential uses within its boundaries, but only if the residential uses are integrated into and support the on-site recreational nature of the resort.
3. "Short-term visitor accommodations" means the following master planned resort accommodation units: (1) hotel or motel units; (2) time-share and fractionally owned units; (3) recreational vehicle sites with power and water; and (4) vacation and second homes as described below.

A master planned resort accommodation unit is a vacation or second home for purposes of this section unless its occupant(s) is either (1) registered to vote at such unit's resort address or (2) receive its/their Kittitas County annual property tax assessment for such unit at such unit's address, in which case such unit shall be considered a permanent residence for all purposes under this section. (Ord. 2013-001, 2013; Ord. 2009-25, 2009; Ord. 2000-13, 2000)

17.37.030 Allowed uses.

Uses allowed in master planned resorts include those uses pursuant to KCC Chapter 17.15, except as follows:

1. All residential uses including single-family and multifamily structures, condominiums, time-share and fractionally owned accommodations of all kinds, provided such uses are integrated into and support the on-site recreational nature of the master planned resort.
2. Short-term visitor accommodations, including, but not limited to, hotels, motels, lodges, and any residential use permitted under subsection A of this section that is made available for short-term rental; provided, however, short-term visitor accommodation units shall constitute greater than 50 percent of the total resort accommodation units.
3. Indoor and outdoor recreational facilities and uses, including, but not limited to, golf courses (including accessory structures and facilities, such as clubhouses, practice facilities, and maintenance facilities), tennis courts, swimming pools, marinas, alpine and/or cross country skiing, hiking and nature trails, bicycle paths, equestrian facilities, skating arenas, sports complexes, bowling alleys, and other recreational uses deemed to be consistent with the on-site recreational nature of the master planned resort.
4. Campgrounds and recreational vehicle ("RV") sites with power and water; provided, however, campgrounds and recreational vehicle sites without power and water are conditional uses.
5. Visitor-oriented amenities, including, but not limited to (1) restaurants, cafes, delicatessens, pubs, taverns and cocktail bars and entertainment associated with such uses; (2) meeting facilities; (3) on-site retail businesses and services limited to those typically found on other destination resort properties and which are designed to serve the convenience needs of the users and employees of the master planned resort; and (4) recreation businesses and facilities. Retail and commercial services offered on the resort shall be designed to discourage use from non-resort users by locating such services well within the site rather than on its perimeter.
6. Cultural and educational facilities of all kinds, including, but not limited to, interpretative centers and exhibits, and indoor and outdoor theaters.
7. Roadways and bridges, which, subject to any development agreement executed with the county pursuant to KCC Chapter 15A.11, Development Agreements, and RCW 36.70B.170 through 36.70B.210, may include roadways and bridges that are privately owned and maintained.
8. Industrial uses and capital facilities, utilities and services to the extent necessary to maintain and operate the master planned resort.
9. Temporary and/or permanent structures to serve as sales offices.
10. Any other similar uses deemed by the Director to be consistent with the purpose and intent of this chapter, the county comprehensive plan policies regarding master planned resorts, and RCW 36.70A.360.
11. Electric Vehicle Infrastructure. See KCC Chapter 17.66 (Ord. 2013-001, 2013; Ord. 2011-013, 2011; Ord. 2007-22, 2007; Ord. 2000-13, 2000)

17.37.040 Applications/approvals required for new master planned resorts.

1. A master planned resort may be authorized by the county only through approval of a master planned resort development permit in conjunction with approval by the Board of a development agreement as authorized by KCC Chapter 15A.11, Development Agreements, and RCW 36.70B.170 through 36.70B.210. Consistent with KCC 15A.11.020(B) and RCW 36.70B.170, the development agreement approved by the Board must set forth the development standards applicable to the development of a specific master planned resort, which may include, but are not limited to: (1) permitted uses, densities and intensities of uses, and building sizes; (2) phasing of development, if requested by the applicant; (3) procedures for review of site-specific development plans; (4) provisions for required open space, visitor-oriented accommodations, short-term visitor accommodations, on-site recreational facilities, and on-site retail/commercial services; (5) mitigation measures imposed pursuant to the State Environmental Policy Act, Chapter 43.21C RCW, and other development conditions; and (6) other development standards including those identified in KCC 15A.11.020(E) and RCW 36.70B.170(3).
2. Required applications/approvals. In addition to approval of a MPR development permit and a development agreement as set forth in subsection A of this section, a master planned resort shall require the following approvals from the county: (1) a site-specific amendment of the comprehensive plan land use designation map to master planned resort; provided, that the sub-area planning process described in Chapter 1 of the county comprehensive plan and KCC Chapter 15B.03, Amendments to Comprehensive Plan, may be used if deemed appropriate by the applicant and county; and (2) a site-specific rezone of the county zoning map to master planned resort zoning district pursuant to KCC Chapter 17.98, Amendments. The comprehensive plan amendment or subarea plan and rezone may be processed by the county concurrent with the master planned resort development permit and development agreement required for approval of a master planned resort.
3. Planned actions authorized. If deemed appropriate by the applicant and the county, a master planned resort project may be designated by the county as a planned action pursuant to the provisions of KCC Chapter 15A.09, Planned Actions. (Ord. 2013-001, 2013; Ord. 2011-005, 2011; Ord. 2011-005, 2011; Ord. 2010-006, 2010; Ord. 2009-25, 2009; Ord. 2000-13, 2000)

17.37.050 Applications/approvals required for existing resorts.

1. Designation. An existing resort may be designated by the county as a master planned resort, consistent with RCW 36.70A.362, through approval of a sub-area plan, resort plan, and adoption of an MPR zoning overlay. The sub-area plan, resort plan, and applicable zoning shall establish the range of uses, and the density, intensity and character of development that is permitted within the resort.

2. Development applications. Following designation of the site as an MPR, a property owner may submit a site-specific development application to the County which shall include an application for site plan review per KCC Chapter 15A.13. A development agreement, consistent with KCC Chapter 15A.11 and RCW 36.70B.170, may be submitted in conjunction with each development application.
3. Environmental review pursuant to the State Environmental Policy Act (SEPA, RCW 43,21C), shall occur and shall address significant impacts associated with development and redevelopment of the existing resort. (Ord. 2013-001, 2013; Ord. 2010-011, 2010; Ord. 2009-25, 2009)

Chapter 17.38 (Reserved)

Repealed

Repealed by Ord. 2013-001, 2013

Chapter 17.40

C-G - GENERAL COMMERCIAL ZONE*

Sections

- 17.40.010 Purpose and intent.
- 17.40.015 Development within the Ellensburg Urban Growth Area (UGA).
- 17.40.020 Allowed uses.
- 17.40.030 Lot size required.
- 17.40.040 Maximum lot coverage.
- 17.40.050 Maximum floor area.
- 17.40.060 Yard requirements.
- 17.40.070 Height restriction.
- 17.40.080 Repealed.
- 17.40.090 Access requirement.
- 17.40.100 Half streets.
- 17.40.110 Repealed.

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

17.40.010 Purpose and intent.

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

17.40.015 Development within the Ellensburg Urban Growth Area (UGA).

For properties located within the City of Ellensburg UGA, the use and development standards in KCC 17.11.030 through 17.11.039 shall be utilized. Where KCC 17.11.030 through 17.11.039 does not identify use and development standards to be utilized for development within the Ellensburg UGA, this chapter shall apply. (Ord. 2022-017, 2022)

17.40.020 Allowed uses.

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

17.40.030 Lot size required.

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

17.40.040 Maximum lot coverage.

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

17.40.050 Maximum floor area.

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

17.40.060 Yard requirements.

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

17.40.070 Height restriction.

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

17.40.080 Repealed.

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

17.40.090 Access requirement.

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

17.40.100 Half streets.

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

17.40.110 Repealed.

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

Chapter 17.44

C-H HIGHWAY COMMERCIAL ZONE

Sections

17.44.010 Purpose and intent.

17.44.015 Development within the Ellensburg Urban Growth Area (UGA).

17.44.020 Allowed uses.

17.44.030 Repealed.

17.44.040 Minimum lot size.

17.44.050 Setback requirements.

17.44.055 Setback requirements- Zones Adjacent to Commercial Forest Zone.

17.44.060 Building height.

17.44.070 Repealed.

17.44.080 Access.

17.44.010 Purpose and intent.

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

17.44.015 Development within the Ellensburg Urban Growth Area (UGA).

For properties located within the City of Ellensburg UGA, the use and development standards in KCC 17.11.030 through 17.11.039 shall be utilized. Where KCC 17.11.030 through 17.11.039 does not identify use and development standards to be utilized for development within the Ellensburg UGA, this chapter shall apply. (Ord. 2022-017, 2022)

17.44.020 Allowed uses. Uses allowed in the highway commercial zone include those uses pursuant to KCC Chapter 17.15.

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

17.44.030 Repealed.

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

17.44.040 Minimum lot size.

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

17.44.050 Setback requirements.

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

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

17.44.055 Setback requirements - Zones Adjacent to Commercial Forest Zone

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

17.44.060 Building height.

The maximum height of any structure shall be 40 feet. (Ord. 2022-017, 2022; Ord. 83-Z-2 (part), 1983)

17.44.070 Repealed.

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

17.44.080 Access.

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

Chapter 17.48

I-L LIGHT INDUSTRIAL ZONE*

Sections

17.48.010 Purpose and intent.

17.48.015 Development within the Ellensburg Urban Growth Area (UGA).

- 17.48.020 Allowed uses.
- 17.48.030 Minimum lot size.
- 17.48.040 Front, side and rear yard requirements.
- 17.48.050 Setbacks.
- 17.48.060 Height restrictions.
- 17.48.070 Lot coverage.

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

17.48.010 Purpose and intent.

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

17.48.015 Development within the Ellensburg Urban Growth Area (UGA).

For properties located within the City of Ellensburg UGA, the use and development standards in KCC 17.11.030 through 17.11.039 shall be utilized. Where KCC 17.11.030 through 17.11.039 does not identify use and development standards to be utilized for development within the Ellensburg UGA, this chapter shall apply. (Ord. 2022-017, 2022)

17.48.020 Allowed uses.

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

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

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

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

17.48.040 Front, side and rear yard requirements.

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

17.48.050 Setbacks.

No building or permanent structure may be constructed closer than fifty-five (55) feet from the centerline of any public right-of-way. If any use in this zone abuts or faces any residential zone, a setback of fifty (50) feet on the side abutting or facing the residential zone shall be provided, with tree planting or other conditions necessary to preserve the character of the residential zone. The Director shall determine what these conditions shall be. (Ord. 2013-001, 2013; Ord. 83-Z-2 (part), 1983)

17.48.060 Height restrictions.

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

17.48.070 Lot coverage.

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

Chapter 17.52

I-G GENERAL INDUSTRIAL ZONE

Sections

- 17.52.010 Purpose and intent.
- 17.52.015 Development within the Ellensburg Urban Growth Area (UGA).
- 17.52.020 Allowed uses.
- 17.52.030 Repealed.
- 17.52.040 Front, side and rear yard requirements.
- 17.52.050 Setbacks.
- 17.52.060 Height restrictions.
- 17.52.080 Access.

17.52.010 Purpose and intent.

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

17.52.015 Development within the Ellensburg Urban Growth Area (UGA).

For properties located within the City of Ellensburg UGA, the uses and development standards in KCC 17.11.030 through 17.11.039 shall be utilized. Where KCC 17.11.030 through 17.11.039 does not identify development uses and standards to be utilized for development within the Ellensburg UGA, this chapter shall apply. (Ord. 2022-017, 2022)

17.52.020 Uses permitted.

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

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

17.52.040 Front, side and rear yard requirements.

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

17.52.050 Setbacks.

If any use in this zone abuts or faces any Residential or Urban Residential zone, a setback of fifty (50) feet on the side abutting or facing the residential zone shall be provided, with tree planting or other conditions necessary to preserve the character of the residential zone. The Director shall determine what these conditions shall be. (Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2007-22, 2007; Ord. 96-19 (part), 1996; Ord. 83-Z-2 (part), 1983)

17.52.060 Height restrictions.

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

17.52.080 Access.

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

Chapter 17.56

FOREST AND RANGE ZONE*

Sections

17.56.010 Purpose and intent.

17.56.020 Allowed uses.

17.56.030 Repealed.

17.56.040 Lot - Minimum size.

17.56.050 Lot - Width.

17.56.060 Yard requirements.

17.56.062 Yard requirements - Adjacent to Liberty Historic Overlay Zone.

17.56.065 Yard requirements- Zones Adjacent to Commercial Forest Zone.

17.56.070 Structure height.

17.56.080 Repealed.

17.56.090 Repealed.

17.56.100 Repealed.

* Prior legislation: Ords. 82-Z-1, 77-1Z, 76-3, 762,75-11, 74-6, 2.

17.56.010 Purpose and intent.

The purpose and intent of this zone is to provide for areas of Kittitas County wherein natural resource management is the highest priority and where the subdivision and development of lands for uses and activities incompatible with resource management are discouraged. (Ord. 92-6 (part), 1992)

17.56.020 Uses permitted.

Uses allowed in the forest and range zone include those uses pursuant to KCC Chapter 17.15. (Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2011-013, 2011; Ord. 2007-22, 2007; Ord. 96-19 (part), 1996; Ord. 92-6 (part), 1992; Ord. 88-4 § 5, 1988; Ord. 87-9 § 4, 1987; Ord. 85-Z-2 (part), 1985; Res. 83-10, 1983)

17.56.030 Repealed.

(Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2009-25, 2009; Ord. 2007-22, 2007; Ord. 2001-13 (part), 2001; Ord. 93-6 (part), 1993; Ord. 92-6 (part), 1992; Ord. 90-15 §§ 2 (part), 3 (part), 1990; Ord. 90-10 (part), 1990; Ord. 90-6 (part), 1990; Ord. 88-4 § 6, 1988; Ord. 87-9 § 5, 1987; Ord. 85-Z-2 (part), 1985; Ord. 83-Z-2 (part), 1983; Res. 8310, 1983)

17.56.040 Lot - Minimum size.

The minimum lot size in the Forest and Range zone shall be:

1. Twenty (20) acres, unless within a cluster or conservation plat as provided for in KCC Chapter 16.09, Cluster Platting and Conservation Platting;
2. One-half (½) acre for lots in a cluster or conservation plat; (Ord. 2013-001, 2013; Ord. 2007-22, 2007; Ord. 92-6 (part), 1992; Res. 83-10, 1983)

17.56.050 Lot - Width.

1. No parcel created after the adoption of the ordinance codified in this chapter shall have a length-width dimension less than five hundred (500) feet unless the parcel is approved under provisions established in Section 17.56.040 2 and 3.
2. No platted parcel shall have dimensions in excess of a 4:1 length by width ratio. (Ord. 2013-001, 2013; Ord. 2007-22, 2007; Ord. 92-6 (part), 1992; Res. 83-10, 1983)

17.56.060 Yard requirements.

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

(Ord. 2022-017, 2022; Ord. 2022-005, 2022; Ord. 2021-015, 2021; Ord. 2013-001, 2013; Ord. 96-19 (part), 1996; Ord. 92-6 (part), 1992; Res. 83-10, 1983)

17.56.062 Yard requirements - Adjacent to Liberty Historic Overlay Zone.

Properties bordering or adjacent to the Liberty Historic overlay zone are subject to a fifty (50) foot setback from the overlay boundary. For properties where such setback isn't feasible, development shall comply with KCC 17.84, Variances. (Ord. 2014-005, 2014;)

17.56.065 Yard requirements in Zones Adjacent to Commercial Forest Zone .

Properties bordering or adjacent to the Commercial Forest zone are subject to a two hundred (200)-foot setback from the Commercial Forest Zone. (KCC 17. 57.050(1)). For properties where such setback isn't feasible, development shall comply with KCC 17.57.050(2). (Ord. 2013-001, 2013; Ord. 2010-014, 2010; Ord. 2007-22, 2007)

17.56.070 Structure height.

No structure shall exceed two and one-half (2½) stories or thirty-five (35) feet in height, whichever is greater. This limit does not apply to agricultural buildings. (Ord. 2013-001, 2013; Ord. 92-6 (part), 1992; Res. 83-10, 1983)

17.56.080 Repealed.

(Ord. 2016-006, 2016; Ord. 2013-001, 2013; Ord. 92-6 (part), 1992; Res. 83-10, 1983)

17.56.090 Repealed.

(Ord. 2013-001, 2013; Ord. 92-6 (part), 1992; Res. 83-10, 1983)

17.56.100 Repealed.

(Ord. 2013-001, 2013; Ord. 2010-014, 2010)

Chapter 17.57

COMMERCIAL FOREST ZONE

Sections

- 17.57.010 Purpose and intent.
- 17.57.020 Allowed uses.
- 17.57.030 Repealed.
- 17.57.040 Lot - Minimum size.
- 17.57.050 Yard requirements.
- 17.57.060 Structure height.
- 17.57.070 Repealed.
- 17.57.080 Fire protection.
- 17.57.090 Water supply.
- 17.57.100 Building location.
- 17.57.110 Access.
- 17.57.120 Road standards.
- 17.57.130 Repealed.
- 17.57.140 Resource activity notification.

17.57.010 Purpose and intent.

The purpose and intent of this zone is to provide for areas of Kittitas County wherein natural resource management is the highest priority and where the subdivision and development of lands for uses and activities incompatible with resource management are discouraged consistent with the commercial forest classification policies of the comprehensive plan. The commercial forest classification applies to lands which have long-term commercial significance for the commercial production of timber, and which have been designated as commercial forest in the comprehensive plan. Nothing in this chapter shall be construed in a manner inconsistent with the Washington State Forest Practices Act. Nothing in this chapter shall be construed in a manner to prohibit uses permitted prior to the effective date of this chapter. (Ord. 94-1 (part), 1994)

17.57.020 Uses permitted.

Uses allowed in the commercial forest zone include those uses pursuant to KCC Chapter 17.15. (Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2011-013, 2011; Ord. 96-19 (part), 1996; Ord. 94-1 (part), 1994)

17.57.030 Repealed.

(Ord. 2013-001, 2013; Ord. 2010-014, 2010; Ord. 2009-25, 2009; Ord. 94-1 (part), 1994)

17.57.040 Lot - Minimum size.

The minimum lot size in the Commercial Forest Zone shall be eighty (80) acres. (Ord. 2013-001, 2013; Ord. 94-1 (part), 1994)

17.57.050 Yard requirements.

1. All structures shall maintain a minimum of two hundred (200) feet setback from all front, rear and side yard lines. In the event this requirement reduces the buildable area of a parcel to a dimension that is less than one hundred (100) feet in width and/or in depth, the setback requirement from all yard lines shall be reduced to a

point that allows for a maximum building area of one hundred (100) feet in width and/or one hundred (100) feet in depth. For instances where the subject property is bordered by zones other than Commercial Forest, the two hundred (200) foot setback shall be maintained at the property lines located bordering the Commercial Forest Zone.

2. No dwelling units or accessory structures shall be placed within two hundred (200) feet of the Commercial Forest Zone boundary delineation unless this requirement together with standard front, rear, and side yard setbacks as identified in the underlying zoning district reduces the buildable area of the parcel to a dimension that is less than one hundred (100) feet in width and/or in depth. In this instance, the setback requirement from the Commercial Forest Zone boundary shall be reduced to a point that allows for a maximum building area of one hundred (100) feet in width and/or one hundred (100) feet in depth. (Ord. 2018-021, 2018; Ord. 2013-001, 2013; Ord. 2007-22, 2007; Ord. 94-1 (part), 1994)

17.57.060 Structure height.

No structure shall exceed two and one-half (2½) stories or thirty-five (35) feet in height, whichever is greater. This limit does not apply to agricultural buildings or transmission structures. (Ord. 2013-001, 2013; Ord. 94-1 (part), 1994)

17.57.070 Repealed.

(Ord. 2016-006, 2016; Ord. 2013-001, 2013; Ord. 94-1 (part), 1994)

17.57.080 Fire protection.

All new structures shall comply with the applicable standards contained in: (1) "Fire Safety Considerations for Developments in Forested Areas: Fire Hazard Severity Rating and Recommended Standards" (Northwest Interagency Fire Prevention Group) Washington Department of Natural Resources Severity Type Rating System; (2) standards adopted by Kittitas County Fire Protection Cooperative - "Recommendations For Fire Safety and Prevention of Forest and Range Land in Kittitas County Including Rural, Commercial and Private Developments"; and/or (3) Urban Wildland Interface Code for structures outside a fire district. (Ord. 2007-22, 2007; Ord. 94-1 (part), 1994)

17.57.090 Water supply.

1. When residential or other structural uses are intended to be supplied with potable water from off-site sources, recorded, written permission shall be obtained from the property owners supplying the water prior to plat approval or building permit issuance, as applicable.
2. New residential or recreational domestic water supplies shall be certified by the state of Washington and shall not be located within one hundred (100) feet of adjacent property without recorded, written consent of the property owners. (Ord. 2013-001, 2013; Ord. 94-1 (part), 1994)

17.57.100 Building location.

No permanent buildings shall be located in a one hundred-(100)-year floodplain, in wetlands, or in geologically hazardous critical areas. (Ord. 2013-001, 2013; Ord. 94-1 (part), 1994)

17.57.110 Access.

Vehicular access to residential properties shall not traverse commercial forest lands unless legal access has been granted by the property owner of the forest commercial lands. Easements for permanent access shall be recorded with the county assessor by the property owner. (Ord. 94-1 (part), 1994)

17.57.120 Road standards.

1. Roads serving new residential, commercial or industrial building sites shall meet or exceed county road standards.
2. Private Driveways. Private driveways shall be a minimum of twelve (12) feet in width providing curves are not too sharp, a minimum centerline radius of fifty-five (55) feet for curves, a maximum grade of twelve percent (12%) up to fifteen percent (15%) for very short distances subject to approval by the ~~e~~County ~~e~~Director of ~~public works~~ ~~Public Services~~ and ~~e~~County ~~f~~ire ~~m~~arshal (grades over twelve percent (12%) are required to be paved with asphalt cement or Portland cement concrete; any grade over twenty percent (20%) must be paved with Portland cement concrete), with functional turnouts intervisible, and a minimum of eighty (80) feet diameter turn-around for dead ends. (Ord. 2013-001, 2013; Ord. 94-1 (part), 1994)

17.57.130 Repealed.

(Ord. 2013-001, 2013; Ord. 94-1 (part), 1994)

17.57.140 Resource activity notification.

All conveyance instruments, plats, short plats, development permits, and building permits issued for development activities on, or within five hundred (500) feet of land designated as Commercial Forest Zone lands contain the following notice: "The subject property is within or near designated natural resource land of long-term commercial significance on which a variety of commercial activities may occur that are not compatible with residential development for certain periods of limited duration. Commercial natural resource activities performed in accordance with county, state and federal laws are not subject to legal action as public nuisances." (RCW 7.48.305) (Ord. 2007-22, 2007; Ord. 94-1 (part), 1994)

Chapter 17.58

AIRPORT ZONE*

Sections

- 17.58.010 Purpose and intent.
- 17.58.020 Statutory authority.
- 17.58.030 Definitions.
- 17.58.040A Airport overlay zoning district: Kittitas County Airport (Bowers Field).
- 17.58.040B Airport overlay zoning district: Easton State, Cle Elum Municipal, DeVere Field.
- 17.58.050 Uses, development requirements and restrictions.
- 17.58.060 Permits.
- 17.58.070 Nonconforming use - Regulations not retroactive.
- 17.58.080 Violations and enforcement.

- 17.58.090 Appeals.
- 17.58.100 Repealed.
- 17.58.110 Conflicting regulations.

*For airport use regulations, see KCC Title 19. Prior history: Ords. 88-4 and 83-Z-2; Res. 83-10; Vol. 5, p. 362, 1979.

17.58.010 Purpose and intent.

The purpose and intent of this chapter is to establish an airport overlay zoning district on properties located on, adjacent to, and in the vicinity of public-use airports including Easton State, Cle Elum Municipal, DeVere Field and Kittitas County Airport (Bowers Field), in order to protect the health, welfare, safety, and quality of life of the general public, property owners, airport operators, and aviation community; and also to ensure compatible land uses in the vicinity of the affected environments of the airport overlay zoning district. With regulations set forth in the Adopted 14 CFR Federal Aviation Regulations Part 77. (Ord. 2021-015, 2021; Ord. 2007-22, 2007; Ord. 2001-10 (part), 2001)

17.58.020 Statutory authority.

This chapter is adopted pursuant to RCW 36.70A.547 and 36.70A.200 which requires a county, city or town to enact development regulations, to discourage the siting of incompatible land uses adjacent to general aviation airports and public-use airports. (Ord. 2021-015, 2021; Ord. 2007-22, 2007; Ord. 2001-10 (part), 2001)

17.58.030 Definitions.

As used in this chapter, unless the context otherwise requires:

1. "Airport" means public-use airports including Easton State, Cle Elum Municipal, DeVere Field and Kittitas County Airport (Bowers Field).
2. "Airport elevation" means the airfield elevation in feet above mean sea level depicted on an FAA or WSDOT-approved Airport Layout Plan (ALP), or as published in the FAA Chart Supplement for airports without an approved ALP. The established airport elevations for airports in Kittitas County are as follows:
 - Kittitas County Airport (Bowers Field) at 1,763 feet above mean sea level
 - Easton State Airport at 2,226 feet above mean sea level
 - DeVere Field at 1,800 feet above mean sea level
 - Cle Elum Municipal Airport at 1,945 feet above mean sea level
3. "Airport overlay zoning district" shall include the runway protection zone, inner safety zone, inner turning zone, outer safety zone, sideline zone, and the airport operation zone as depicted on Map "B" - "Airport Safety Zones"¹ and numbered zones 1 through 6, respectively, and shall also encompass the area identified within 14 CFR Federal Aviation Regulations (FAR) Part 77, as amended and depicted on Map "A" - "Part 77".²

¹ Map "B", referenced throughout this chapter, is on file with the Kittitas County [public-works-Public Services_d](#)Department.

² Map "A", referenced throughout this chapter, is on file with the Kittitas County [public-works-Public Services_d](#)Department.

4. "Airport Surface" means a surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and along the same slope as the approach zone height limitation slope set forth in KCC 17.58.050. The perimeter of the approach surface coincides with the perimeter of the approach zone.
5. Approach, Transitional, Horizontal, and Conical Zones. These zones are defined by FAR Part 77, and are described in KCC 17.58.040A and KCC 17.58.040B for the runways addressed in this chapter.
6. "Conical Surface" means a surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 feet upward to one foot outward for a horizontal distance of 4,000 feet.
7. "Flammable and combustible liquids" shall be defined as the type and design of underground and aboveground liquid storage tanks; the location and design of the fuel dispensers and dispenser nozzles; the design and specifications for related piping, valves and fittings; the location and classification of electrical equipment, including emergency fuel shutdown devices; and specifications for fuel storage and pressure-relief components, and shall be in accordance with Article 52 (5201.3.2(#1) Motor Vehicle Fuel - Dispensing Stations), Article 79 (Flammable and Combustible Liquids, specifically Special Options 7904), Standard of the International Fire Code and all applicable codes.
8. "Hazard to air navigation" means an obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.
9. "Height" for the purpose of determining the height limits in all zones set forth in this chapter and shown on the airport overlay zoning district map "A", the datum shall be mean sea level elevation unless otherwise specified.
10. "Horizontal surface" means a horizontal plane 150 feet above the established airport elevation.
11. "Larger than utility runway" means a runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight and jet-powered aircraft.
12. "Nonconforming use" means any preexisting structure, object of natural growth, or use of land, which is inconsistent with the provisions of this chapter.
13. 12.14. Nonprecision Instrument Approach. A nonprecision instrument approach is designed to provide inbound electronic course alignment to aircraft approaching the airport or a specific runway end for landing. Nonprecision instrument approaches may be classified as "straight-in" to a specific runway end, or "circling" to allow an aircraft to land on any runway end on the airfield while maintaining visual contact with the airport environment once past the missed approach point.
14. "Nonprecision instrument runway" means a runway having an existing or planned non-precision straight-in instrument approach procedure to at least one runway end.
15. "Obstruction" means any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth in KCC 17.58.050.
16. "Person" means an individual, firm, partnership, corporation, company, association, joint stock association or government entity. "Person" includes a trustee, a receiver, an assignee, or a similar representative.
17. Precision Instrument Approach. A precision instrument approach is designed to provide a defined electronic approach path with horizontal and vertical guidance, utilizing ground based or satellite air navigation facilities. Precision instrument approaches provides defined inbound course alignment and vertical descent for aircraft on final approach and landing to a specific runway end.
18. "Precision instrument runway" means a runway having an existing or planned precision instrument approach procedure to at least one runway end.
19. "Primary Surface" means a surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway. For military runways or when the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface is defined by FAR Part 77, and is described in KCC 17.58.040A and KCC 17.58.040B for each runway addressed in this chapter. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.
20. "Runway" means a defined area on an airport prepared for landing and takeoff of aircraft along its length.

21. "Structure" means an object, including a mobile object, constructed or installed by man, including but without limitation, buildings, towers, cranes, smokestacks, earth formation, and overhead transmission lines.
22. "Transitional Surface" means the surfaces that extend outward at a 90-degree angle to the runway centerline and the extended runway centerline from the sides of the primary surface and approach surface, at a slope of seven feet horizontally for each one foot vertically, until reaching the horizontal surface, 150 feet above airport elevation. For precision instrument approaches, transitional surfaces also extend from the sides of the outer portion of the approach surface that extend beyond the limits of the conical surface. The precision approach transitional surface extends 5,000 feet horizontally from the edge of the approach surface at 90-degree angles to the extended runway centerline, at a slope of seven feet horizontally for each one foot vertically.
23. "Tree" means any object of natural growth.
24. "Utility runway" means a runway that is constructed for and intended to be used by propeller-driven aircraft of 12,500 pounds maximum gross weight or less.
25. "Visual runway" means a runway intended solely for the operation of aircraft using visual approach procedures, including visual segments of circling non-precision instrument approaches.

(Ord. 2021-015, 2021; Ord. 2007-22, 2007; Ord. 200110 (part), 2001)

17.58.040A Airport overlay zoning district: Kittitas County Airport (Bowers Field).

In order to carry out the provisions of this chapter, there is hereby created an airport overlay zoning district that is composed of the following surface and safety zones for Kittitas County Airport (Bowers Field). The zones cover a geographic area that is affected by airport activities and are defined on the basis of factors including, but not limited to, aircraft noise, aircraft flight patterns, airport safety zones, local circulation patterns and area development patterns. The boundaries of the airport surface and safety zones are shown on airport overlay zoning district Map "A" - "Part 77" and Map "B" - "Airport Safety Zones", which are attached hereto and incorporated by reference, and which shall also be on file and open for inspection in the Kittitas County ~~Community Development Public Services Department, Kittitas County Public Works department,~~ and the ~~e~~City of Ellensburg ~~e~~Community ~~d~~Development ~~d~~Department. The surface and safety zones are overlaid on top of the existing underlying zoning, which remains in full force and effect. Where the requirements imposed by the surface and safety zones conflict with the requirements of the underlying zoning, the more restrictive requirement shall be enforced.

1. Surface Zones. In order to carry out the provisions of this chapter, there are created and established certain surface zones which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces as they apply to Kittitas County Airport (Bowers Field). Such zones are shown on Kittitas County Airport (Bowers Field) overlay zoning map "A", as amended. Within each of the surface zones there are hereby established certain height restrictions for structures and trees. The surface zones are established and defined as follow:

Note: Runway 11/29 will be re-designated "12/30" in the future due to a change in runway magnetic declination documented on Map "A" - "Part 77." All cited references in this chapter to "Runway 11" or "Runway 29" also apply to the future "Runway 12" and "Runway 30." All surface elevations for Bowers Field referencing "above airport elevation" assume the existing airport elevation of 1,763 feet above mean sea level, plus the defined vertical height of the airspace surface. (Ord. 2021-015, 2021).

Runways 11 and 29, Larger than Utility, Nonprecision Instrument Approach Zone, with a visibility minimum greater than or equal to one-mile. The 500-foot inner edge coincides with the width and elevation of the primary surface end and slopes 34 feet outward for each one foot upward beginning at the end of the primary surface and extends 10,000 feet along the extended runway centerline. The surface expands to a width of 3,500 feet at its end and its centerline is the continuation of the runway centerline as depicted on map "A".

Height Restrictions: No object shall penetrate the imaginary line created by a slope 34 feet outward for each one foot upward beginning at the inner end of the surface and extending for a distance of 10,000 feet along the extended runway centerline.

Runway 25, Larger than Utility, Nonprecision Instrument Approach Zone, with a visibility minimum greater than or equal to one-mile. The 500-foot inner edge coincides with the width of the primary surface and slopes 34 feet outward for each one foot upward beginning at the end of and at the same elevation as the primary surface and extends 10,000 feet along the extended runway centerline. The surface expands to a width of 3,500 feet at its end and its centerline is the continuation of the runway centerline as depicted on map "A".

Height Restrictions: No object shall penetrate the imaginary line created by a slope 34 feet outward for each one foot upward beginning at the inner end of the surface and extending for a distance of 10,000 feet along the extended runway centerline.

Runway 07, Larger than Utility, Visual Approach Zone, with a visibility minimum greater than or equal one-mile. The 500-foot inner edge coincides with the width of the primary surface and slopes 20 feet outward for each one foot upward beginning at the end of and at the same elevation as the primary surface and extends 5,000 feet along the extended runway centerline. The surface expands to a width of 2,000 feet at its end and its centerline is the continuation of the runway centerline as depicted on map "A".

Height Restrictions: No object shall penetrate the imaginary line created by a slope 20 feet outward for each one foot upward beginning at the inner end of the surface and extending for a distance of 5,000 feet along the extended runway centerline.

Transitional Zones. This zone is defined by a slope seven feet outward for each one foot upward beginning at the sides of, and at the same elevation as the primary surface and the approach surfaces, measured at 90-degree angles to the runway centerline, and extending to a height of 150 feet above the airport elevation (horizontal zone), which is 1,913 feet above mean sea level.

Height Restrictions: No object shall penetrate the imaginary line created by a slope seven feet outward for each one foot upward beginning at the sides of and the same elevation as the primary surface or approach surfaces, and extending to where they connect to the horizontal zone. Further, where a precision instrument runway approach zone projects beyond the conical zone, no object shall penetrate the imaginary line created by a slope seven feet outward for each one foot upward beginning at the sides of and the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet measured at 90-degree angles to the extended runway centerline.

Horizontal Zone. The zone is established at 150 feet above the airport elevation (1,913 feet above mean sea level) by swinging arcs of 5,000 feet for all runway ends designated utility or visual, and 10,000 feet for all other runways, from the intersection of the extended runway centerline and the end of the primary surface for each runway end. The adjacent arcs are connected by drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.

Height Restrictions: No object shall penetrate the imaginary horizontal line created at 150 feet above the airport elevation, or 1,913 feet above mean sea level.

Conical Zone. The conical zone is established as the area that commences at the periphery of the horizontal zone and extends outward there from for a horizontal distance of 4,000 feet as depicted in map "A".

Height Restrictions: No objects shall penetrate the imaginary line created by a slope 20 feet outward for each one foot upward beginning at the periphery of the horizontal zone (150 feet above the airport elevation) and extending to a height up to 350 feet above the airport elevation.

2. Safety Zones. In order to carry out the provisions of this chapter and to promote land use compatibility on lands within and adjacent to and in the vicinity of the Kittitas County Airport (Bowers Field), there are created and established certain safety zones. Such safety zones are shown on Kittitas County Airport (Bowers Field) overlay zoning district map "B", as amended. Within each of the safety zones, certain land use limitations are established and certain development standards are imposed in addition to the land uses and development standards of the underlying zoning. Where the requirements imposed by these safety zones conflict with the requirements of the underlying zoning, the more restrictive requirement shall be enforced. The safety zones are established and defined as follows:
 - a. Runway Protection Zone 1. An area extending beyond the centerlines of runways 11, 29, 07, and 25 as depicted on map "B" (shaded area #1). This zone begins from the outer boundaries of the primary surface, 200 feet from the ends of the runways and extends out 1,700 feet to its widest point, which measures 1,010 feet across, 505 feet on either side of the runway centerline.
 - b. Inner Safety Zone 2. An area extending beyond the centerlines of runways 11, 29, 07, and 25 as depicted in map "B" (shaded area #2). This zone begins at the end of the runway protection zone 1 and extends out 2,800 feet. The zone measures 1,010 feet across, 505 feet on either side of the runway centerline.
 - c. Inner Turning Zone 3. A fan shaped area extending beyond the center lines of runways 11, 29, 07, and 25 as depicted on map "B" (shaded area #3). This zone begins at the primary surface, 200 feet from the end of the runway centerline and extends out with a 60-degree radius arc on either side of the runway centerline to 4,500 feet and connects to the centerline of the inner safety zone with sweeping arcs.
 - d. Outer Safety Zone 4. Area extending beyond the centerlines of runways 11, 29, 07, and 25 as depicted on map "B" (shaded area #4). This zone begins at the end of the inner safety zone and extends out 3,000 feet. The zone measures 1,000 feet across, 500 feet on either side of the runway centerline.
 - e. Sideline Zone 5. An area adjacent to runways 11, 29, 07, and 25 as depicted on map "B" (shaded area #5). This zone begins from the outer boundaries of the primary surface, and extends out 1,000 feet perpendicular to the primary surface and connects to the 60-degree sector of the inner turning zone.
 - f. Airport Operations Zone 6. This zone is depicted on map "B" (shaded area #6) and begins from the outer boundaries of the sideline zone and extends out 5,000 feet perpendicular to the primary surface and connects to the 60-degree sector of the inner turning zone.

(Ord. 2021-015, 2021; Ord. 2007-22, 2007; Ord. 2001-10 (part), 2001)

17.58.040B Airport overlay zoning district: Easton State, Cle Elum Municipal, and DeVere Field.

In order to carry out the provisions of this chapter, there is hereby created an airport overlay zoning district that is composed of the following surface and safety zones for the Easton State, Cle Elum Municipal and DeVere Field. The zones cover a geographic area that is affected by airport activities and are defined on the basis of factors including, but not limited to, aircraft noise, aircraft flight patterns, airport safety zones, local circulation patterns and area development patterns. The surface and safety zones are overlaid on top of the existing underlying zoning, which remains in full force and effect. Where the requirements imposed by the surface and safety zones conflict with the requirements of the underlying zoning, the more restrictive requirement shall be enforced. With the exception of those necessary and incidental to airport operations, no uses shall be permitted that allow buildings, structures, vegetation or other development that penetrates the imaginary air surfaces described below.

1. Surface Zones. In order to carry out the provisions of this chapter, there are created and established certain surface zones which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces as they apply to each airport Kittitas County Airport (Bowers Field). Such zones are shown on Kittitas County Airport (Bowers Field) overlay zoning map "A" for each airport, as amended. Within each of the surface zones there are hereby established certain height restrictions for structures and trees. The surface zones are established and defined as follows:

Approach Zone. A surface longitudinally centered on the extended runway centerline. Its centerline is the continuation of the runway centerline as depicted on map "A".

Visual Runways. The 250-foot or 500-foot inner edge coincides with the width of the primary surface and slopes 20 feet outward for each one foot upward beginning at the end of and at the same elevation as the primary surface and expands to a width of 1,250 feet or 1,500 feet at a horizontal distance of 5,000 feet along the extended runway centerline. The variable surface widths noted in this section are determined based on "Utility" or "Larger than Utility" FAR Part 77 designations assigned to each runway.

Nonprecision Instrument Approach Zone. The 500-foot inner edge coincides with the width of the primary surface and slopes 20 feet or 34 feet outward for each one foot upward beginning at the end of and at the same elevation as the primary surface and expands to a width of 2,000 or 3,500 feet at a horizontal distance of 5,000 feet or 10,000 feet along the extended runway centerline. The variable surface widths noted in this section are determined based on "Utility" or "Larger than Utility" FAR Part 77 designations assigned to each runway.

Precision Instrument Approach Zone. The 1,000-foot inner edge of this approach zone coincides with the width of the primary surface and slopes 50 feet outward for each one foot upward for the first 10,000 feet of this zone and 40 feet outward for each one foot upward for the remaining 40,000 feet of this zone. The zone begins at the end of and at the same elevation as the primary surface. The approach zone expands uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway as depicted on map "A". Note: The precision instrument approach zone does not currently apply to for the group of airports included in this section.

Transitional Zones. This zone is defined by a slope seven feet outward for each one foot upward beginning at the sides of, and at the same elevation as the primary surface and the approach surfaces, measured at 90-degree angles to the runway centerline, and extending to a height of 150 feet above the airport elevation (horizontal zone), which varies by airport. Where the precision instrument runway approach zone projects beyond the conical zone, no object shall penetrate the imaginary line created by a slope seven feet outward for each one foot upward beginning at the sides of and the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet measured at 90-degree angles to the extended runway centerline. Note: The precision instrument approach zone transitional surface does not currently apply to for the group of airports included in this section.

Height Restrictions: No object shall penetrate the imaginary line created by a slope seven feet outward for each one foot upward beginning at the sides of and the same elevation as the primary surface or approach surfaces, and extending to where they connect to the horizontal zone.

Horizontal Zone. The zone is established at 150 feet above the airport elevation (varies by airport) by swinging arcs of 5,000 feet for all runway ends designated utility or visual, and 10,000 feet for all other runways, from the intersection of the extended runway centerline and the end of the primary surface for each runway and connecting adjacent arcs by drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.

Height Restrictions: No object shall penetrate the imaginary horizontal line created at 150 feet above the airport elevation.

Conical Zone. The conical zone is established as the area that commences at the periphery of the horizontal zone and extends outward there from for a horizontal distance of 4,000 feet as depicted in map "A".

Height Restrictions: No objects shall penetrate the imaginary line created by a slope 20 feet outward for each one foot upward beginning at the periphery of the horizontal zone and at 150 feet above the airport elevation and extending to a height up to 350 feet above airport elevation.

2. Safety Zones. In order to carry out the provisions of this chapter and to promote land use compatibility on lands within and adjacent to and in the vicinity of each airport, there are created and established certain safety zones. Such safety zones are shown for each airport on overlay zoning district map "B", as amended. Within each of the safety zones, certain land use limitations are established and certain development standards are imposed in addition to the land uses and development standards of the underlying zoning. Where the requirements imposed by these safety zones conflict with the requirements of the underlying zoning, the more restrictive requirement shall be enforced. The safety zones are established and defined as follows:

- a. Runway Protection Zone 1. An area extending beyond the centerlines of each runway end, as depicted on map "B" (shaded area #1). This zone begins from the outer boundaries of the primary surface, 200 feet from the ends of the runways and extends out 1,700 feet to its widest point, which measures 1,010 feet across, 505 feet on either side of the runway centerline.
- b. Inner Safety Zone 2. An area extending beyond the centerlines of each runway end, as depicted in map "B" (shaded area #2). This zone begins at the end of the runway protection zone 1 and extends out 2,800 feet. The zone measures 1,010 feet across, 505 feet on either side of the runway centerline.
- c. Inner Turning Zone 3. A fan shaped area extending beyond the center lines of each runway end, as depicted on map "B" (shaded area #3). This zone begins at the primary surface, 200 feet from the end of the runway centerline and extends out with a 60-foot radius arc on either side of the runway centerline to 4,500 feet and connects to the centerline of the inner safety zone with sweeping arcs.
- d. Outer Safety Zone 4. Area extending beyond the centerlines of each runway end, as depicted on map "B" (shaded area #4). This zone begins at the end of the inner safety zone and extends out 3,000 feet. The zone measures 1,000 feet across, 500 feet on either side of the runway centerline.
- e. Sideline Zone 5. An area adjacent to each runway end, as depicted on map "B" (shaded area #5). This zone begins from the outer boundaries of the primary surface, and extends out 1,000 feet perpendicular to the primary surface and connects to the 60-degree sector of the inner turning zone.
- f. Airport Operations Zone 6. This zone is depicted on map "B" (shaded area #6) and begins from the outer boundaries of the sideline zone and extends out 5,000 feet perpendicular to the primary surface and connects to the 60-degree sector of the inner turning zone.

(Ord. 2021-015, 2021; Ord. 2010-014, 2010; Ord. 2007-22, 2007)

17.58.050 Uses, development requirements and restrictions.

1. General Development Requirements and Restrictions Applicable to All Zones.

- a. Underlying Zoning Requirements. In addition to the airport overlay zoning district development requirements and restrictions set forth in subsections (A)(2) through (9) of this section and in the table in subsection B of this section, all uses and activities are at all times subject to the requirements of the underlying zoning district. Where the requirements and restrictions imposed by the airport overlay zoning district surface and safety zones conflict with the requirements of the underlying zoning district, the more restrictive requirement shall be applied.
- b. Pre-annexation/Annexation. Once the parcel is annexed into a defined city limits, the parcel shall adopt by reference the density requirements of the respective city, where applicable.
- c. Height. All uses shall be subject at all times to the height restrictions set forth in KCC 17.58.040(A).
- d. Signal and Radio Communication Interference. Electrical interference with navigational signals or radio communication between the airport and aircraft is prohibited and will be regulated in accordance with rules and regulations promulgated and enforced by the Federal Communications Commission (FCC) and Federal Aviation Administration (FAA) regulations.
- e. Lighting and Glare. Activities or uses that create lighting which make it difficult for pilots to distinguish between airport lights and non-airport lights or that create glare in the eyes of pilots using the airport are prohibited. All outdoor lighting fixtures shall be arranged and shielded so that area lighting shall not shine into the sky.
- f. Visibility. Activities or uses that create excessive amounts of dust, smoke, or other emissions that may result in impairment of visibility in the vicinity of the airport are discouraged and will be regulated in accordance with rules and regulations promulgated and enforced by the Washington State Department of Ecology under the Clean Air Act and other state and federal regulations.
- g. Large Bodies of Water. Activities or uses that create large areas of standing water are discouraged and shall be reviewed and regulated in accordance with the provisions set forth in the county's State Environmental Policy Act (SEPA) regulations as set forth in Chapter 15.04 KCC.
- h. Flammable and Combustible Material. Flammable and combustible liquids and specifications for fuel storage shall be in accordance with the International Fire Code and all applicable codes as adopted in KCC Title 14, Buildings and Construction.
- i. Noise Insulation. Noise insulation for new structures shall be in accordance with the International Building Code and the Washington State Energy Code as adopted in KCC Title 14, Buildings and Construction.
- j. Subdivision. When any division of land including short plats, plats, cluster subdivisions, and planned unit developments, occur on any land within the airport overlay zoning district safety zones 1 through 6, a note located on the first page of the plat, shall be recorded with the county auditor as follows:

This property is located within the Airport Overlay Zoning District in which a variety of airport aviation activities occur. Such airport aviation activities may impact the use of your property.

2. Use Table.

Note: All aviation uses are acceptable only on airport property. Electric Vehicle Infrastructure is permitted in all zones. See KCC Chapter 17.66

Airport Overlay Zones	Applicable uses
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Zone 1 (Runway Protection Zone)	1. Land uses, which by their nature will be relatively unoccupied by people should be encouraged (mini-storage, small parking lots, etc.) 2. Schools, play fields, hospitals, nursing homes, and churches are prohibited.
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- Zone 2**
(Inner Safety Zone)
1. Schools, play fields, hospitals, nursing homes, and churches are prohibited.
 2. Outside of an existing Urban Growth Area (UGA) the average density will be one dwelling unit per three acres on the property at the date of adoption of this ordinance [July 17, 2001].
 3. Inside of an existing Urban Growth Area (UGA) the average density will be one dwelling unit per one acre on the property at the date of adoption of this ordinance [July 17, 2001].
- Zone 3**
(Inner Turning Zone)
1. Schools, play fields, hospitals, nursing homes, and churches are prohibited.
 2. Flammable and combustible liquids and specifications for fuel storage shall be in accordance with Articles 52 and 79, the International Fire Code (IFC) standard, and applicable codes.
 3. Outside of an existing Urban Growth Area (UGA) the average density will be one dwelling unit per three acres on the property at the date of adoption of this ordinance [July 17, 2001].
 4. Inside of an existing Urban Growth Area (UGA) for lands zoned Agricultural - 3 the average density will be one dwelling unit per three acres on the property at the date of adoption of this ordinance [July 17, 2001].
 5. Inside of an existing Urban Growth Area (UGA) for lands zoned Urban Residential or Rural Residential the average density will be one unit per one acre on the property at the date of adoption of this ordinance [July 17, 2001].
- Zone 4**
(Outer Safety Zone)
1. Schools, play fields, hospitals, nursing homes, and churches are prohibited.
 2. Outside of an existing Urban Growth Area (UGA) the average density will be one dwelling unit per three acres on the property at the date of adoption of this ordinance [July 17, 2001].
 3. Inside of an existing Urban Growth Area (UGA) for lands zoned Urban Residential or Rural Residential the average density will be one dwelling unit per one acre on the property at the date of adoption of this ordinance [July 17, 2001].
- Zone 5**
(Sideline Zone)
1. All aviation related uses are permitted.
 2. Schools, play fields, hospitals, nursing homes, and churches are prohibited.
- Zone 6**
(Airport Operations Zone)
1. All aviation related uses are permitted within airport property.
 2. Outside of the existing Urban Growth Area (UGA) the average density will be one dwelling unit per three acres on the property at the date of adoption of this ordinance [July 17, 2001].
 3. Inside the existing Urban Growth Area (UGA) the average density will be one dwelling unit per one acre on the property at the date of adoption of this ordinance [July 17, 2001].

(Ord. 2021-015, 2021; Ord. 2011-013, 2011; Ord. 2007-22, 2007; Ord. 2001-10 (part), 2001)

17.58.060 Permits.

1. Future Uses. Except as specifically provided in subsections (A)(1), (2), and (3) of this section, no material change shall be made in the use of land, no structure shall be erected or otherwise established, and no tree shall be planted in any zone created unless a permit therefore has been applied for and granted. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the resulting use, structure, or tree is consistent with the provisions of this chapter. No permit for a use inconsistent with the provisions of this chapter shall be granted unless a variance has been approved in accordance with subsection D of this section.
 - a. In the area lying within the limits of the horizontal zone and conical zone, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground except when, because of terrain, land contour, or topographic features, such tree or structure would extend above the height limits prescribed for such zones.
 - b. In areas lying within the limits of the approach zones but at a horizontal distance of not less than 4,200 feet from each end of the runway, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground, except when such tree or structure would extend above the height limit prescribed for such approach zones.
 - c. In the areas lying within the limits of the transition zones beyond the perimeter of the horizontal zone, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground, except when such tree or structure, because of terrain, land contour, or topographic features, would extend above the height limit prescribed for such transition zones.
 - d. As a condition for approval of new development within the approach surfaces or safety zones a notice shall be recorded with the county auditor prior to final approval of new subdivisions, short subdivisions, building permits, conditional use permits, special use permit or other similar permits, unless said notice is already recorded on the property. Said notice shall state: "This property is located adjacent to an airport and routinely subject to overflight activity by aircraft using the airport; residents and tenants may experience inconvenience, annoyance, or discomfort from noise, smell or other effects of aviation activities."
2. Existing Uses. No permit shall be granted that would allow the establishment or creation of an obstruction or permit a nonconforming use, structure, or tree to become a greater hazard to air navigation, than it was on the effective date of the ordinance codified in this chapter or any amendments thereto or than it is when the application for a permit is made.
3. Nonconforming Uses Abandoned or Destroyed. Whenever the airport manager, or his or her designee, determines that a nonconforming or structure has been abandoned or more than eighty percent torn down, physically deteriorated, or decayed, no permit shall be granted that would allow such structure to exceed the applicable height limit or otherwise deviate from the zoning regulations.
4. Variances. Any person desiring to erect or increase the height of any structure, or permit the growth of any tree, or use property, not in accordance with the regulations prescribed in this chapter, may apply to the Hearing Examiner for a variance from such regulations. The application for variance shall be accomplished by a determination from the Federal Aviation Administration as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulations will result in unnecessary hardship and relief granted, will not be contrary to the public interest, will not create a hazard to air navigation, will do substantial justice, and will be in accordance with the spirit of this chapter. A copy of the variance application shall be forwarded to the Kittitas County [Community Development-Public Services](#) [eDepartment](#) consistent with the notification procedures under KCC Title 15A.
5. Obstruction Marking and Lighting. Any permit or variance granted may, if such action is deemed advisable to effectuate the purpose of this chapter, be so conditioned as to require the owner of the structure or tree in question to install, operate, and maintain, at the owner's expense, such markings and lights as may be necessary.
6. Nothing in this chapter shall diminish the responsibility of project proponents to submit a Notice of Construction or Alteration to the Federal Aviation Administration if required in accordance with Federal Aviation Regulations Part 77, "Objects Affecting Navigable Airspace". (Ord. 2021-015, 2021; Ord. 2012-009, 2012; Ord. 2007-22,

2007; Ord. 2001-10 (part), 2001)

17.58.070 Nonconforming use - Regulations not retroactive.

The regulations prescribed in this chapter shall not be construed to require the removal, lowering, or other change or alteration of any structure or tree not conforming to the regulations at the effective date of the ordinance codified in this chapter, nor shall such be construed to require any change in the construction or alteration of any structure or tree which was begun prior to the effective date of the ordinance codified in this chapter, and which is diligently being prosecuted. (Ord. 2001-10 (part), 2001)

17.58.080 Violations and enforcement.

It shall be the duty of the code enforcement official of the Kittitas County building department to administer and enforce the regulations prescribed in this chapter. Ord. 2021-015, 2021;(Ord. 2001-10 (part), 2001)

17.58.090 Appeals.

Any person aggrieved, by any order, requirement, decision or determination made by an administrative official in the processing of any application made under this chapter or in the actual decision made as required by this chapter may appeal to the Hearing Examiner as provided in RCW 14.12.190. (Ord. 2021-015, 2021;Ord. 2012-009, 2012; Ord. 2001-10 (part), 2001)

17.58.100 Repealed.

(Ord. 2021-015, 2021;Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2001-10 (part), 2001)

17.58.110 Conflicting regulations.

Where there exists a conflict between any of the regulations or limitations prescribed in this chapter and any other regulations applicable to the same area, whether the conflict be with respect to the height of structures or trees, and the use of land, or any other matter, the more stringent limitation or requirement shall govern and prevail. (Ord. 2021-015, 2021;Ord. 2001-10 (part), 2001)

Chapter 17.59

LIBERTY HISTORIC ZONE*

Sections

17.59.010 Purpose and intent.

17.59.020 Allowed uses.

17.59.030 Repealed.

17.59.040 Lot size required.

17.59.050 Yard requirements.

17.59.060 Building height.

17.59.070 Building restrictions.

17.59.080 Architectural standards.

17.59.090 Interpretation.

* Prior history: Ords. 80-Z-4, 68-1.

17.59.010 Purpose and intent.

It is the purpose of this chapter to provide an overlay zone for the Liberty Townsite which is part of the Liberty historical district. The intent of the overlay zone is to permit a wide range of uses while preserving the historic mining-town character of the townsite. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.59.020 Allowed uses.

Uses allowed in the Liberty Historic Overlay Zone include those uses allowed in the Forest and Range Zone pursuant to KCC Chapter 17.15. (Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2011-013, 2011; Ord. 2007-22, 2007; Ord. 96-19 (part), 1996; Res. 83-10, 1983)

17.59.030 Repealed.

(Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 96-19 (part), 1996; Res. 83-10, 1983)

17.59.040 Lot size required.

The minimum lot size shall be one (1) acre with a minimum average lot width of one hundred fifty (150) feet. All lots existing at the time of adoption of the ordinance codified in this chapter shall be considered as legal size for construction purposes. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.59.050 Yard requirements.

Yard requirements are as follows:

1. Front yard: twenty (20) feet;
2. Side yard: five (5) feet;
3. Rear yard: twenty-five (25) feet;
4. Side and rear yard setbacks may be modified in accordance with KCC 16.10.065;
5. Setback from USFS boundary: fifty (50) feet.

(Ord. 2022-005, 2022; Ord. 2013-001, 2013)

17.59.060 Building height.

No building shall exceed two (2) stories or thirty-five (35) feet in height, whichever is greater. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.59.070 Building restrictions.

Every structure erected or placed on a lot in this overlay zone shall conform strictly to a uniform pattern of external appearance as defined in this chapter. The intent of this requirement is to assure that such external appearance be substantially identical with the style and character of dwellings presently existing in the unincorporated townsite of Liberty in Kittitas County. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.59.080 Architectural standards.

In conformity with the foregoing, no dwelling, business, accessory building, fence or other structure shall be erected, placed or permitted on a lot unless its external appearance conforms to the following:

1. Exterior siding must be rough-sawn lumber or logs. Board or batten shakes or single siding is also permitted. All exterior surfaces must be natural or clear stain.
2. Windows. Wood frame windows are permitted. Window frames of other material may be permitted if it resembles wood.
3. Doors. All exterior doors must be wood with natural or clear stain permitted.
4. Chimneys. Brick or metal stovepipe chimneys shall be permitted.
5. Fences. Only natural wood fences are permitted.
6. Other. No plywood or metal siding is permitted. Metal roofing is permitted only if it is galvanized color. (Res. 83-10, 1983)

17.59.090 Interpretation.

Compliance with the intent of this chapter shall be the determination of the Director. (Ord. 2013-001, 2013; Res. 83-10, 1983)

Chapter 17.60A**CONDITIONAL USES*****Sections**

- 17.60A.010 Review authority.
- 17.60A.015 Review criteria.
- 17.60A.020 Conditions.
- 17.60A.030 Application and accompanying data.
- 17.60A.040 Repealed.
- 17.60A.050 Repealed.
- 17.60A.060 Hearings - Appeal.
- 17.60A.070 Repealed.
- 17.60A.080 Transfer of Ownership.
- 17.60A.090 Expiration.
- 17.60A.095 Modification.
- 17.60A.100 Revocation or limitation.

* Prior history: Ords. 71-5, 2.

17.60A.010 Review authority.

KCC 17.15.030 explains how to interpret the Zoning Use Tables. Uses identified with an "AC" (Administrative Conditional Use) on the use tabled in KCC Chapter 17.15 shall be reviewed administratively by the Director while uses identified with a "CU" (Conditional Use) shall require a public hearing and review by the Board. (Ord. 2013-012, 2013)

17.60A.015 Review criteria.

The Director or Board, upon receiving a properly filed application or petition, may permit and authorize a conditional use when the following requirements have been met:

1. The proposed use is essential or desirable to the public convenience and not detrimental or injurious to the public health, peace, or safety or to the character of the surrounding neighborhood.
2. The proposed use at the proposed location will not be unreasonably detrimental to the economic welfare of the county and that it will not create excessive public cost for facilities and services by finding that
 - A. The proposed use will be adequately serviced by existing facilities such as highways, roads, police and fire protection, irrigation and drainage structures, refuse disposal, water and sewers, and schools; or
 - B. The applicant shall provide such facilities; or
 - C. The proposed use will be of sufficient economic benefit to offset additional public costs or economic detriment.
3. The proposed use complies with relevant development standards and criteria for approval set forth in this title or other applicable provisions of Kittitas County Code.
4. The proposed use will mitigate material impacts of the development, whether environmental or otherwise.
5. The proposed use will ensure compatibility with existing neighboring land uses.
6. The proposed use is consistent with the intent and character of the zoning district in which it is located.
7. For conditional uses outside of Urban Growth Areas, the proposed use:
 - A. Is consistent with the intent, goals, policies, and objectives of the Kittitas County Comprehensive Plan, including the policies of Chapter 8, Rural and Resource Lands;
 - B. Preserves "rural character" as defined in the Growth Management Act (RCW 36.70A.030(20));
 - C. Requires only rural government services; and
 - D. Does not compromise the long term viability of designated resource lands. (Ord. 2019-013, 2019; Ord. 2013-012, 2013; Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2007-22, 2007; Ord. 88-4 § 11 (part), 1988; Res. 83-10, 1983)

17.60A.020 Conditions.

In permitting such uses the Director or Board may impose in addition to the regulations specified herein, such conditions as it deems necessary to protect the best interests of the surrounding property or neighborhood or the county as a whole. These conditions may include, but are not limited to, the following:

1. Increasing the required lot size, setback or yard dimensions;
2. Limiting the height of buildings or structures;
3. Controlling the number and location of vehicular access points (subject to approval by the reviewing authority with jurisdiction to issue approach or access permits);
4. Requiring the dedication of additional rights-of-way for future public street improvements;
5. Requiring the designation of public use easements;
6. Increasing or decreasing the number of required off-street parking and/or loading spaces as well as designating the location, screening, drainage, surfacing or other improvement of a parking area;
7. Limiting the number, size, height, shape, location and lighting of signs;
8. Requiring or limiting view-obscuring fencing, landscaping or other facilities to protect adjacent or nearby properties;
9. Designating sites for and/or the size of open space or recreational areas;
10. Requiring site reclamation upon discontinuance of use and/or expiration or revocation of the project permit;
11. Limiting hours and size of operation;
12. Controlling the siting of the use and/or structures on the property;
13. Requiring mitigation measures to effectively reduce the potential for land use conflicts with agricultural and resource lands, such as: landscape buffers, special setbacks, screening, and/or site design using physical features such as rock outcrops, ravines, and roads.
14. Demonstrating that the requirements of Chapter 13.35, Kittitas County Code, Adequate Water Supply Determination, can be met. (Ord. 2014-005, 2014; Ord. 2013-012, 2013; Ord. 2012-009, 2012; Ord. 2007-22, 2007; Ord. 88-4 § 11 (part), 1988)

17.60A.030 Application and accompanying data.

Written application for the approval of the uses referred to in this chapter shall be filed in the ~~Community Development Public Services~~ ~~Department~~ upon forms prescribed for that purpose. The application shall be accompanied by a site plan showing the dimensions and arrangement of the proposed development or changes in an existing conditional use. The administrator, Hearing Examiner and/or Board may require other drawings, topographic surveys, photographs, or other material essential to an understanding of the proposed use and its relationship to the surrounding properties. (Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2007-22, 2007; Ord. 96-19 (part), 1996; Res. 83-10, 1983)

17.60A.040 Fees.

Repealed by Ord. 2017-001. (Ord. 2017-001, 2017; Ord. 2013-001, 2013; Ord. 2007-22, 2007; Ord. 88-4 § 11 (part), 1988; Res. 83-10, 1983)

17.60A.050 Affected area of use.

Repealed by Ord. 96-19. (Ord. 2007-22, 2007; Ord. 88-4 § 11 (part), 1988; Res. 83-10, 1983)

17.60A.060 Hearings - Appeal.

Any such hearings shall be held pursuant to Title 15A of this code, Project permit application process. (Ord. 2007-22, 2007)

17.60A.070 Appeal.

Repealed by Ord. 96-19. (Ord. 2007-22, 2007; Ord. 88-4 § 11 (part), 1988; Res. 83-10, 1983)

17.60A.080 Transfer of ownership

The granting of a conditional use permit and the conditions set forth run with the land; compliance with the conditions of the conditional use permit is the responsibility of the current owner of the property, the applicant and successors. (Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.60A.090 Expiration

A conditional use permit shall become void five (5) years after approval or such other time period as established if the use is not completely developed. Said extension shall not exceed a total of ten (10) years and said phases and timelines shall be clearly spelled out in the application. (Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2007-22, 2007)

17.60A.095 Modification

Any change, enlargement or alteration in such use shall require a new review and new conditions may be imposed where finding requires. (Ord. 2013-012, 2013; Ord. 2013-001, 2013)

17.60A.100 Revocation or limitation.

The Board may hold a hearing to revoke or additionally limit a conditional use permit granted pursuant to the provisions of this Chapter. Ten (10) days prior to the hearing, notice shall be delivered in writing to the applicant and/or owner of the property for which such conditional use permit was granted. Notice shall be deemed delivered three (3) days after being mailed, first class postage paid, to the owner as shown on the current tax rolls of the County.

A conditional use permit may be revoked or limited by the Board if any one (1) of the following findings can be made:

1. That circumstances have changed so that 1 or more of the Conditions of 17.60A.020 are no longer met;
2. That the conditional use permit was obtained by misrepresentation or fraud;
3. That one or more of the conditions of the conditional use permit have not been met;
4. That the use for which the conditional use permit was granted had ceased or was suspended for twelve or more consecutive calendar months;
5. That the actual or permitted use is in violation of any statute, ordinance, law, or regulation; or
6. That the use permitted by the conditional use permit is detrimental to the public health, safety or welfare or constitutes a nuisance.

The Board's decision shall be subject to judicial appeal under the provisions of KCC Chapter 15A.08.

The Board's decision shall not be effective for twenty-one (21) days after being entered. The Superior Court in reviewing the Board's decision to revoke a CUP may grant a stay during the pendency of any appeal upon a finding that such a stay is necessary to avoid manifest injustice or upon stipulation by the County. (Ord. 2013-001, 2013; Ord. 2009-22, 2009)

Chapter 17.60B

PERMITTED ADMINISTRATIVE USES

Sections

- 17.60B.010 Applicability.
- 17.60B.020 Purpose.
- 17.60B.030 Administrative Authority.
- 17.60B.040 Repealed.
- 17.60B.050 Administrative Review.
- 17.60B.060 Administrative Action.
- 17.60B.070 Permit Processing and Notice.
- 17.60B.080 Effect.
- 17.60B.090 Transfer of Ownership.
- 17.60B.100 Expiration.
- 17.60B.110 Appeal of Administrator's Decision.

17.60B.010 Applicability.

The provisions of this chapter shall apply to all uses listed as an administrative use in the applicable zoning district. Administrative uses are those uses subject to standards that are applicable for all permits and those that require the exercise of limited discretion about non-technical issues and about which there may be limited public interest. The proposed development may or may not be subject to SEPA review. (Ord. 2007-22, 2007)

17.60B.020 Purpose.

The purpose of this chapter is to establish criteria and procedures for uses, which due to their unique qualities may require additional regulations or other special degrees of control. The administrative use process, which includes public notice and comment, is required to ensure that the activity, if established, will be in full compliance with the applicable regulations and that such uses are compatible with the comprehensive plan, adjacent uses, planned uses and the character of the vicinity. (Ord. 2007-22, 2007)

17.60B.030 Administrative Authority.

The Director is authorized to approve, approve with the conditions stated in this chapter and additional conditions deemed necessary to satisfy the purposes of this chapter and the criteria found in Section 17.60B.050 an administrative use permit. Any additional requirements obtained from other sections of the Kittitas County Code above those specified in this title, or modification of the proposal to comply with specified requirements or local conditions is also authorized. (Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2007-22, 2007)

17.60B.040 Fees.

Repealed by Ord. 2017-001. (Ord. 2017-001, 2017; Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.60B.050 Administrative Review.

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

1. That the granting of the proposed administrative use permit approval will not:
 - a. Be detrimental to the public health, safety, and general welfare;
 - b. Adversely affect the established character of the surrounding vicinity and planned uses; nor
 - c. Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located.
2. That the granting of the proposed administrative use permit is consistent and compatible with the intent of goals, objectives and policies of the comprehensive plan, and any implementing regulation.
3. That all conditions necessary to mitigate the impacts of the proposed use are conditions that are measurable and can be monitored and enforced.
4. That the applicant has addressed all requirements for a specific use. (Ord. 2022-017, 2022; Ord. 2007-22, 2007)

17.60B.060 Administrative Action.

A decision by the administrator shall include the following:

1. A statement of the applicable criteria and standards in the development codes and other applicable law.
2. A statement of the findings of the review authority, stating the applicant's compliance or noncompliance with each applicable criterion, and assurance of compliance with applicable standards.
3. The decision to approve or deny the application; if approved any decision must state all conditions of approval.
4. A statement that the decision is final unless appealed as provided in the respective governing regulation within fourteen (14) calendar days after the date the notice of decision is mailed. The appeal closing date shall be listed. The statement shall describe how a party may appeal the decision, including applicable fees and the elements of a notice of appeal.
5. A statement that the complete case file is available for inspection and the name and telephone number of the department's representative to contact to arrange inspection. (Ord. 2013-001, 2013; Ord. 2007-22, 2007)

17.60B.070 Permit Processing and Notice.

Administrative use permits shall be processed in accordance with the provisions contained in this chapter and the provisions of Title 15A, Project Permit Application Process of the Kittitas County Code. (Ord. 2007-22, 2007)

17.60B.080 Effect.

In any case where an administrative use permit is granted under the terms of this title, no building or other permit shall be issued until the end of the appeal period allowed in Title 15A, Project Permit Application Process of the Kittitas County Code. An appeal of the decision shall automatically stay the issuance of building or other permits until such appeal has been completed. (Ord. 2007-22, 2007)

17.60B.090 Transfer of Ownership.

The granting of an administrative use permit and the conditions set forth run with the land; compliance with the conditions of the administrative use permit is the responsibility of the current owner of the property, the applicant and successors. (Ord. 2007-22, 2007)

17.60B.100 Expiration.

An administrative use permit shall become void three (3) years after approval or such other time period as established by the administrator if no substantial construction or satisfying the conditions of approval has taken place. (Ord. 2007-22, 2007)

17.60 B.110 Appeal of Administrator's Decision.

Action by the Administrator is final unless an appeal in writing is filed with [Community Development the Public Services Department](#), together with the applicable fee, within the time allowed per KCC Title 15A, Project Permit Application Process of the Kittitas County Code. The request shall conform to the requirements of KCC Chapter 15A.07, Project Permit Application Process of the Kittitas County Code. (Ord. 2019-013, 2019; Ord. 2013-001,2013; Ord. 2012-009,2012; Ord. 2007-22, 2007)

Chapter 17.61

UTILITIES

Sections

17.61.010 Definitions.

17.61.020 Permitted and conditional uses.

17.61.030 Review criteria - Special utilities and associated facilities.

17.61.040 Communication facilities - Administrative review - General requirements.

17.61.010 Definitions.

1. "Utility" or "utilities" means the supply, treatment and distribution, as appropriate, of gas, gas meter stations, municipal domestic and irrigation water, sewage, storm water, electricity, telephone, fiber-optic and cable television. Such utilities consist of both the service activity along with the physical facilities necessary for the utilities to be supplied, except for associated facilities and special utilities as defined herein. Electric vehicle infrastructure, as provided for in Chapter 17.66, is not a "utility" or "utilities".
2. "Special utility" or "special utilities" shall mean the following:
 - a. Natural gas, synthetic fuel gas, or liquefied petroleum gas pipelines operating at a pressure which results in a hoop stress of 20 percent or more of the specified minimum yield strength;
 - b. Electrical transmission lines exceeding 115,000 volts;
 - c. Electrical substations;
 - d. Cellular, mobile or fiber-optic telecommunication facilities;
 - e. Geothermal power facilities;
 - f. Minor thermal power plant facilities; 7. Minor alternative energy facilities.
3. "Antenna" or "antennas" means any system of poles, panels, rods, dishes, reflecting discs or similar devices used for the transmission or reception of radio frequency signals.
4. "Associated facility" or "associated facilities" means a land use whose principal purpose involves the distribution, processing, storage, handling, or other related and supporting activities necessary for a special utility, not including administrative activities or offices.
5. "Communication facility" or "communication facilities" means any real property or portion thereof used for the reception, transmission and/or regeneration of electromagnetic and light signals, including but not limited to cellular, fiber-optic, microwave, mobile radio, radio, satellite, and television mediums. The term does not include poles or lattice-work towers supporting aboveground distribution or transmission lines for utility services such as electricity, telephone, or cable television. Communication facilities consist of all buildings, transmission structures, and other appurtenant improvements necessary for the support, shelter and operation of applicable communication equipment.
6. "Fuel cell" or "fuel cells" means a device which uses an electrochemical process to produce electrical energy using as its fuel source natural gas, methanol, propane, or like fuel.
7. "Geothermal power facility" or "geothermal facility" means a facility used to produce electricity by extracting and converting the natural thermal energy of the earth. The term does not include ground-source heat pumps or the direct use of geothermal energy for the heating of buildings located on or adjacent to the subject property.
8. "Hydroelectric plant" or "hydroelectric plants" means a facility used to produce electricity by converting the kinetic energy of flowing water to electric power. Hydroelectric facilities include but may not be limited to a dam, powerhouse apparatus (penstock, turbines and generators), step-up transformers, and any other buildings, support structures, or other related improvements necessary for the generation of electric power. The term does not include irrigation diversion dams, electrical distribution or transmission lines, or electrical substations otherwise regulated by this chapter.
9. "Major alternative energy facility" means a hydroelectric plant, or wind farm that is not a minor alternative energy facility.
10. "Major thermal power plant facility" or "major thermal power plant facilities" means an electrical generating facility that utilizes nuclear or fossil fuels with output exceeding 10 mva.
11. "Minor alternative energy facility" or "minor alternative energy system" means a fuel cell or a facility for the production of electrical energy that:
 - a. i. Uses as its fuel either solar, wind not more than 100 kW and subject to the development standards in KCC 17.61 B.050, or hydropower;

- ii. Is located on the power beneficiary's premises;
 - iii. Is intended primarily to offset part or all of the beneficiary's requirements for electricity; and
 - iv. Is secondary to the beneficiary's use of the premises for other lawful purpose(s); or
- b. Is intended to mitigate electrical system improvement requirements.
12. "Minor thermal power plant facility" or "minor thermal power plant facilities" means an electrical generating facility that utilizes nuclear or fossil fuels with an output of at least one mva but equal to or less than 10 mva.
 13. "Normal maintenance" includes those usual acts to prevent a decline, lapse, or cessation from a lawfully established condition. "Normal repair" means to restore a development to a state comparable to its original condition within a reasonable period after decay or partial destruction.
 14. "Utility corridor" or "utility corridors" means a lineal transportation route utilized by one or more special utilities.
 15. "Wind farm" means a single wind turbine exceeding 120 feet in height above grade or more than one wind turbine of any size proposed and/or constructed by the same person or group of persons on the same or adjoining tax parcels. The term does not include turbines mounted to existing structures principally used for other lawful purposes (such as buildings or electric utility poles) provided the nacelle does not extend more than 20 feet above the uppermost portion of the structure to which it is mounted or attached.
 16. "Wind turbine" or "wind turbines" means any of various machines used to produce electricity by converting the kinetic energy of wind to rotational, mechanical and electrical energy. Wind turbines consist of the turbine apparatus (rotor, nacelle and tower) and any other buildings, support structures, or other related improvements necessary for the generation of electric power. The term does not include electrical distribution or transmission lines, or electrical substations otherwise regulated by this chapter. (Ord. 2018-018, 2018; Ord. 2012-009, 2012; Ord. 2011-013, 2011; Ord. 2001-12 (part), 2001; Ord. 2000-06 (part), 2000; Ord. 99-14 (part), 1999; Ord. 98-17 (part), 1998)

17.61.020 Permitted and conditional uses.

1. Utilities shall be a permitted use in all zoning districts.
2. Minor alternative energy facilities shall be a permitted use in all zoning districts, provided the following limitations shall apply to wind turbines located within urban growth areas:
 - a. Wind turbines shall not exceed a total height of 75 feet above grade; and
 - b. Rotors shall not exceed 30 feet in diameter.
3. Minor thermal power plant facilities may be authorized by the ~~Community Development Public Services~~ Director as an administrative conditional use in all zoning districts, pursuant to the criteria and procedures of this chapter and KCC Title 15A.
4. Major alternative energy facilities may be authorized in the Agriculture-20, forest and range, commercial agriculture, and commercial forest zones as follows:
 - a. Wind farms may be authorized pursuant to the provisions of KCC Chapter 17.61A;
 - b. All other major alternative energy facilities may be authorized as a conditional use.
5. Major thermal power plant facilities may be authorized as a conditional use in the Agriculture-20, forest and range, commercial agriculture, and commercial forest zones.
6. Special utilities may be authorized as a conditional use in all zoning districts, except for minor thermal power plant facilities as provided in subsection C of this section, and communication facilities as provided in KCC 17.61.040. Normal maintenance and repair of existing developments shall be a permitted use for both nonconforming and lawfully established special utilities.
7. Associated facilities may be authorized as a conditional use in the general industrial zone (KCC Chapter 17.52).
8. All conditional use requests and administrative appeals shall be reviewed pursuant to the procedures contained in KCC Title 15A, Project Permit Application Process, and the criteria contained in KCC Chapter 17.60, Conditional Uses, this chapter, and other applicable law.
9. Nothing in this chapter is intended to interfere with the storage and/or distribution of products associated with on-site natural resource activities, including but not limited to fossil fuels. (Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2007-22, 2007; Ord. 2002-19 (part), 2002; Ord. 2001-12 (part), 2001; Ord. 2000-06 (part), 2000; Ord. 99-14 (part), 1999; Ord. 98-17 (part), 1998)

17.61.030 Review criteria - Special utilities and associated facilities.

1. The Hearing Examiner shall determine that adequate measures have been undertaken by the proponent of the special utility and/or associated facility to reduce the risk of accidents caused by hazardous materials.
2. The Hearing Examiner, as required by existing statutes, shall determine that the proposed special utility and/or associated facilities are essential or desirable to the public convenience and/or not detrimental or injurious to the public health or safety, or to the character of the surrounding neighborhood.
3. The Hearing Examiner shall determine that the proposed special utility and/or associated facilities will not be unreasonably detrimental to the economic welfare of the county and/or that it will not create excessive public cost for public services by finding that:
 - a. It will be adequately serviced by existing services such as highways, roads, police and fire protection, emergency response, and drainage structures, refuse disposal, water and sewers, and schools; or
 - b. The applicant shall provide such services or facilities.
4. Special utilities and/or associated facilities as defined by this chapter shall use public rights-of-way or established utility corridors when reasonable. Although Kittitas County may map utility corridors, it is recognized and reaffirmed that the use of such corridors is subject to conditional use approval and just compensation to the landowner for the use of such corridor. While a utility corridor may be used for more than one utility or purpose, each utility or use should be negotiated with the landowner as a separate easement, right-of-way, or other agreement, or other arrangement between the landowner and all owners of interests in the property. Any county map which shows utility corridors shall designate such corridors as "private land closed to trespass and public use" where such corridors are on private land. Nothing in this paragraph is intended to conflict with the right of eminent domain.
5. The Hearing Examiner shall consider industry standards, available technology, and proposed design technology for special utilities and associated facilities in promulgating conditions of approval.
6. The construction and installation of utilities and special utilities may necessitate the importation of fill material which may result in the displacement of native material. The incidental generation of earthen spoils resulting from the construction and/or installment of a utility or special utility, and the removal of said material from the development site shall not require a separate zoning conditional use permit.
7. The operation of some utilities and special utilities identified within this chapter may necessitate unusual parcel configurations and/or parcel sizes. Such parcels:
 - a. Need not conform with applicable zoning requirements; provided, they comply with the procedures provided in KCC Title 16, Subdivisions, and so long as used for a utility or special utility;
 - b. Are not eligible for any other use or any rights allowed to nonconforming lots in the event the utility or special utility use ceases;

c. Shall continue to be aggregated to the area of the parent parcel for all other zoning and subdivision requirements applicable to the parent parcel. (Ord. 2012-009, 2012; Ord. 2001-12 (part), 2001; Ord. 2000-06 (part), 2000; Ord. 99-14 (part), 1999; Ord. 98-17 (part), 1998)

17.61.040 Communication facilities - Administrative review - General requirements.

1. Communication facilities may be authorized by the ~~Community Development Public~~ Services ~~e~~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 building permit issuance except as provided for in subsections 4 and 5 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 reduced by the ~~Community Development Public~~ Services ~~e~~Director, in order to improve the facilities' reception and/or transmission capabilities or to achieve greater levels of audible or visual screening 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. 2019-013, 2019; Ord. 2018-001, 2018; Ord. 2007-22, 2007; Ord. 2001-12 (part), 2001; Ord. 2000-06 (part), 2000)

Chapter 17.61A

WIND FARM RESOURCE OVERLAY ZONE

Sections

- 17.61 A.010 Legislative findings, purpose and intent.
- 17.61A.020 Definitions.
- 17.61A.030 Development uses, requirements, and restrictions.
- 17.61A.035 Pre-identified areas for siting.
- 17.61A.040 Approvals required for wind farm resource overlay zone.

17.61A.010 Legislative findings, purpose and intent.

The purpose and intent of this chapter is to establish a process for recognition and designation of properties located in areas of Kittitas County suitable for the location of wind farms, to protect the health, welfare, safety, and quality of life of the general public, and to ensure compatible land uses in the vicinity of the areas affected by wind farms. (Ord. 2002-19 (part), 2002)

17.61A.020 Definitions.

The following definitions shall be used in conjunction with the administration of this chapter:

1. "Wind farm" means a single wind turbine exceeding 120 feet in height above grade or more than one wind turbine of any size proposed and/or constructed by the same person or group of persons on the same or adjoining parcels.
2. "Wind turbine" means any machine used to produce electricity by converting the kinetic energy of wind to electrical energy. Wind turbines consist of the turbine apparatus and any other buildings, support structures or other related improvements necessary for the generation of electric power. (Ord. 2002-19 (part), 2002)

17.61A.030 Development uses, requirements, and restrictions.

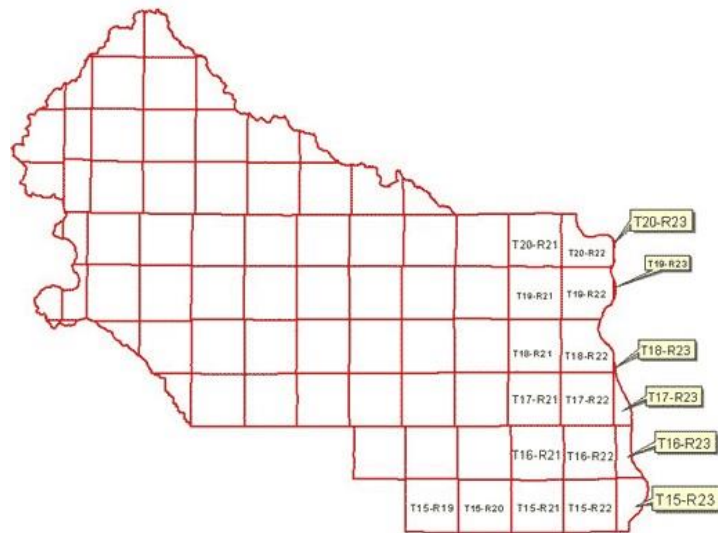
Development uses, requirements, and restrictions. All listed permitted uses in the underlying zoning district of this overlay zone are permitted. All listed conditional uses in the underlying zoning district of this overlay zone are subject to conditional use permit process and review. Wind farms are a permitted use in a wind farm resource overlay zoning district, subject to the additional approval requirements and restrictions set forth in KCC 17.61A.040 . (Ord. 2002-19 (part), 2002)

17.61A.035 Pre-identified areas for siting.

For proposed wind farms located in identified areas in Kittitas County meeting specific siting standards as identified in this code, a process separate from the requirement for wind farm resource overlay zone as identified in Kittitas County Code 17.61A.40 can be undertaken.

The purpose of this code is to identify areas where environmental review and public process has already occurred, expediting the siting of proposed wind farm facilities. The intent of this code is to streamline the development process for such applications, separate from the process already allowed in 17.61A.40. It is recognized that lands contained within this area may be under federal, state and local ownership and may be subject to additional requirements per jurisdiction.

A map of the pre-identified areas identifies the following Townships and Ranges open to this process. This includes T.15N., Ranges 19E., 20E., 21E., 22E., 23E., T.16N., Ranges 21E., 22E., 23E., T.17N., Ranges 21E., 22E., 23E., T.18N., Ranges 21E., 22E., 23E., T.19N., Ranges 21E., 22E., 23E., T.20N., Ranges 21E., 22E., 23E. W.M. in Kittitas County.



The following siting standards are established for these areas: a minimum 1/2 mile setback from existing structures at the time of application shall apply. If not attainable, additional analysis shall be included to support the application. Further, analysis shall also include, but is not limited to, the following as part of the application: wildlife impact analysis, noise impact analysis, visual impact analysis, and traffic impact analysis.

A wind farm may be authorized by the county in these pre-identified areas only through approval of a site plan and development agreement by the board of county commissioners. The development agreement shall be consistent as authorized in Kittitas County Code 15A.11, Development Agreements. (Ord. 2007-22, 2007)

17.61A.040 Approvals required for wind farm resource overlay zone.

1. Except as noted in 17.61A.035, a wind farm may be authorized by the county only through approval of a wind farm resource development permit in conjunction with approval by the board of county commissioners of a development agreement as authorized by Chapter 15A.11 KCC, Development Agreements, and RCW 36.70B.170 through 36.70B.210. Consistent with KCC 15A.11.020(B) and RCW 36.70B.170, the development agreement approved by the board of county commissioners must set forth the development standards applicable to the development of a specific wind farm, which may include, but are not limited to:
 - a. Densities, number, size, setbacks, and location of turbines;
 - b. Mitigation measures and such other development conditions as deemed appropriate by the board of county commissioners to be necessary including measures to protect the best interests of the surrounding property or neighborhood or the county as a whole; and
 - c. Other development standards including those identified in KCC 15A.11.020(E) and RCW 36.70B.170(3).
2. Required Applications/Approvals. In addition to approval of a wind farm resource development permit and a development agreement as set forth in subsection A of this section, a wind farm shall require the following approvals from the county:
 - a. A site-specific amendment of the comprehensive plan land use designation map to wind farm resource overlay district (the subarea planning process described in Chapter 1 of the county comprehensive plan and Chapter 15B.03 KCC, Amendments to Comprehensive Plan, may be used if deemed appropriate by the applicant and county);
 - b. A site-specific rezone of the county zoning map to wind farm resource overlay zoning district pursuant to Chapter 17.98 KCC, Amendments.
3. The approvals by the board of county commissioners set forth in subsections A and B of this section shall only be made if it determined that:
 - a. The proposal is essential or desirable to the public convenience;
 - b. The proposal is not detrimental or injurious to the public health, peace, or safety or to the character of the surrounding neighborhood; and
 - c. The proposed use at the proposed location(s) will not be unreasonably detrimental to the economic welfare of the county and it will not create excessive public cost for facilities and service.
4. A comprehensive plan amendment or subarea plan for a wind farm resource overlay district must be processed by the county concurrent with the rezone application, development permit, and development agreement required for approval of a wind farm. (Ord. 2007-22, 2007; Ord. 2002-19 (part), 2002)

**Chapter 17.61B
SMALL WIND ENERGY SYSTEMS**

Sections

- 17.61B.010 Purpose.
- 17.61B.020 Definitions.
- 17.61B.030 Applicability.
- 17.61B.040 Regulatory Framework.
- 17.61B.050 General Requirements.
- 17.61B.060 Permit Application Requirements.
- 17.61B.070 Abandonment Requirements.

17.61B.010 Purpose.

The purpose of this Chapter is to facilitate the installation and construction of small wind energy systems in Kittitas County for private landowners, subject to reasonable restrictions to protect life, health and safety. (Ord. 2010-02, 2010; Ord. 2009-25, 2009)

17.61B.020 Definitions.

As used in this Chapter the following terms shall have the meanings indicated:

1. "County" means Kittitas County Government.
2. "FAA" means the Federal Aviation Administration.
3. "Small Wind Energy System (SWES)" means a wind energy conversion system which converts wind energy into electricity through the use of a wind turbine generator, and includes any of the following to accomplish this production: a wind turbine, rotor blades, tower, foundation, and associated control or conversion electronics, which has a rated capacity of not more than 20kW and which is intended to primarily reduce on-site consumption of utility power.
4. "Wind Turbine Total Height" means the distance measured from the grade plane to the tip of the rotor blade when extended vertical to its highest point.
5. "Wind Turbine" means any of the parts of the small wind energy system including, but not limited to, the rotor blades, generator, housingtail, guyed wire, foundation or other items necessary to erect, maintain or operate a small wind energy system. (Ord. 2010-02, 2010; Ord. 2009-25, 2009)

17.61B.030 Applicability.

The requirements set forth in this Chapter shall govern the siting and permitting of small wind energy systems used to generate mechanical or electrical energy to perform work, and which may be connected to the utility grid pursuant to the Revised Code of Washington, Chapter 80.60 (Net Metering of Electricity), serve as an independent source of energy, or serve as part of a hybrid system. The requirements of this Chapter shall apply to Small Wind Energy Systems (SWES) proposed after the effective date of this Chapter. Any SWES for which a required permit has been properly issued prior to the effective date of this Chapter shall not be required to meet the requirements of this Chapter; provided, however, that any such pre-existing SWES that are not producing energy for a continuous period of twelve (12) months shall meet the requirements of this Chapter prior to production of energy. No modification that increases the height of the system or significantly increases its output shall be allowed without full compliance with this Chapter. (Ord. 2010-02, 2010; Ord. 2009-25, 2009)

17.61B.040 Regulatory Framework.

1. A SWES may be installed pursuant to KCC 17.61.010 as a "minor alternative energy system" for the production of energy that:
 - a. Uses as its fuel wind;
 - b. Is located on the power beneficiary's premises;
 - c. Is intended primarily to offset part or all of the beneficiary's requirements for electricity; provided, excess energy may be sold on the utility grid; and
 - d. Is secondary to the beneficiary's use of the premises for other lawful purposes.
2. Pursuant to KCC 17.61.020, minor alternative energy facilities shall be a permitted use in all zoning districts, provided the following limitations shall apply to wind turbines located within urban growth areas:
 - a. Wind turbines shall not exceed a total height of 75 feet above grade; and
 - b. Rotors shall not exceed 30 feet in diameter;
 - c. Provided, however, that where a municipality has adopted regulations governing wind turbines or other regulations involving height restrictions that are more restrictive, such regulations shall control in the surrounding urban growth areas
3. Pursuant to the limitations of KCC 17.61.010 and KCC 17.61A.020, only one wind turbine, with a maximum height of 120 feet above grade, shall be allowed to be constructed by the same person or group of persons on the same or adjoining tax parcels.
4. A SWES may be installed in any land use zone of Kittitas County per the requirements as outlined in Table 5.3.

TABLE 5.3

LOT SIZE	# TOWERS	POLE TYPE	TOTAL HEIGHT²	SETBACKS³
INSIDE UGA ¹ (minimum 1 acre)	1	MONOPOLE	MAXIMUM 75 FEET	1.2 TIMES HEIGHT
1-3 ACRES OUTSIDE UGA	1	MONOPOLE	MAXIMUM 75 FEET	1.2 TIMES HEIGHT
3-5 ACRES OUTSIDE UGA	1	MONOPOLE, GUYED, LATTICE	MAXIMUM 100	1.2 TIMES HEIGHT
>5 ACRES OUTSIDE UGA	1	MONOPOLE, GUYED, LATTICE	MAXIMUM 120	1.2 TIMES HEIGHT

¹Rotors shall not exceed 30 feet in diameter in the UGA.

²Total Height shall be the distance measured from the grade plane to the tip of the rotor blade when extended vertical to its highest point.

³Each SWES shall be setback from the nearest property line a distance no less than 1.2 times the Total Height, unless appropriate easements are secured from adjacent property, or other acceptable mitigation is approved by the Director. (Ord. 2019-013, 2019; Ord. 2010-02, 2010; Ord. 2009-25, 2009)

17.61B.050 General Requirements.

1. The following visual appearance, lighting and power-line requirements shall apply to all SWES.
 - a. Wind Turbines shall be painted a non-reflective, non obtrusive color. Small wind energy towers shall maintain galvanized steel, brushed aluminum, white or gray finish, unless FAA standards require otherwise.
 - b. At SWES sites, the design of buildings and related structures shall use materials, colors, textures, screening and landscaping that will blend the SWES to the natural setting and the existing environment.
 - c. No SWES shall be artificially lighted, except to the extent required by the FAA or other applicable authority.
 - d. No SWES shall be used for displaying any advertising except for reasonable identification of the manufacturer.
 - e. Electrical controls, control wiring and power-lines shall be wireless or underground after reaching grade from the turbine and extending away from the base of the tower. Wiring may be exposed vertically from the turbine to the base of the tower.
2. Guyed, lattice and monopole towers are allowed to support Wind Turbines per the limitations as outlined in Table 5.3. Lattice type towers shall not include any horizontal members; all lattice tower members must be angled to prevent bird roosting.
3. The following setback and tower height requirements shall apply to all SWES.
 - a. The total Height of a SWES shall not exceed the limitations as established in Table 5.3.
 - b. Property lines: Each SWES shall be set back from the nearest property line a distance no less than 1.2 times the Total Height as established in Table 5.3.
 - c. At the time of application, each SWES shall be set back from the nearest non-participating building structure (i.e., buildings on neighboring land) a distance no less than on and a half (1.5) times its Total Height.

- d. Communication and electrical lines: Each SWES shall be set back from the nearest above-ground public or private non-participating electric power line or telephone line a distance no less than 1.5 times its Total Height, determined from the existing power line or telephone line or easement. Each SWES shall be set back from the nearest above-ground public or private participating utility a distance as specified by said utility.
 - e. Setbacks shall be measured to the outer edge of the base of the SWES structure towers. Guy cables and other accessory support structures may be located within setback areas.
4. Audible sound due to SWES operations shall not exceed (55) dBA for any period of time, when measured at the property line of any abutting property. The sound level may, however, be exceeded during short-term events such as utility outages and/or severe wind storms.
 5. The rotor blade tip of any Wind Turbine shall, at its lowest point, have ground clearance of no less than (15) feet, as measured at the lowest point of the arc of the rotor blades.
 6. The following safety requirements shall apply to all SWES.
 - a. Wind Turbine towers shall not be climbable up to 15 feet above ground level.
 - b. All electrical equipment shall be safely and appropriately enclosed from unintentional access by means such as barrier fencing, equipment cabinetry or similar means. All access doors to electrical equipment shall remain locked unless access is necessary.
 - c. Appropriate warning signage (i.e., electrical hazards) shall be placed on SWES equipment.
 - d. All SWES shall be equipped with manual and/or automatic overspeed controls to limit rotation of the rotor blades to a speed below the designed limits of the system.
 - e. Any SWES found to be unsafe by the building official shall be repaired by the landowner to meet federal, state and local safety standards or removed within 3 months.
 7. All SWES shall comply with all current adopted Kittitas County Codes and Ordinances and all other current adopted Federal and State requirements.
 - a. All SWES must comply with all regulations of the Federal Aviation Administration (FAA), including any necessary approvals for installations close to airports.
 - b. All SWES shall comply with all applicable sections of the Washington State Building Code and adopted International Building Codes.
 - c. All SWES shall comply with requirements per the Washington State Department of Labor & Industries (L&I) and the current adopted edition of the National Electrical Code (NEC).
 - d. All SWES that are connected to the utility grid shall comply with the requirements of Chapter 80.60 of the Revised Code of Washington, Net Metering of Electricity. (Ord. 2010-02, 2010; Ord. 2009-25, 2009)

17.61B.060 Permit Application Requirements.

In addition to all other Building Permit Application requirements, the following items shall be provided by the applicant for a SWES Building Permit Application.

1. Description of the project including specific information on the type, size, rotor material and diameter, rater power output, performance, safety, and maximum noise characteristics of the system, including name and address of the manufacturer, model and serial number.
2. A site plan showing:
 - a. The planned location of the SWES on the parcel and type and location of any associated support structures.
 - b. The location of and distance to all SWES setback lines, property lines, roads, adjacent properties, ROW's, any overhead utility and/or communication lines on the subject property and adjacent properties within 300 feet of the SWES base, and easements.
 - c. The location of all buildings on the parcel and immediately adjoining parcels, including the building(s) use.
3. A scaled representation of the SWES showing the system height and rotor diameter and evidence that the proposed height does not exceed the height recommended by the manufacture of the system or any limitation contained in this Chapter.
4. Structural drawings and an engineering analysis from the SWES manufacturer or a licensed professional showing compliance with the current adopted Washington State Building Code and International Building Code. The engineering analysis must include a complete analysis of the tower, the tower foundation and the connection of the tower to the foundation. The engineering analysis must be completed by a licensed engineer, certified to practice in the State of Washington. A "wet" stamp may not be required, provided that the engineering analysis and accompanying drawings demonstrate that the system is designed to meet the most stringent requirements at the site for wind speed and exposure, seismic class, and the weakest soil class, with a soil strength of not more than 1,000 pounds per square foot.
5. Description of emergency and normal shutdown procedures.
6. If a roof-mounted or wall-mounted system is proposed, the roof or wall of the structure shall be certified by a licensed professional engineer to be sufficiently sturdy to support the proposed SWES under all applicable design requirements.
7. If a SWES is intended to be connected to the utility grid, the applicant must provide written documentation that the provider of electrical service to the property has been notified of and agrees to the intent of the applicant to install an interconnected electricity generator to the electricity grid. (Ord. 2010-02, 2010; Ord. 2009-25, 2009)

17.61B.070 Abandonment Requirements.

1. At any time a SWES is scheduled to be abandoned or is discontinued, as later described, the owner shall notify the Building Official, Code enforcement Officer or designee by certified U.S. mail Upon abandonment or discontinuation of use, the owner shall physically remove the SWES within 90 days from the date of abandonment or discontinuation of use. This period may be extended at the discretion of the Building Official, Code Enforcement Officer, or designee. The term "physically remove" shall include, but not be limited to:
 - a. Removal of the wind turbine and tower and related above grade structures.
 - b. Restoration of the location of the SWES to its natural condition, except that any landscaping, grading or below-grad foundation may remain in the after-conditions.
2. In the event an owner fails to give such notice as required in '1' above, the Building Official, Code Enforcement Officer or designee may presume an SWES is abandoned or discontinued if it has been out-of-service, or not generating power, for a continuous 12-month period. If any SWES is not operational for a period of 12 consecutive months, the Building Official, Code Enforcement Officer or designee may issue a Notice of Abandonment to the owner of the SWES. The owner shall have the right to respond to the Notice of Abandonment within 30 days from the Notice receipt date. The Building Official, Code Enforcement Officer or designee may withdraw the Notice of Abandonment and notify the owner that the Notice has been withdrawn if the owner provides sufficient information to demonstrate that the SWES has not been abandoned.
3. If the owner fails to respond to the Notice of Abatement or if after review by the Building Official, Code Enforcement Officer or designee it is determined that the SWES has been abandoned or discontinued, the owner of the SWES shall remove the SWES at the owner's sole expense within 3-months of receipt of the Notice of

Abandonment. If the owner fails to physically remove the SWES after the Notice of Abandonment procedure, the County shall have the authority to enter the subject property and physically remove the SWES and to recover costs associated with that removal from the property owner.

As a condition of initial SWES permit approval, the applicant may be required to provide a form of surety (i.e., post a bond, letter of credit or establish and escrow account or other means) at the time of building permit approval to cover costs of the removal in the event the County must remove the facility. The applicant shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified professional. The amount shall include a mechanism to accommodate the rate of inflation of 15 years. (Ord. 2010-02, 2010; Ord. 2009-25, 2009)

Chapter 17.61C

SOLAR POWER PRODUCTION FACILITIES

Sections

- 17.61C.010 Purpose.
- 17.61C.020 Definitions.
- 17.61C.030 Adoption of Solar Power Production Facilities Overlay Map.
- 17.61C.040 Solar Overlay Zones.
- 17.61C.050 Permitting Requirements.
- 17.61C.060 Permitting Exceptions.
- 17.61C.070 Submittal Requirements.
- 17.61C.080 Procedures.
- 17.61C.090 Development Standards.
- 17.61C.100 Review Criteria.
- 17.61C.110 Abandonment and Decommissioning.

17.61C.010 Purpose.

The purpose and intent of this chapter is to establish a process for recognition and designation of properties in Kittitas County suitable for the location of Solar Power Production Facilities (SPPF), to protect the health, welfare, safety, and quality of life of the general public, to allow for development while protecting existing agricultural resources and rural character, to comply with the goals and requirements of the Washington State Growth Management Act, and to ensure compatibility with land uses in the vicinity of these facilities.

(Ord. 2018-018, 2018)

17.61C.020 Definitions.

The following definitions shall be used in conjunction with the administration of this chapter:

1. "Glare" means the effect produced by light with intensity sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.
2. "Operator" means the person responsible for the overall operation and management of a solar energy project.
3. "Owner" means the person who owns all or a portion of a solar energy project.
4. "Perimeter" means the property lines for a lot, tract, or parcel that a Solar Power Production Facility is located on.
5. "Photovoltaic" means materials and devices that absorb sunlight and convert it directly into electricity.
6. "Solar Array" means a grouping of multiple solar modules with purpose of collecting or converting solar energy.
7. "Solar Cell" means smallest basic solar electric device which generates electricity when exposed to light.
8. "Solar Equipment" means Items including a solar photovoltaic cell, module, panel, or array, or solar hot air or water collector device panels, lines, pumps, batteries, mounting brackets, framing and possibly foundations or other structures used for or intended to be used for collection of solar energy.
9. "Solar Module" means a grouping of solar cells with the purpose of collecting or converting solar energy.
10. "Solar Panel" means that part or portion of a Solar Power Production System containing one or more receptive cells or modules, the purpose of which is to convert solar energy to electricity.
11. "Solar Power Production Facilities" or "SPPF" means a utility on an area of land designated for the purpose of producing photovoltaic electricity with a nameplate capacity of over one hundred kilowatts (100 KW) and includes, but is not limited to, an assembly of solar panels and solar equipment that converts sunlight into electricity and then stores and/or transfers that electricity. Solar Power Production Facilities may include mechanical buildings and other uses that are typical to a SPPF, however offices and other commercial uses are prohibited. (Ord. 2018-0186, 2018)

17.61C.030 Adoption of Solar Power Production Facilities Overlay Map.

1. The official Solar Power Production Facilities Overlay Map is adopted by reference and declared to be a part of this chapter. The official Solar Power Production Facilities Overlay Map shall be identified by the signature of the Chairperson of the Board and attested by the Clerk of the Board.
2. No changes of any nature shall be made to the Solar Power Production Facilities Overlay Map except in conformity with the procedures set forth in KCC Title 15B. (Ord. 2018-018, 2018)

17.61C.040 Solar Overlay Zones.

As a rural county, the protection of existing agricultural resources is a priority. The following solar overlay zones are established to preserve prime agricultural land by designating areas of the county that are appropriate for the siting of SPPFs:

1. Solar Overlay Zone 1 consists of lands designated by the Washington State Department of Agriculture as agricultural land uses on its agricultural land use geodatabase.
2. Solar Overlay Zone 2 consists of lands that are not designated by Washington State Department of Agriculture as agricultural land uses on its agricultural land use geodatabase.
3. Solar Overlay Zone 3 consists of lands that are not designated by Washington State Department of Agriculture as agricultural land uses on its agricultural land use geodatabase and are outside of irrigation district boundaries. (Ord. 2019-004, 2019; Ord. 2018-018, 2018)

17.61C.050 Permitting Requirements

Permitting and Siting of Solar Power Production Facilities are subject to the following Solar Overlay Zone restrictions:

1. The placement or construction of an SPPF on any properties identified as Solar Overlay Zone 1 on the Solar Power Production Facilities Overlay Map is prohibited, except as provided in 17.61C.060.
2. The placement or construction of an SPPF in Solar Overlay Zone 2 shall require conditional use permit approval.
3. The placement or construction of an SPPF that would generate greater than 7 megawatts in Solar Overlay Zone 3 shall require conditional use permit approval. The placement or construction of an SPPF that would generate up to 7 megawatts in Solar Overlay Zone 3 shall require administrative conditional use permit approval. (Ord. 2019-004, 2019; Ord. 2018-018, 2018)

17.61C.060 Permitting Exceptions.

The placement or construction of an SPPF on properties in Solar Overlay Zone 1 may be allowed subject to conditional use permit approval, in the following locations:

1. Lands that do not contain soils suited for agricultural uses as described by the United States Department of Agriculture and Natural Resource Conservation Service Soil Survey of Kittitas County Area, Washington.
2. Lands that have been converted to roads, parking lots, runways, or similar uses prior to October 2, 2018.
3. Rooftops of buildings existing prior to October 2, 2018.
4. Airport Safety Zones.
5. Powerline Rights-of-Way.
6. Highway Interchanges.(Ord. 2018-018, 2018)

17.61C.070 Submittal Requirements.

1. A site plan drawn to an appropriate scale that identifies all existing and proposed structures, setbacks, access routes, proposed road improvements, residential uses within one quarter of a mile of the project perimeter, existing utilities, pipelines, transmission lines, proposed utility lines, utility and maintenance structures, existing and proposed drainage areas, topography, proposed grading/landscaping, areas of natural vegetation removal and any re-vegetation methods, weed control, dust and erosion controls, any critical areas (as defined in KCC 17A) on or abutting the property, and any other relevant items identified by ~~Community Development~~ the Public Services Department.
2. An affidavit of agreement between lot owner and facilities owner or operator (when applicable) confirming that permission has been granted to propose, construct and/or operate an SPPF
3. A written compliance narrative addressing how the proposal meets the approval criteria in KCC 17.60A.015 and KCC 17.61C.080, .090, and .100.
4. A noxious weed management plan outlining methods, maintenance schedules, and any potential soil viability impacts
5. A stormwater management plan prepared in accordance with KCC 12.06 that includes any proposed ground disturbance and mitigation measures (such as reseeded with appropriate vegetation) to contain storm water runoff.
6. A decommissioning plan demonstrating compliance with KCC 17.61C.100(2).
7. A water rights retention plan, if applicable. (Ord. 2018-018, 2018)

17.61C.080 Procedures.

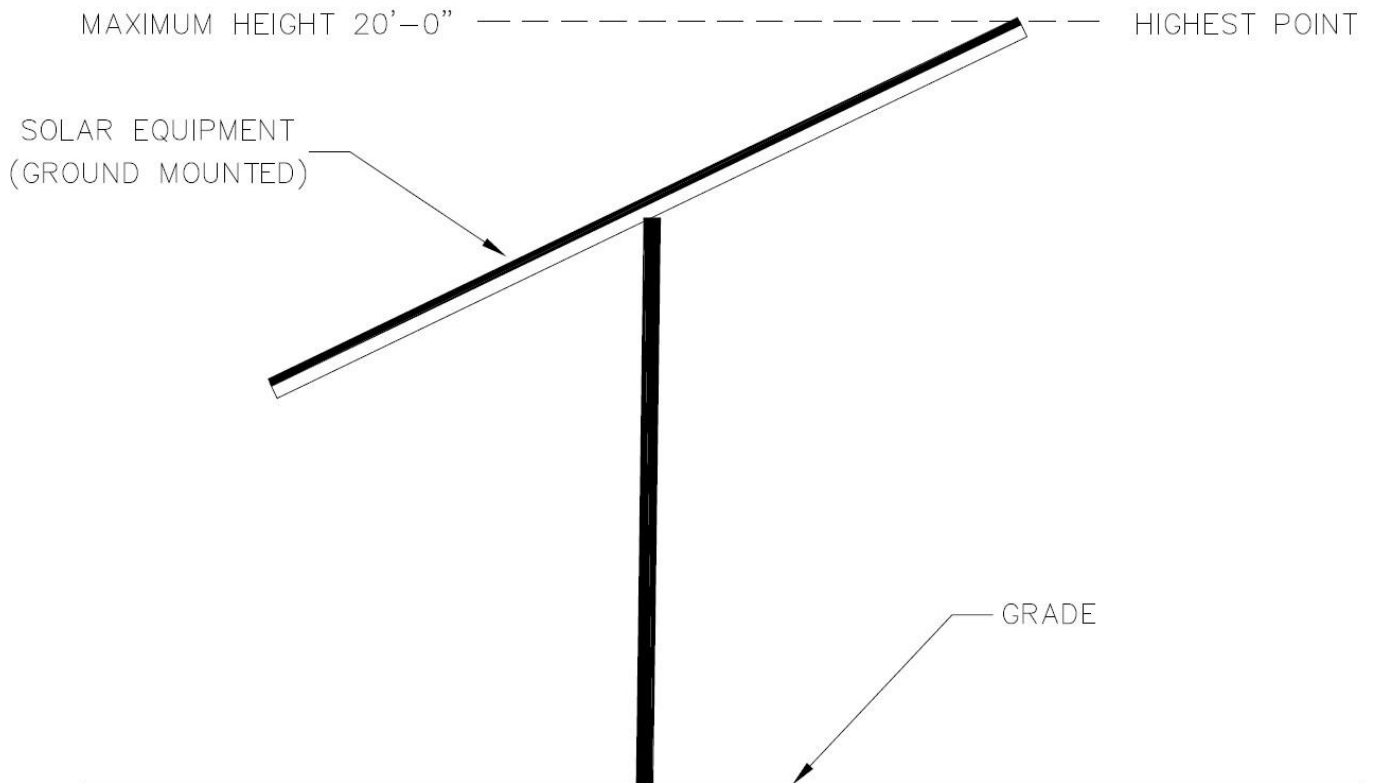
The following procedures shall be followed for all SPPF applications:

1. SPPF applications shall be processed in accordance with the applicable provisions of Kittitas County Code 15A.
2. Public notice of proposed SPPFs shall be provided to all property owners within one (1) mile of the proposed project site. (Ord. 2018-018, 2018)

17.61C.090 Development Standards.

SPPFs shall comply with the following developments standards:

1. SPPFs shall be screened or shall be enclosed by fencing a minimum of eight (8) feet in height. Screening and/or fencing shall be consistent with the surrounding character and utilize landscaping and/or native vegetation strategies to screen the facility from routine view of public right-of-ways or adjacent residential property. When fencing is used, the type and style of fencing shall also reflect any safety concerns specific to the general public and adjacent wildlife.
2. Glare shall not negatively impact surrounding properties, wildlife, or livestock.
3. Glare resistant panels shall be required for SPPFs located within an airport overlay zone.
4. Any lighting shall be shielded and downward-facing to contain light within the perimeter of the facility to the maximum extent possible.
5. All solar equipment associated with a SPPF shall meet the minimum zoning setbacks for the zoning district in which the SPPF is located, or 25 feet, whichever is greater.
6. SPPF solar equipment shall not exceed a maximum of 20 feet in height as measured from grade at the base of the equipment to its highest point during operation. (See Figure 17.61C-1)
7. The construction and operation of all SPPFs shall be consistent with applicable local, state, and federal regulations, including but not limited to, safety, construction, electrical, communication, and fire requirements. All solar equipment and other structures shall comply with local and state building codes.
8. Construction or maintenance activities shall not result in the unabated introduction or spread of noxious weeds and other undesirable weed species.
9. A Kittitas County Fire Marshal-approved fire management plan shall be provided by the applicant prior to building permit approval.
10. The manufacturers' or installers' identification and appropriate warning signage shall be posted at the site in a clear and visible manner at the entrance and along any fencing.
11. A sign consistent with KCC 17.70 shall be provided that shall identify the owner of the facility and provide a 24-hour emergency contact and phone number.
12. All solar equipment shall comply with the most current edition of the National Electrical Code.
13. Any water rights associated with the subject property for an SPPF shall be retained through the life of the facility.



(Ord. 2018-018, 2018)

^aNote: Scrivener's typographical error correction.

17.61C.100 Review Criteria.

Kittitas County may approve an SPPF application only when the following requirements have been met:

1. The proposed SPPF is consistent with the conditional use permit review criteria contained in KCC 17.60.015.
2. The proposed SPPF is in compliance with the Kittitas County Critical Areas Ordinance (KCC Title 17A) and Shoreline Master Program (KCC Title 17B), and Voluntary Stewardship Program (VSP).
3. Environmental impacts including but not limited to wildlife habitat, migration routes and critical areas have been mitigated. If the project is found to have potential environmental impacts, the applicant shall provide sufficient mitigation strategies to the satisfaction of Kittitas County.
4. The proposed SPPF is in compliance with the Storm Water Management Standards of KCC 12.06. (Ord. 2018-018, 2018)

17.61C.110 Abandonment and Decommissioning.

1. Abandonment Requirements:
 - a. SPPFs which have not generated electricity that is sold for commercial use within eighteen (18) months shall be removed at the owner/operator's expense. Owners/operators may be required to provide proof of electricity generation as requested by Kittitas County.
 - b. The Planning Official, Building Official, Code Enforcement Officer or designee may issue a Notice of Abandonment to the owner/operator of the facility. The owner/operator shall have the right to respond to the Notice of Abandonment within 30 days from the Notice receipt date. The Building Official, Code Enforcement Officer or designee may withdraw the Notice of Abandonment and notify the owner/operator that the Notice has been withdrawn if the owner/operator provides sufficient information to demonstrate that the facility has not been abandoned which may include documentation or certification by the owner/operator of the electrical grid that the SPPF has met the requirement of 17.61C.090 (1)(a).
 - c. If the owner/operator fails to respond to the Notice of Abandonment or if after review by the Planning Official, Building Official, Code Enforcement Officer or designee it is determined that the facility has been abandoned or discontinued, the owner/operator of the facility shall remove the SPPF at the owner/operator's sole expense within 3-months of receipt of the Notice of Abandonment. If the owner/operator fails to physically remove the facility after the Notice of Abandonment procedure, the County shall have the authority to enter the subject property, physically remove the facility and recover costs associated with that removal from the property owner/operator.
2. Decommissioning Requirements:
 - a. The site shall be restored within six (6) months of removal.
 - b. Restoration of the site shall consist of the following:
 - i. Dismantle and removal of all photovoltaic solar power generation facilities including modules, mountings, foundations, gravel beds, inverters, wiring, and storage devices.
 - ii. Private access road areas shall be restored by removing gravel and restoring surface grade and soil, unless the landowner directs otherwise.
 - iii. After removal of the structures and roads the area, if disturbed during SFPF construction and operation, shall be graded as close as is reasonable possible to its original contours or contours advantageous for agricultural operations and the soils shall be restored to a condition compatible with farm uses or

consistent with other resource uses. Re-vegetation shall include plant species suited to the area, or planting by landowner of agricultural crops, as appropriate, and shall be consistent with noxious weed control measures.

- c. Proponents of any SPPF shall demonstrate decommission assurances to Kittitas County in the form of a surety bond or escrow account to cover the cost of removal in the event the facility must be removed by Kittitas County. The intent of this requirement is to guarantee performance (not just provide financial insurance) to protect the public interest and the County budget from an unanticipated, unwarranted burden to decommission a SPPF. The proponent shall submit a fully inclusive estimate of the costs associated with removal prepared by a qualified Washington State licensed engineer that is accepted by Kittitas County. The decommissioning funds shall be equivalent to 125% of the engineer's estimated cost for the purpose of guaranteeing completion of the work. The decommissioning assurance shall be reevaluated every five (5) years to ensure sufficient funds for decommissioning, and if deemed appropriate at that time, the amount of decommissioning funds shall be adjusted accordingly. (Ord. 2018-018, 2018)

Chapter 17.62

PUBLIC FACILITIES PERMITS

Sections

- 17.62.010 Definitions.
- 17.62.020 Purpose.
- 17.62.030 Procedures.
- 17.62.040 Decision criteria.
- 17.62.050 Minimum lot sizes.
- 17.62.060 Appeals.

17.62.010 Definitions.

1. "Public facility" means the capital improvements and systems of transportation, law enforcement, fire protection, and recreational facilities (i.e., parks and playgrounds). Public facilities may be sited in any zoning, classification, subject to the review and approval requirements of this chapter.
2. "Public facility permit" means a written decision by the ~~Community Development Public Services~~ ~~d~~Department authorizing a public facility use to locate at a specific location. (Ord. 2007-22, 2007; Ord. 2002-03 (part), 2002)

17.62.020 Purpose.

The purpose of this chapter is to establish decision criteria and procedures for the permitting of public facilities and to provide coordinated review of the proposed project. Certain public facilities provide necessary services to other uses but are deemed unique due to factors such as siting criteria, size, technological processes, and requirements for comprehensive facility planning and budgeting. These uses require a certain degree of review to incorporate and document consistency with the comprehensive plan, facility plans, or capital improvement programs, and to assure compatibility with adjacent uses. (Ord. 2002-03 (part), 2002)

17.62.030 Procedures.

Public facilities permits shall be processed in the same manner as zoning administrative conditional uses are processed pursuant to KCC Title 15A, except as otherwise provided in this chapter. (Ord. 200203 (part), 2002)

17.62.040 Decision criteria.

The ~~Community Development Public Services~~ ~~d~~Department shall review public facility permit applications in accordance with the provisions of this section and may approve, approve with conditions, or deny the public facility permit.

1. Required Findings. A public facility permit may be approved by the ~~Community Development Public Services~~ ~~d~~Department only if all of the following findings can be made regarding the proposal and are supported by the record:
 - a. That the granting of the proposed public facilities permit will not:
 - i. Be detrimental to the public health, safety, and general welfare;
 - ii. Be injurious to the property or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located; nor
 - iii. Adversely affect the established character of the surrounding vicinity.
 - b. That the proposed use will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties, the vicinity, and the public health, safety, and welfare of the community from such hazard.
 - c. That the granting of the proposed public facilities permit is consistent and compatible with the intent of the goals, objectives, and policies of the comprehensive plan and any implementing regulations.
 - d. That the facility site and environmental designs:
 - i. Meet local and state siting criteria and design; and
 - ii. Have been reviewed and/or commented upon by local and state agencies responsible for issuing permits.
 - e. That all conditions to mitigate the site specific impacts of the proposed use which were identified can be monitored and enforced.
 - f. That all yards, open spaces, landscaping, walls and fences, and other buffering features are properly provided to mitigate the impacts of the facility to make it compatible with the character of the surrounding area.
 - g. That the proposed public facility will be supported by, and not adversely affect, adequate public facilities and services; or that conditions can be imposed to lessen any adverse impacts on such facilities and services.
2. Approval. The ~~Community Development Public Services~~ ~~d~~Department may approve an application for a public facilities permit or approve with additional requirements to comply with specified requirements or site conditions.
3. Denial. The ~~Community Development Public Services~~ ~~d~~Department may deny a public facility permit if the proposal does not meet or cannot be conditioned to meet the required findings. (Ord. 2007-22, 2007; Ord. 2002-03 (part), 2002)

17.62.050 Minimum lot sizes.

The operation of some public facilities may necessitate unusual parcel configurations and/or parcel sizes. Such parcels:

1. Need not conform with the applicable minimum lot size for the specific zone the public facility is to be located; provided, they comply with the procedures provided under KCC Title 16, Subdivisions, and so long as used for a public facility;
2. Are not eligible for any other use or any rights allowed to nonconforming lots in the event the public facility ceases to operate;
3. Shall continue to be subject to all other zoning and subdivision requirements applicable to the parent parcel;
4. For Chapter 17.29 KCC, A-20 Agricultural Zone, and Chapter 17.31 KCC, Commercial Agriculture Zone, the splitting of property for a public facility would not be considered as a one time split for that property. (Ord. 2002-03 (part), 2002)

17.62.060 Appeals.

Any aggrieved party with standing may appeal a decision to approve or deny a public facilities permit within 10 working days of the date of decision pursuant to KCC Title 15A . (Ord. 2002-03 (part), 2002)

Chapter 17.65*

Repealed (Ord. 2005-35, 2005)

**Chapter 17.66
ELECTRONIC VEHICLE INFRASTRUCTURE**

Sections

- 17.66.010 Allowed Uses.
- 17.66.020 Off Street Parking - Electric Vehicle Charging Stations.

17.66.010 Allowed Uses.

Table 17.66.010 Allowed Electric Vehicle Infrastructure Uses

Land Use	Zoning District					
	Low- Density Residential	Mixed-Use	Commercial	Industrial	Institutional	Resource
	Including: R; R-2; RR; R-3; R-5; HT-C; L-H; and UR zones	Including: MPR; PUD	Including: CL; GC; and CH zones	Including: IL and IG zones	Including : Airport Zone	Including: A-3; A-5; A-20; CA; FR; CF;
EV Charging Station 1, 2	P3	P	P	P	P	P3
Rapid Charging Station 4	P5	P	P	P	P	P3
Battery Exchange Station			P	P	P	P3

P: Use is permitted.
Absence of "P": Use is not allowed in the given zoning district.

- Development Standards
1. Level 1 and Level 2 charging only.
 2. Level 1 and Level 2 charging are permitted in aquifer recharge areas and in other critical areas when serving an existing use.
 3. Allowed only as accessory to a principal outright permitted use or permitted conditional use.
 4. The term "Rapid" is used interchangeably with Level 3 and Fast Charging.
 5. Only "electric vehicle charging stations - restricted" as defined in KCC Chapter 17.08 Definitions.

(Ord. 2011-013, 2011)

17.66.020 Off Street Parking - Electric Vehicle Charging Stations.

To ensure an effective installation of electric vehicle charging stations, the regulations in this subsection provide a framework for when a property owner chooses to provide electric vehicle charging stations.

1. Electric Vehicle Charging Station Spaces
 - a. Purpose. For all parking lots or garages, except those that include restricted electric vehicle charging stations.
 - b. Number. No minimum number of charging station spaces is required.
 - c. Minimum Parking Requirements. An electric vehicle charging station space may be included in the calculation for minimum required parking spaces that are required pursuant to other provisions of code.
 - d. Location and Design Criteria. The provision of electric vehicle parking will vary based on the design and use of the primary parking lot. The following required and additional locational and design criteria are provided in recognition of the various parking lot layout options.
 - i. Where provided, parking for electric vehicle charging purposes is required to include the following:
 1. Signage. Each charging station space shall be posted with signage indicating the space is only for electric vehicle charging purposes. Days and hours of operations shall be included if time limits or tow away provisions are to be enforced. Signage design shall comply with the RCW 46.08.185.
 2. Maintenance. Charging station equipment shall be maintained in all respects, including the functioning of the charging equipment. A phone number or other contact information shall be provided on the charging station equipment for reporting when the equipment is not functioning or other problems are encountered.

3. Accessibility. Where charging station equipment is provided within an adjacent pedestrian circulation area, such as a sidewalk or accessible route to the building entrance, the charging equipment shall be located so as not to interfere with accessibility requirements of WAC 51-50-005.
 4. Lighting. Where charging station equipment is installed, adequate site lighting shall exist, unless charging is for daytime purposes only.
- ii. Parking for electric vehicles should also consider the following:
1. Notification. Information on the charging station, identifying voltage and amperage levels and any time of use, fees, or safety information.
 2. Signage. Installation of directional signs at the parking lot entrance and at appropriate decision points to effectively guide motorists to the charging station space(s).
- e. Data Collection. To allow for maintenance and notification, the local permitting agency will require the owners of any private new electric vehicle infrastructure station that will be publicly available (see definition "electric vehicle charging station -public") to provide information on the station's geographic location, date of installation, equipment type and model, and owner contact information. (Ord. 2016-023, 2016; Ord. 2011-013, 2011)

Chapter 17.70

SIGNS

Sections

- 17.70.010 Purpose.
- 17.70.020 Applicability
- 17.70.030 Definitions
- 17.70.040 Exempt signs
- 17.70.050 Prohibited signs
- 17.70.060 General regulations.
- 17.70.070 Specific sign regulations.
- 17.70.080 Nonconforming signs.
- 17.70.090 Administration and enforcement.
- 17.70.100 Maintenance and termination of signs.

17.70.010 Purpose.

The purpose of this chapter is to accommodate and promote signs by providing minimum standards to safeguard life, health, and visual quality. This is accomplished by regulating and controlling the number, size, design, construction and location of all signs and sign structures. This chapter is further intended to preserve and improve the appearance of the County as a place to live and as an attraction to nonresidents who want to visit or do business. It encourages sound signing practices as an aid to business and public information while preventing excessive, confusing sign displays.

(Ord. 2014-015, 2014;)

17.70.020 Applicability.

1. No sign governed by the provisions of this chapter shall be erected, structurally altered, relocated, or have its illumination characteristics changed or relocated by any person, firm or corporation without a permit from the department. Sign permits shall be processed pursuant to KCC Section 15A.03 Project Permit Application Review.
2. No permit shall be required for repainting, cleaning, or other normal maintenance and repair of a sign, or for sign face and copy changes that do not alter the size or structure of the sign.

(Ord. 2014-015, 2014;)

17.70.030 Definitions.

1. "Abandoned sign" means any sign located on property that is vacant and unoccupied for a period of six months or more, or any sign which pertains to any occupant, business or event unrelated to the present occupant or use.
2. "Building face" is the exposed building front or exposed exterior wall, including windows and doors, of a building from the grade of the building to the eave line or parapet and the entire width of the building elevation.
3. "Building side" is a surface of a building that extends more or less perpendicularly from an observer standing in front of a building.
4. "Canopy" is a freestanding permanent roof-like structure composed of rigid materials providing protection from the elements that may have support columns and/or it may be supported in whole or in part by an adjacent structure.
5. "Construction sign" means any sign used to identify the architects, engineers, contractors, or other individuals or firms involved with the construction of a building, and to show the design of the building or the purpose for which the building is intended.
6. "Changing message center sign" means an electronically controlled sign where different automatic changing messages are shown on the lamp bank. This definition includes time and temperature displays.
7. "Directional sign" means signs indicating entrances, exits, service areas, loading only, and parking areas, and which do not contain advertising or promotional information.
8. "Electronic display systems" means an outdoor advertising sign, display, or device whose message may be changed by electrical or electronic process, and includes the device known as the electronically changeable message center for advertising on-premises activities.
9. "Flashing or blinking sign" means an electric sign or a portion thereof (except changing message centers) which changes light intensity in a sudden transitory burst, or which switches on and off in a constant pattern in which more than one-third of the incandescent light source is off at any one time.
10. "Freestanding sign" means any sign supported by one or more uprights, poles or braces in or upon the ground and that are independent from any building or other structure.
11. "Illuminated sign" means an electric sign or other sign employing the use of lighting sources for the purpose of decorating, outlining, accentuating or brightening the sign area.

12. "Nonconforming sign" means a sign which was legally installed under laws or ordinances in effect prior to the effective date of the ordinance codified in this chapter or subsequent revisions, but which is in conflict with the current provisions of this chapter.
13. "Monument signs" means a sign permanently affixed to the ground by a wide, solid base that is nearly the same width as the sign face.
14. "Multiple building complex" means a group of structures containing two or more retail, office and/or commercial uses sharing the same lot, access and/or parking facilities, or a coordinated site plan. For purposes of this section, each multiple building complex shall be considered a single use.
15. "Multiple tenant building" means a single structure housing two or more retail, office, or commercial uses. For purposes of this section, each multiple tenant building shall be considered a single use.
16. "Off-premises sign" means a sign which advertises or promotes merchandise, service, goods, or entertainment which is sold, produced, manufactured or furnished at a place other than on the property on which the sign is located.
17. "On-premises sign" means a sign incidental to a lawful use of the premises on which it is located, advertising the business transacted, services rendered, goods sold or products produced on the premises or the name of the business, person, firm, or corporation occupying the premises.
18. "Outdoor advertising signs and billboards" means any card, paper, cloth, metal, wooden or other display or device of any kind or character, including but not limiting the same to any poster, bill, printing, painting or other advertisement of any kind whatsoever, including statuary, placed for outdoor advertising purposes on or to the ground or any tree, wall, rack, fence, building, structure or thing. Outdoor advertising signs and billboards does not include:
 - a. Official notices issued by any court or public body or officer;
 - b. Notices posted by any public officer in performance of a public duty or by any person in giving legal notice;
 - c. Directional, warning or information structures required by or authorized by law or by federal, state, county or city authority.
19. "Residential sign" means any sign located in a residential district that contains no commercial message except advertising for goods or services legally offered on the premises where the sign is located, if offering such service location conforms with all requirements of this title.
20. "Sight triangle" means areas along intersection approach legs and across their included corners where obstructions may cause a driver's view of approaching vehicles to be blocked. Object heights are limited in the sight triangle in accordance with current AASHTO standards
21. "Sign" means any communication device, structure, or fixture (including the supporting structure) that identifies, advertises and/or promotes an activity, product, service place, business, or any other use.
22. "Temporary sign" means any sign, banner, pennant, valance, or advertising display constructed of cloth, paper, canvas, cardboard, and/or other light, nondurable materials. Types of displays included in this category are signs for grand openings, special sales, special events, and garage sales.
23. "Wall sign" means any sign attached to or painted directly on the wall, or erected against and parallel to the wall of a building, not exceeding more than twelve inches from the wall.
24. "Window sign" means any sign placed upon or painted on the interior or exterior surface of a window or placed inside the window within three feet of the window surface, which faces the outside and which is intended to be seen primarily from the exterior.

(Ord. 2014-015, 2014;)

17.70.040 Exempt signs.

The following signs do not require a permit and are exempt from the application, permit, and fee requirements of this Title. This shall not be construed as relieving the owner of the sign from the responsibility of erecting and maintaining it in conformance with the intent of this chapter or other applicable law or ordinances.

1. Official flags, emblems and/or insignia and including the flagpole of any governmental unit and internationally or nationally recognized organizations;
2. Official and legal notices by any court, public body, persons or officer in performance of a public duty, or in giving any legal notice;
3. Directional, warning, regulatory, or information signs or structures required or authorized by law; or by federal, state, county, or city authority;
4. All temporary signs, provided such signs shall not be displayed for more than one year, and provided they do not exceed thirty-two square (32) feet in area;
5. Structures intended for a separate use such as phone booths, donation collection containers or other similar structures;
6. Gravestones;
7. Non-commercial artistic images painted on or affixed to a building, including barn quilts & old commercial signs as long as the intent of the sign is that of decoration and not advertisement;
8. Farm, ranch, or single family residence identification sign;
9. Painting or repainting an advertising structure; changing the advertising copy message thereon, unless structural change is made; or replacing the illumination bulbs or equipment on a sign without changing illumination characteristics.
10. One sign less than four (4) square feet in area not otherwise addressed within this chapter;
11. Farm product identification signs, provided they do not exceed ten (10) square feet in area;
12. Grand openings and special event signs not exceeding thirty-two (32) square feet which would include banners, streamers and temporary signs, provided they do not exceed a period of more than thirty-five (35) days, and provided they do not obstruct pedestrian or vehicular travel;
13. One (1) A-frame or sandwich board sign, provided the sign is no taller than forty-eight (48) inches and no wider than thirty (30) inches, and provided that one (1) such sign shall be allowed per business/use and only be placed in front of that business/use during business hours.

(Ord. 2016-023, 2016; Ord. 2014-015, 2014;)

17.70.050 Prohibited signs.

The following signs and sign components are prohibited:

1. Signs which purport to be, are an imitation of, or resemble an official traffic sign or signal, or which obstruct the visibility of any such signal, or which could cause confusion with any official sign or signal;
2. Signs attached to utility poles, street lights, and traffic control standard poles;
3. Signs attached to trees, or painted or drawn upon rocks or other natural features.
4. Signs in a dilapidated or hazardous condition;
5. Abandoned signs;
6. Signs on doors, windows, fire escapes or pedestrian paths that restrict free ingress, egress or movement;
7. Flashing/blinking signs, except electronic display systems as defined in Section 17.72.030;

8. Signs placed within a right-of-way or projecting over public rights-of-way, roads, streets or sidewalks;
9. Signs with animated or moving parts.
10. Beacons;
11. Inflatable signs.
12. Swooper advertising flags or banners

(Ord. 2014-015, 2014;)

17.70.060 General regulations.

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

1. Development Standards.
 - a. Construction shall satisfy the requirements of KCC Title 14 and the International Codes.
 - b. All signs, together with their supports, braces, and guys, shall be maintained in a safe and secure manner.
 - c. All signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame or structure.
 - d. The ratio of the area of the sign support, framing structure and/or other decorative features which contain no written or advertising copy to the sign cabinet shall not be greater than one to one (1 to 1).
 - e. Setbacks. All signs shall be at least ten (10) feet from the front property line, but must be setback additional distance if right of way extends onto property so that the sign is no closer than ten (10) feet from the edge of the right of way.
 - f. Sight Triangles: Signs must be located in conformance with KCC Section 12.04.030.E for sight triangles.
 - g. Height. Except where allowed or restricted otherwise in this chapter or by state or federal law, all signs and supporting structures shall be no higher than the allowed building height in the applicable zoning district. Signs in Limited Commercial, General Commercial, or Highway Commercial zoning districts shall not exceed eighty (80) feet in height. Signs that exceed height standards in Limited Commercial, General Commercial, or Highway Commercial zoning districts shall require Conditional Use permit approval in accordance with KCC 17.60A.
 - h. Projecting, hanging, and awning signs shall maintain a minimum clearance of eight (8) feet above the finished grade.
2. Illumination. Illumination from any sign shall be shaded, shielded, directed or reduced so as to avoid undue brightness, glare or reflection of light onto private or public property or right-of-way in the surrounding area, and so as to avoid unreasonable distractions of pedestrians or motorists.
3. Computations. The following principles shall control the computation of sign area and sign height:
 - a. Area of Individual Signs. The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall that is clearly incidental to the display itself.
 - b. Area of Multi-Faced Signs. The sign area shall be computed by adding together the area of all sign faces. When two identical sign faces are placed back to back, the sign area shall be computed by the measurement of one of the faces. No greater than two (2) faces are permitted per freestanding sign.
 - c. Height. The height of a sign shall be computed as the distance from the base of the sign at the average finished grade of the lot to the top of the highest attached component of the sign. In cases in which the normal grade cannot reasonably be determined, or the property is improved with curbs and gutters, sign height shall be computed on the assumption that the elevation of the normal grade at the sign is equal to the average elevation of the roadway within fifty (50) feet in either direction of the proposed sign.
4. Number of signs.
 - a. Only one (1) monument sign is allowed on each frontage, including for multi-tenant buildings, provided it is not located on the same street frontage as an allowed freestanding sign.
 - b. Only one (1) freestanding sign is allowed on each frontage, including for multi-tenant buildings, provided it is not located on the same street frontage as an allowed monument sign.
 - c. Single or multiple occupancy buildings whose premises extend through a block to face on two (2) parallel or nearly parallel roads with customer entrances on each road are permitted one (1) freestanding sign or monument sign per road frontage; provided, that each freestanding sign or monument sign is located on different road frontages. Where a multi-tenant development does not abut a public street frontage, one (1) multi-tenant sign shall be allowed. However, no signs shall be permitted on roads abutting residential districts.
 - d. Unless otherwise addressed in this chapter, the number of wall or window signs shall not be limited as long as the maximum sign surface area per building face is not exceeded.
 - e. Only one (1) suspended and/or projecting sign shall be permitted per exterior building entrance;
 - f. One (1) suspended and/or projecting sign per business shall be allowed under a canopy.
5. Any signs visible from a Washington State-designated scenic byway shall comply with the requirements of Chapter 47.42 RCW and other applicable state requirements, as administered by the appropriate state agency, including any permitting required by the Washington State Department of Transportation.
6. One (1) informational sign per business or use may be permitted indicating the use or business name and the direction in which it is located. The name or logo may be listed but shall not be the primary focus or feature of the sign. Such signs may be a maximum of four (4) feet in height.

(Ord. 2022-017, 2022; Ord. 2014-015, 2014;)

17.70.070 Specific sign regulations.

All permitted signs shall comply with one of the following types of structural and/or construction related requirements:

1. Monument Signs
 - a. Unless otherwise permitted herein, each monument sign shall be no larger than thirty-two (32) square feet;
 - b. Unless otherwise permitted herein, each monument sign shall be no taller than forty-two (42) inches above street grade when located within the sight triangle, and no taller than seventy-two (72) inches above finished grade when located outside of the sight triangle;
 - c. Monument signs shall be constructed as ground-mounted signs with the message component of the sign located above the average ground elevation and attached to the ground by means of a wide base of solid appearance.

2. Freestanding Signs

- a. Unless otherwise permitted herein, each freestanding sign shall be no larger than thirty-two square feet (32); except that a multi-tenant freestanding signs shall not exceed a maximum of one hundred fifty (150) square feet in area.
- b. Signs oriented toward highways and freeways shall have a maximum area per face of four hundred (400) square feet. Signs oriented toward highways and freeways that exceed four hundred (400) square feet in area shall require Conditional Use permit approval in accordance with KCC 17.60A.
- c. The maximum size for outdoor advertising signs shall be thirteen (13) feet in height and twenty-five (25) feet in length or three hundred twenty-five (325) square feet in area, including border and trim, but excluding supports, in no case shall more than two signs outdoor advertising signs be permitted on the same lot.

3. Wall or Window Signs

- a. Signs attached to a building shall not project above the roof line;
- b. Wall signs shall not extend more than twelve (12) inches out from wall, and shall be mounted parallel with the building face;
- c. Each wall and/or window sign, calculated together for any single building face, shall not exceed the figures derived from the following table:

Building Face	Maximum Sign Surface Area Per Building Face
Below 100 square feet	Up to 12 square feet
100 - 200 square feet	Up to 20 square feet, not to exceed 10% of the building face.
201 - 500 square feet	Up to 42 square feet, not to exceed 10% of the building face.
501 - 1,000 square feet	Up to 75 square feet, not to exceed 10% of the building face.
1,001 - 1,500 square feet	Up to 150 square feet, not to exceed 10% of the building face.
1,501 - 3,000 square feet	Up to 169 square feet, not to exceed 10% of the building face; and also provided that no single sign shall exceed 160 square feet.
Over 3,001 square feet	Up to 214 square feet, not to exceed 10% of the building face; and also provided that no single sign shall exceed 160 square feet.

4. Suspended and Projecting Signs

- a. No signs shall project into the public right of way.
- b. Projecting signs may be placed in lieu of freestanding signs. Projecting signs are limited to one-half of the size of a freestanding sign.
- c. The size of a suspended and/or projecting sign shall not exceed four (4) square feet;
- d. Each suspended and/or projecting sign shall have at least two (2) attachments to the building from which they project and such other guy wires, chains, or cables as may be deemed necessary by the county building official. Additional attachments may be required based on required engineering;
- e. Any projecting sign located under the canopy shall be mounted perpendicular to the building face. It shall be attached to the building and in no case shall a projecting sign be attached to the canopy posts;
- f. Each projecting sign shall not project more than five feet from the building face for an individual business. The structure around or supporting the sign, such as wrought iron work, shall not be included in the total sign area;
- g. All guy wire supports shall be engineered and reviewed and approved by the county building official. No guy wires shall be spread at an angle less than twenty-five degrees and shall be fastened with approved expansion bolts to a solid brick or stone wall or by machine screws in an iron building face, or by light screws if the building face is solid woodwork.

5. Off-Premises directional signs.

- a. The maximum height of an off-premises directional sign shall not exceed ten (10) feet from the ground level at its base.
- b. The maximum sign dimensions for an off-premises directional sign shall be four (4) feet in height and eight (8) feet in length, excluding supports and foundations, for a total maximum sign area of thirty-two (32) square feet per face. Off-premises directional signs may be either single-faced or double-faced.
- c. Lighting. Lighting on off-premises directional signs shall be for the sole purpose of illuminating the advertising message on the display surface and shall not constitute any part of the message itself, directly or indirectly. There shall be no blinking, flashing or fluttering lights. All lighting shall be directed towards the display surface and shall not create a hazard to motorists or a nuisance to adjoining property owners.
- d. State Scenic Byways. All off-premises directional signs visible from Washington State-designated scenic byway shall comply with the requirements of Chapter 47.42 RCW Highway Advertising Control Act and other applicable state requirements, as administered by the appropriate state agency.
- e. Location Restrictions.
 - i. Four (4) off-premises directional signs may be located within a six hundred (600) foot diameter from a public road intersection; provided, that a greater distance may be required if the county finds that a specific off premises directional sign at a specific location will obstruct or physically interfere with a motorist's view of approaching, merging or intersection traffic.
 - ii. Off-premises directional signs shall not be located on a public right-of-way.
 - iii. Off-premises directional signs shall not be less than fifteen (15) feet from the outside edge of the public right-of-way.
 - iv. An off-premises directional sign shall not be located within six hundred (600) feet of another sign on the same side of the street (excepting for road intersections described above). Back-to-back and v-type sign structures shall be considered one sign structure.
 - v. Off-premises directional signs shall not be permitted as roof signs.
 - vi. Off-premises directional signs shall not block the public visibility of any on premises signs or the visibility for motorists of any official traffic sign, signal or device.

6. Informational Signs

- a. Signs may be used to indicate entrances, exits, parking areas, or drive-throughs to aid customers in circulation within parking lots. Signage shall be limited to a maximum of one sign per circulation component. The maximum size is four (4) feet in height. The name of the business or business logo may be listed but shall not be the primary focus or feature of the sign.

7. Signs for Seasonal Agricultural Sales

Farm stands dealing primarily in fresh, perishable produce, for any continuous period not to exceed six (6) months in any one calendar year, may have any number of signs; provided that:

- a. The signs are affixed to the building within which the produce is sold;
- b. No such single sign shall exceed four hundred (400) square feet;
- c. The premises shall be permitted one additional freestanding, two-sided sign not to exceed two hundred fifty (250) square feet on each side and located not more than fifty feet (50) from the building in which the produce is sold;
- d. No sign on the building shall advertise any produce unless the produce is immediately available for sale on the premises; and
- e. At the end of the six-month period all additional signs permitted by this section shall be promptly removed and stored out of view.

(Ord. 2014-015, 2014; Res. 83-10, 1983)

17.70.080 Nonconforming signs.

Any sign lawfully existing under all codes and regulations prior to the adoption of this chapter may be continued and maintained as a legal nonconforming sign, provided:

1. No sign shall be changed in any manner that increases its noncompliance with the provisions of this chapter;
2. If the sign is structurally altered or moved, its legal nonconforming status shall be void and the sign will be required to conform to the provisions of this chapter;
3. The sign is not hazardous or abandoned;
4. The burden of establishing the legal nonconformity of a sign under this section is the responsibility of the person or persons, firm, or corporation claiming legal status of a sign. An asserted nonconformity shall be approved or denied by the director under advice from the County Prosecutor.

(Ord. 2014-015, 2014;)

17.70.090 Administration and enforcement.

Administration and enforcement of the provisions of this chapter shall be as established in Title 15A, Project Permit Application Process and Title 18 Code Enforcement.

(Ord. 2014-015, 2014;)

17.70.100 Maintenance and termination of signs.

1. All signs shall be maintained in their original condition and the display surface shall be neatly painted or posted at all times. (Res. 83-10, 1983)
2. The right to maintain any sign shall terminate and shall cease to exist whenever the sign is:
 - a. Damaged or destroyed beyond fifty percent of the cost of replacement, as determined by the director; or
 - b. Structurally substandard to the extent that the sign becomes a hazard or a danger to the public health, safety, and welfare as determined by the appropriate review authority.

(Ord. 2014-015, 2014;)

Chapter 17.72

Repealed

(Repealed by Ordinance 2014-015, 2014;)

Chapter 17.74

RIGHT TO FARM FOR THE PROTECTION OF AGRICULTURAL ACTIVITIES

Sections

- 17.74.005 Policies on agricultural land use.
- 17.74.010 Purpose and intent.
- 17.74.020 Definitions.
- 17.74.030 Agricultural activities - Presumed reasonable and not a nuisance.
- 17.74.040 Immunity from private action based on agricultural activity on certain lands - Exceptions.
- 17.74.050 Reserved.
- 17.74.060 Notification and disclosure.
- 17.74.070 Severability.

17.74.005 Policies on agricultural land use.

Agriculture has priority in matters dealing with conflicting land uses in agricultural areas. (Ord. 96-5 (part), 1996)

17.74.010 Purpose and intent.

The history, economy, culture and the future of Kittitas County revolve around agricultural activities. The Kittitas County board of county commissioners finds that the agricultural areas of Kittitas County are increasingly subjected to nuisance lawsuits and that such lawsuits encourage and even force the premature removal of lands from agricultural uses. It is therefore the purpose of this chapter to provide:

1. That agricultural activities in Kittitas County on land used for agriculture be protected; and
2. Notice to individuals who locate on or near an area used for agriculture, that agricultural activities are allowed, encouraged and promoted as the acceptable use of land in those areas, and by locating in such areas they are doing so with this understanding.
3. This chapter is not intended to replace or diminish state code and is intended only to enhance its provisions for the right to farm. (Ord. 96-5 (part), 1996)

17.74.020 Definitions.

1. "Farm" means land, buildings, livestock, and machinery devoted primarily to the production for commercial purposes of agricultural commodities on lands used for agriculture outside urban growth areas and urban growth nodes and on lands used for existing and on-going agriculture within urban growth areas and urban growth nodes.
2. "Supporting facilities" include, but are not limited to, roads and waterways, storage, processing, conditioning and sale facilities within the county on lands used for agriculture outside urban growth areas and urban growth nodes and on lands used for existing and ongoing agriculture within urban growth areas and urban growth nodes.
3. "Agricultural activity" includes, but is not limited to, the growing or raising, harvesting, storage, disposal, transporting, conditioning, processing, sale, and research and development of, but not limited to, the following: horticultural crops, poultry, livestock, grain, mint, hay, forages and feed crops, apiaries, beekeeping, equine activities, leather, fur, wool, dairy products and seed crops. Agricultural activity may involve, but is not limited to, the following operations and conditions: on-farm and roadside marketing, dust, fumes, vapors, gases, smoke, odors, and noise from the farm or farm activities, open burning; operation of machinery; movement (including use of current county road ditches, streams, rivers, canals, and drains, etc.) and use of water for agricultural activities; ground and aerial seeding and spraying; application of fertilizers, conditioners, pesticides and associated drift of such materials; employment and use of labor, roadway movement of equipment and livestock, protection from damage by wildlife; prevention of trespass; construction and maintenance of buildings, fences, roads, bridges, ponds, drains, waterways, etc. and maintenance of stream banks and watercourses; and conversion from one agricultural activity to another, including a change in the type of plant-related farm product being produced. The term includes use of new practices and equipment consistent with technological development within the agricultural industry.
4. "Generally accepted agricultural and management practices" means historic practices, and those practices as defined or recommended by the United States or Washington State Department of Agriculture, Agricultural Stabilization and Conservation Service, Soil Conservation Service, Washington State University Cooperative Extension, Kittitas County Conservation District and other professional and agricultural organizations. These practices may be modified to reflect varying conditions which include, but are not limited to, geographical location, weather, soil types and conditions, type of crop or livestock and management system.
5. "Agricultural land" means land primarily devoted to the commercial production of horticulture, viticulture, floriculture, dairy, apiary, vegetable, or animal products or of berries, grain, hay, straw, turf, seed, Christmas trees not subject to the excise tax imposed by RCW 84.33.100 through 84.33.140, finfish in upland hatcheries, or livestock.
6. "Agriculture" is the grazing, feeding, and watering of livestock, plowing, seeding, cultivation and harvesting for the production of crops and pasture; soil and water conservation practices; the creation and maintenance of farm or stock ponds, irrigation ditches, drainage ditches, underground drainage systems, fences and farm roads, the control of noxious weeds, and includes any associated structures, appurtenances, equipment or activities.
7. "Lands used for agriculture" means lands where agriculture is allowed either as a permitted use or a conditional use or not prohibited by the zoning code. If ongoing and existing agricultural activities occur inside urban growth areas or urban growth nodes, these shall be considered as "lands used for agriculture". (Ord. 2007-22, 2007; Ord. 96-5 (part), 1996)

17.74.030 Agricultural activities - Presumed reasonable and not a nuisance.

Notwithstanding any other provision of the Kittitas County Code, agricultural activities conducted on the farm, or supporting facilities if consistent with good agricultural practices and established prior to surrounding nonagricultural activities, are presumed to be reasonable and do not constitute a public or private nuisance unless the activity has a substantial adverse effect on the public health and safety.

If that agricultural activity is conducted under generally accepted agricultural and management practices and does not conflict with federal, state, and local laws and regulations, it is presumed to be a good agricultural practice not adversely affecting the public health and safety. Agricultural activity shall not be limited as to hours of the day nor days of the week. (Ord. 96-5 (part), 1996)

17.74.040 Immunity from private action based on agricultural activity on certain lands - Exceptions.

1. No agricultural activity, as described in Section 17.74.030, on lands used for agriculture outside urban growth areas and urban growth nodes and on lands used for existing and on-going agriculture within urban growth areas and urban growth nodes shall give rise to any private rights of action or claim for relief.
2. Subsection A of this section shall not apply to a right of action or claim for relief for damage to commercial agricultural products.
3. If the urban growth boundary is changed in such a way as to place an agricultural activity outside its limits, subsection A of this section applies to that agricultural activity after the date the urban growth boundary is changed. (Ord. 96-5 (part), 1996)

17.74.050 Reserved.

(Ord. 96-5 (part), 1996)

17.74.060 Notification and disclosure.

To facilitate cooperation between agricultural activities and nonagricultural activities, there will be resource activity notification and disclosure as follows:

1. All plats, short plats, development permits, and building permits issued for development activities on or within one thousand feet of land zoned Agriculture-3, Agriculture-20, Commercial Agriculture, or Forest and Range shall contain the following notice: "The subject property is within or near land used for agriculture on which a variety of commercial activities may occur that are not compatible with residential development for periods of varying duration. (RCW 36.70A.060(1)) Commercial natural resource activities performed in accordance with county, state and federal laws are not subject to legal action as public nuisances." (RCW 7.48.305).
2. Disclosure Statement. The disclosure statement required by this section shall be used under the following circumstances and in the following manners:
 - a. Copies of the disclosure statement notice substantially in the form as set forth in sub-part (2)(a) herein shall be posted for public view in appropriate locations in the Kittitas County Courthouse and other appropriate county public building locations. Copies of such disclosure statement notices shall also be transmitted to real estate agents, title companies and attorneys located in Kittitas County for their use in posting or such other use as they may deem appropriate to assist them in advising their clients of the existence of this chapter.
 - b. Upon the issuance of a development permit by Kittitas County ~~Community Development Public~~ Services including, but not limited to, subdivision permits and use permits, for use on or adjacent to lands zoned for agriculture, the development permit shall include a condition that the owners of the property shall be required to sign a statement of acknowledgment containing the Disclosure set out in sub-part (2)(a) on forms provided, which shall then be recorded with Kittitas County.
 - i. Disclosure Statement. "The County of Kittitas supports the continuation and development of properly conducted agricultural operations within the County and has enacted a Right to Farm For the Protection of Agricultural Activities Ordinance (KCC 17.74). If the property you are purchasing is located near agricultural lands or operations or included within an area zoned for agricultural purposes, you may be subject to inconveniences arising from such operations. Inconveniences may occur as a result of agricultural operations which are in conformance with existing laws and regulations and accepted customs and standards. These inconveniences may include, but are not limited to: noise, odors, fumes, dust, smoke, insects, operation of machinery

(including aircraft), and the driving of machinery and/or livestock on public and private rights-of-way during any 24hour period, storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides and pesticides. If you live near an agricultural area, you should be prepared to accept such conditions as part of the custom of a county with a strong rural character and an active agricultural sector". (Ord. 2007-22, 2007; Ord. 96-5 (part), 1996)

17.74.070 Severability.

If any section, subsection, sentence, clause, phrase, part or portion of this chapter is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter or the application of the provisions to other persons or circumstances. (Ord. 96-5 (part), 1996)

Chapter 17.75

NOTICE OF AIRPORT INFLUENCE AREA*

Sections

17.75.010 Purpose and intent.

17.75.020 Definitions.

17.75.030 Notification and disclosure.

17.75.010 Purpose and intent.

The purpose of this chapter is to provide notice of potential airport impacts to purchasers of lots located in the vicinity of an airport.

17.75.020 Definitions.

"Airport" means public-use airports including Easton State, Cle Elum Municipal, DeVere Field and Kittitas County Airport (Bowers Field).

17.75.030 Notification and disclosure.

All plats, short plats, development permits, and building permits issued for development activities on or within one mile of an airport property boundary shall contain the following notice:

"The subject property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person."

Disclosure Statement. The disclosure statement required by this section shall be used under the following circumstances and in the following manners:

- a. Copies of the disclosure statement notice substantially in the form as set forth in sub-part (2)(a) herein shall be posted for public view in appropriate locations in the Kittitas County Courthouse and other appropriate county public building locations. Copies of such disclosure statement notices shall also be transmitted to real estate agents, title companies and attorneys located in Kittitas County for their use in posting or such other use as they may deem appropriate to assist them in advising their clients of the existence of this chapter.
- b. Upon the issuance of a development permit by Kittitas County ~~Community Development Public~~ Services including, but not limited to, subdivision permits and use permits, for use on or adjacent to airport lands, the development permit shall include a condition that the owners of the property shall be required to sign a statement of acknowledgment containing the Disclosure set out in sub-part (2)(a) on forms provided, which shall then be recorded with Kittitas County.

Chapter 17.80

NONCONFORMING USES*

Sections

17.80.010 Changes to conform to district.

17.80.020 Destruction - Rebuilding to conform to district.

17.80.030 Discontinuance over three year - Reestablishment prohibited.

17.80.040 Maintenance.

* Prior history: Ords. 79-1, 68-17, 2.

17.80.010 Changes to conform to district.

A nonconforming structure or use may not be changed, altered, replaced, added to or expanded in any manner unless such change or alteration would bring the use into conformity with the uses permitted in the district in which it is located. Such limitations and restrictions shall not apply to existing residential dwellings. Nonconforming residential structures shall not be remodeled or expanded in a manner that increases non-conformity. (Ord. 2022-017, 2022; Res. 83-10, 1983)

17.80.020 Destruction - Rebuilding to conform to district.

In case of partial or complete destruction by fire or other causes requiring expenditures for repair in excess of one-half the assessed value as shown on the county assessor's records immediately prior to destruction, the structures, other than residential dwellings, shall not be rebuilt unless they conform to all requirements of the district in which they are located. (Res. 83-10, 1983)

17.80.030 Discontinuance over three year - Reestablishment prohibited.

If a nonconforming use is discontinued for any reason for more than three years, it shall not be reestablished. (Ord. 2007-22, 2007; Res. 83-10, 1983)

17.80.040 Maintenance.

Any nonconforming structure or use may be maintained with ordinary care. (Res. 83-10, 1983)

Chapter 17.84 VARIANCES*

Sections

17.84.010 Granted when.

* Prior history: Ord. 2.

17.84.010 Granted when.

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

1. Unusual circumstances or conditions applying to the property and/or the intended use that do not apply generally to other property in the same vicinity or district, such as topography;
 2. Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by the owners of other properties in the same vicinity or district;
 3. The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or district in which the property is located;
 4. That the granting of such variance will not adversely affect the realization of the comprehensive development pattern. A variance so authorized shall become void after the expiration of one year if no substantial construction has taken place. "Substantial construction" shall be defined as the completion and approval of one or more building inspections in accordance with the International Residential Code Section R109 and the International Building Code Section 110. The Director is authorized to grant up to three (3) extensions, not to exceed 365 days per extension. Extensions shall be requested in writing prior to permit expiration and shall demonstrate for why substantial construction could not take place;
 5. Pursuant to Title 15A of this code, the Hearing Examiner, upon receiving a properly filed appeal to an administrative determination for approval or denial of a variance, may permit and authorize a variance from the requirements of this title only when unusual circumstances cause undue hardship in the application of it. The granting of such a variance shall be in the public interest. A variance shall be made only when all of the conditions and facts identified within subsections A through D of this section are found by the Hearing Examiner to exist. (Ord. 2022-017, 2022; Ord. 2012-009, 2012; Ord. 96-19 (part), 1996; Res. 83-10, 1983)
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Chapter 17.92 PERMITS*

Sections

17.92.010 Temporary permits.

17.92.020 Building permits.

17.92.030 Repealed.

* Prior history: Ords. 81-Z-2, 79-Z-4, 2.

17.92.010 Temporary permits.

The county planner, upon receiving a properly filed application, may approve temporary permits, valid for a period of not more than one year after issuance, for structures or uses which do not conform to this title, which are of a temporary nature such as:

1. Storage of equipment during the building of roads or other developments;
2. Real estate office used for the sale of lots or housing in subdivisions;
3. Temporary storage of structures or equipment (including boats and trailer houses);
4. Sheds used in conjunction with the building of a structure for such purposes as tool storage;
5. Temporary housing for use only during construction of a single family residence;
6. Other uses of a substantially similar nature.

Prior to the granting of a permit under this section, the owner shall record a notice to title which indicates the restrictions and removal requirements. (Ord. 2007-22, 2007; Res. 83-10, 1983)

17.92.020 Building permits.

Building permits shall be required within the boundaries of the area affected by this title for the erection, placement (including Manufactured Homes as well as RV and Park Models being placed in a manufactured/mobile home community), or the alteration of all structures or land uses. No building permit shall be issued for any structure which fails to conform to the provisions of this Code or amendments hereto. (Ord. 2010-02, 2010; Res. 83-10, 1983)

17.92.030 Fee Schedule.

Repealed by Ord. 2017-001. (Ord. 2017-001, 2017; Ord.2007-22, 2007; Ord. 83-Z-2(part), 1983; Res. 83-10, 1983)

Chapter 17.96 BOARD OF ADJUSTMENT*

Chapter 17.98

AMENDMENTS*

Sections

17.98.010 Proposal.

17.98.020 Petitions.

* Prior history: Ord. 2.

17.98.010 Proposal.

Changes and amendments to this title may be proposed by:

1. The Board;
2. The Planning Commission;
3. Petition of the property owners affected, or their authorized agent. (Ord. 2013-001, 2013; Res. 83-10, 1983)

17.98.020 Petitions.

1. A petition to amend this title shall be filed with the administrator on forms prescribed by the Director. If the petition is for an amendment to the zoning map it shall include a legal description and location of the property to be reclassified.
2. A petition asking for a change from one zone to another must be signed by not less than seventy-five percent (75%) of the property owners and representing at least seventy-five percent (75%) of the assessed valuation of the area proposed for the zone reclassification.
3. Any member of the general public has the right to petition the Board or planning commission for consideration of text amendments or change from one zone to another for a general area. Such consideration is not mandatory.
4. Petitions shall be processed pursuant to Title 15A of this code, Project permit application process.
5. A petition requesting a change on the zoning map shall be processed consistently with the Annual Comprehensive Plan Docketing Process, pursuant to KCC Title 15B, unless the petition is consistent with the Comprehensive Plan land use designation of the property and accompanied by a specific development application.
6. A petition requesting a change on the zoning map from one zone to another must demonstrate that the following criteria are met:
 - a. The proposed amendment is compatible with the comprehensive plan; and
 - b. The proposed amendment bears a substantial relation to the public health, safety or welfare; and
 - c. The proposed amendment has merit and value for Kittitas County or a sub-area of the county; and
 - d. The proposed amendment is appropriate because of changed circumstances or because of a need for additional property in the proposed zone or because the proposed zone is appropriate for reasonable development of the subject property; and
 - e. The subject property is suitable for development in general conformance with zoning standards for the proposed zone; and
 - f. The proposed amendment will not be materially detrimental to the use of properties in the immediate vicinity of the subject property; and
 - g. The proposed changes in use of the subject property shall not adversely impact irrigation water deliveries to other properties; and
 - h. The proposed amendment is in full compliance with KCC Chapter 17.13, Transfer of Development Rights, if the proposed amendment allows greater than one (1) dwelling unit (du) per twenty (20) acres or proposes to decrease the dwelling units (du) allowed in the zone classification.

(Ord. 2014-015, 2014; Ord. 2013-001, 2013; Ord. 2010-006, 2010; Ord. 2007-22, 2007; Ord. 96-19 (part), 1996; Ord. 96-1, 1996; Res. 83-10, 1983)
