

KITTITAS COUNTY
DEPARTMENT OF PUBLIC WORKS
PUBLIC HEARING STAFF REPORT

HEARING DATE: February 7th, 2017

ACTION REQUESTED: Hold a Public Hearing to consider amending Kittitas County Code Title 2, 4, 12, 14, 15, 16, and 17 fees language.

BACKGROUND: Public Works and Community Development Services are currently reviewing and amending permit fees department wide. It has been found that language throughout the code does not accurately depict current fees or the update and adoption processes for fee schedules.

Public Works and Community Development Services desire to adopt similar language used by the Kittitas County Health Department such that County Code will acknowledge and address fees in Title Four; and that fee schedules will be adopted by Resolution of the Board of County Commissioners.

Public Works and Community Development Services suggest amending Kittitas County Code by ordinance to remove applicable fee language residing throughout the code and consolidating the fee process and appropriate language in Title 4.

INTERACTION: Public Works, Community Development Services

RECOMMENDATION: Adopt the Ordinance amending Kittitas County Code as described following the Public Hearing on February 7th, 2017 at 2pm.

HANDLING: Return one (1) copy of ordinance to Public Works

LEAD STAFF: Lucas Huck, County Engineer

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

ORDINANCE No. 2017-_____

**ORDINANCE AMENDING TITLE 2, TITLE 4, TITLE 12, TITLE 14, TITLE 15, TITLE 16
AND TITLE 17 OF THE KITTITAS COUNTY CODE AS DESCRIBED IN EXHIBITS A
THROUGH I**

WHEREAS: Kittitas County has worked to update fee schedules for services provided by the County; and

WHEREAS: Kittitas County has determined that language associated with fees is found throughout various titles of the County Code; and

WHEREAS: Kittitas County has determined that fee related language shall be consolidated into Title 4 and appropriately edited throughout County Code; and

WHEREAS: Kittitas County has determined that fee schedules for County Services will be adopted by Resolution of the Board of County Commissioners; and

WHEREAS: The Board of Kittitas County Commissioners did hold a public hearing on Tuesday, February 7th, 2017 to hear public testimony regarding the editing of fee related language throughout County Code

NOW, THEREFORE BE IT ORDAINED That the Kittitas County Board of County Commissioners, after due deliberation and in the best interest of the public, does hereby authorize amending Kittitas County Code Titles 2, 4, 12, 14, 15, 16, and 17 as indicated in Exhibits A through I.

ADOPTED this ____ day of _____ 2017.

**BOARD OF COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON**

Paul Jewell, Chairman

Laura Osiadacz, Vice-Chairman

Obie O'Brien, Commissioner

ATTEST
CLERK OF THE BOARD

APPROVED AS TO FORM:

Julie A. Kjorsvik

Neil Caulkins,
Deputy Prosecuting Attorney

EXHIBIT A

Title 2 | Administration and Personnel

Chapters

- 2.04 Board of County Commissioners
- 2.08 Justice Court Districting
- 2.09 Delivery of Public Defense Services
- 2.10 Board of Health
- 2.11 Hearing Examiner
- 2.12 County Planning Commission
- 2.14 County Housing Authority
- 2.16 Repealed
- 2.17 Number of Members of the Civil Service Commission for the Sheriff's Office
- 2.20 County Office Hours
- 2.22 Repealed
- 2.24 County Officials - Traveling Expenses
- 2.26 Repealed
- 2.28 Repealed
- 2.32 Repealed
- 2.36 Repealed
- 2.40 Repealed
- 2.41 Repealed
- 2.42 Repealed
- 2.44 County Personnel Policy
- 2.48 Department of Emergency Management
- 2.50 Department of Public Works
- 2.52 Mutual Aid in Emergency Management
- 2.55 Public Records Disclosure
- 2.56 Public Records - Duplication And Filing Fees
- 2.60 Repealed
- 2.64 Repealed
- 2.68 Department of Building Inspector and Fire Marshal
- 2.72 Handling of Claims Against the County
- 2.76 Repealed
- 2.77 Smoking Policy
- 2.78 Repealed
- 2.80 Repealed
- 2.81 Management of County Real and Personal Property

Chapter 2.04*

BOARD OF COUNTY COMMISSIONERS

Sections

2.04.010 Official meeting time.

2.04.015 Recording and notes of meetings.

2.04.020 ~~Shoreline management permit procedure~~, [Repealed](#).

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* For the statutory provisions regarding quarterly sessions of boards of county commissioners, see RCW 36.32.080; for provisions regarding special sessions, see RCW 36.32.090.

2.04.010 Official meeting time.

The first and third Tuesday at 10:00 a.m. of each and every month of the year is designated as the regular and special meeting date of the Board of County Commissioners, to be held at the Kittitas County Courthouse located at 205 West 5th, Room 109, Ellensburg, Washington, at which time all of the normal business of the County will be transacted; provided that if Tuesday falls on a holiday, such regular meetings shall be held on the next business day. Should another time be required for any business, prior notice will be given for such special meeting in accordance with the law.

Section 2 - Regular Study Sessions

Every Monday	9:00 a.m.	Commissioners Office Administration Meetings	CR
Every Monday	9:40 a.m.	Appointed/Elected Department Heads	CR
1st and 3rd Monday	10:30 a.m.	Agenda Study Session	AUD
4th Monday	11:00 a.m.	Information Technology Department	CR
2nd and 4th Tuesday	10:00 a.m.	Human Resources Department	CR
2nd Tuesday	2:00 p.m.	Solid Waste/Maintenance/Fair Office	CR
2nd and 4th Monday	1:30 p.m.	Public Works/Community Development Services	AUD
1st Wednesday	8:00 a.m.	Law & Justice	AUD
3rd Thursday	1:30 p.m.	Finance Officer	CR

Key CR = Commissioner's Conference Room - Room 108, Kittitas County Courthouse

AUD = Commissioner's Auditorium - Room 109, Kittitas County Courthouse

Section 3 - Effective Date

This ordinance shall take effect November 4, 2009.

(Ord. 2016-014, 2016; Ord. 2014-011, 2014; Ord. 2013-002, 2013; Ord. 2009-23, 2009; Ord. 2007-35, 2007; Ord. 2005-26, 2005; Ord. 2004-31, 2004; Ord. 99-12, 1999; Ord. 99-03, 1999; Res. 81-2, 1981; Vol. L, pp. 3, 4, 1953).

2.04.015 Recording and notes of meetings.

Audio tape recording and/or shorthand notes of the proceedings of the board of Kittitas County commissioners shall be retained for a period of six years when the recordings of meetings involve issues, decisions and actions that could cause legal action to be taken against the county, and the audio tape recordings and/or shorthand notes of the recordings of meetings involving routine matters be retained until the approval of written minutes. (Ord. 99-03, 1999; Res. 83-20, 1983).

~~2.04.020 Shoreline management permit procedure.~~

~~The following permit procedure is adopted by the board:~~

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- ~~1. The planning office will receive shoreline applications and advise the applicant on procedure and permit requirements:
 - ~~a. The applicant shall publish legal notices in compliance with law.~~
 - ~~b. The planning office shall give additional notice at least 30 days before the date of final local action by at least one of the following methods:
 - ~~i. Mailing to the latest recorded real property owners as shown by the county assessor within at least 300 feet of the boundary of the property upon which the substantial development is proposed;~~
 - ~~ii. Posting in a conspicuous manner on the property upon which the project is to be constructed; or~~
 - ~~iii. Any other manner deemed appropriate by local authorities to accomplish the objectives of reasonable notice to adjacent landowners and the public.~~~~
 - ~~c. The planning office will receive mail in response to public notices for a period of 30 days.~~~~
- ~~2. Approximately 25 days after final public notice is given, the board may select an individual or individuals, such as landowners or technicians, who may be called to assist the board in making their decision:
 - ~~a. He or they shall discuss all relevant technical aspects of the application and compliance of same with Section 2 of the shorelines law.~~
 - ~~b. He or they shall submit findings and recommendations to the board.~~
 - ~~c. Section 38(1) of the Shoreline Master Program is amended to provide that a fee of \$50.00 shall accompany each permit application filed with the administrator.~~~~
- ~~3. Thirty days after final public notice, the board may take action on the application. A public hearing may be set by board. If so, legal notice announcing the hearing shall be published according to law.~~
- ~~4. The board shall hold a hearing and take action on the permit.~~
- ~~5. The applicant and the Department of Ecology shall be advised within eight days of board action. A state review period of up to 45 days is required during which the applicant must withhold the start of construction.~~
- ~~6. The county shall receive notice of determination from the Department of Ecology and shall forward that notice to the building department. A building permit shall be issued by building inspector if approval is given.~~
- ~~7. The clerk of the board shall record final action with the county auditor. (Ord. 99-03, 1999; Res. 81-44, 1981; Res. 79-15, 1979; Res. 75-91, 1975; Ord. 72-30, 1972).~~

EXHIBIT B

Title 4 | Fee Schedules*

Chapters

- 4.04 Health Department
- 4.08 Processing Fees

[4.10 Community Development Services Fees](#)

[4.12 Sheriff's Fees](#)

[4.16 ~~Vacation of County Road~~ Public Works Fees](#)

* For provisions on duplication and filing fees of public records, see Chapter 2.56 KCC.

Chapter 4.04

HEALTH DEPARTMENT*

Sections

- 4.04.010 Established.
- 4.04.020 Nonpayment of Fees.

* Prior history: Res. 79-9, previously codified in Chapter 8.08 KCC.

4.04.010 Established.

The fee schedules for the activities of the Kittitas County health department shall be set by annual resolution of the Board of Health. (Ord. 2005-27, 2005; Ord. 99-05; Res. 88-7, 1988).

4.04.020 Nonpayment of Fees.

The health officer may deny an application for a license or permit if the applicant has any outstanding monies owed to the Kittitas County Department of Public Health for permit fees, re-inspection fees, late fees, checks returned by the bank, civil penalties, or other applicable fees.

(Ord. 2014-014, 2014;)



Chapter 4.08

PROCESSING FEES

Sections

- 4.08.010 Farm and agricultural use classification applications.
- 4.08.020 Open space use classification applications.
- 4.08.030 Ratification of prior acts.

4.08.010 Farm and agricultural use classification applications.

Commencing January 1, 1990, the county assessor's office is hereby authorized and required to collect a nonrefundable processing fee of \$100.00 for each application received on farm and agricultural current use classification applications, as contemplated by [RCW 84.34.030](#) as amended. (Ord. 99-05; Ord. 8912 § 1, 1989).

4.08.020 Open space use and timber land use classification applications.

Commencing January 1, 1990, the county board of commissioners is hereby authorized and required to collect a nonrefundable processing fee of \$300.00 for each open space current use classification application as contemplated by [RCW 84.34.030](#) as amended. (Ord. 2015-001, 2015; Ord. 99-05; Ord. 8912 § 2, 1989).

4.08.030 Ratification of prior acts.

Any act consistent with the authority and prior to the effective date of the ordinance codified in this chapter is hereby ratified and confirmed. (Ord. 99-05; Ord. 89-12 § 3, 1989).

Chapter 4.10

COMMUNITY DEVELOPMENT SERVICES FEES

Sections

[4.10.010](#) Established.

4.08.010 **Established.**

Fee schedules for the services provided by the Community Development Services shall be set by resolution approved by the Board of County Commissioners.

Chapter 4.16

VACATION OF COUNTY ROAD PUBLIC WORKS FEES

Sections

[4.16.010](#) Fees for road vacation Established.

4.16.010 **Fees for road vacation** **Established.**

~~The board of county commissioners shall set fees for the application, examination, and publication of a county road vacation by resolution. The fees shall not be below the following amounts:~~

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Application fee

\$100.00

Examination fee

\$100.00

Publication fee

\$100.00

~~There shall also be an appraisal fee which shall be set at the actual cost for the appraisal. (Ord. 99-05; Ord. 93-17, 1993).~~ The fee schedules for the services provided by the Department of Public Works shall be set by resolution approved by the Board of county Commissioners.

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EXHIBIT C

Chapter 12.24

UNIFORM STANDARDS FOR INSTALLATION OF BURIED CABLES*

Sections

- 12.24.010 Standards adopted.
- 12.24.020 Conditions established.
- 12.24.030 Right-of-way line proximity.
- 12.24.040 Minimum cover.
- 12.24.050 Pipe carrier use.
- 12.24.060 Location markers.
- 12.24.070 Road crossing repair.
- 12.24.080 ~~Deposit fee. Repealed.~~
- 12.24.090 Traffic control devices.
- 12.24.100 County saved harmless.
- 12.24.110 Excavation within county road limits.
- 12.24.120 Item 10 of Buried Cable Specifications amended - Placement location.
- 12.24.130 Drainage provisions.
- 12.24.140 Rubbish removal.
- 12.24.150 Supervision - Maintenance standards.
- 12.24.160 Location change - Removal.
- 12.24.170 Noncompliance.
- 12.24.180 Maintenance responsibility.
- 12.24.190 Drawings required.
- 12.24.200 On-site job inspection.

* Formerly 12.16; renumbered by Ord. 2004.13, 2004

12.24.010 Standards adopted.

The Uniform Standards for the Installation of Buried Cables Along Kittitas County Road Rights-of-way is adopted and effective. (Res. RD § 15-65 (part), Vol. N, p. 139, 1965).

12.24.020 Conditions established.

Conditions pertinent to placing buried cables along public rights-of-way on county roads shall be as follows in Sections 12.16.030 through 12.16.200. (Res. RD § 15-65 (part), Vol. N, p. 139, 1965).

12.24.030 Right-of-way line proximity.

The cable is to be as close to the right-of-way line as practicable, or as directed by the county road engineer. (Res. RD § 15-65 § 1, Vol. N, p. 139, 1965).

12.24.040 Minimum cover.

The cable is to have a minimum cover of thirty inches along the road and twenty-four inches minimum under all road ditches. (Res. RD § 15-65 § 2, Vol. N, p. 139, 1965).

12.24.050 Pipe carrier use.

Where road crossings are made over roads paved with asphaltic concrete, a pipe carrier shall be jacked under the road to eliminate patching of pavement. (Res. RD § 15-65 § 3, Vol. N, p. 139, 1965).

12.24.060 Location markers.

At all road crossings, cable location shall be marked with suitable posts to make aware all county maintenance forces of buried cable at the location. The cable location shall be marked when the cable is placed parallel with the county road with suitable posts. (Res. RD § 15-65 § 4, Vol. N, p. 139, 1965).

12.24.070 Road crossing repair.

Where asphalt or light bituminous must be cut for road crossings, the permittee shall arrange for proper repair of road crossings and to the satisfaction of the engineer. (Res. RD § 15-65 § 5, Vol. N, p. 139, 1965).

12.24.080 Deposit fee. Repealed.

~~A deposit fee will be required for all road crossings. (Res. RD § 15-65 § 6, Vol. N, p. 139, 1965).~~

EXHIBIT D

Title 14 | BUILDINGS AND CONSTRUCTION

Chapters

- 14.04 Building Code
 - 14.05 Grading
 - 14.08 Flood Damage Prevention
 - 14.12 Fire Resistant/Retardant Standards for Roof Coverings
-

Chapter 14.04 BUILDING CODE

Sections

- 14.04.010 Adoption of referenced codes.
- 14.04.020 General requirements.
- 14.04.030 Building relocation - Applicant.
- 14.04.040 Mobile, manufactured, designated manufactured and modular homes.
- 14.04.045 Recreational Vehicles and Park Model Trailers.
- 14.04.046 Other factory built dwellings.
- 14.04.050 Dry cabins.
- 14.04.055 Small Residential Structures.
- 14.04.060 Fees.
- 14.04.070 Permits.

14.04.010 Adoption of referenced codes.

Kittitas County hereby adopts the following codes, as amended by the Washington State Building Code Council pursuant to [RCW 19.27](#) for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures.

1. The International Building Code (IBC), 2015 Edition, published by the International Code Council as adopted and amended by the State of Washington in [Chapter 51-50 WAC](#); with the following adopted appendices and amendments:
 - a. Appendices
 - i. Appendix C: Agricultural Buildings
 - b. Amendments
 - i. Section 105.2 Work Exempt from Building Permit.
 1. One story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet and is not used as habitable space and does not contain plumbing or

mechanical. All accessory structures must meet all zoning and building setbacks, and must comply with the requirements of [KCC Title 17A \(Critical Areas\)](#) and [KCC Chapter 14.08 \(Flood Damage Prevention\)](#).

2. Other exemptions as specified in Section 105.2.

ii. Section 105.3.2 Expiration of Application

1. If, after a plan review has been initiated, an application for building permit requires corrections, a letter will be sent notifying the applicant of those items necessary to complete the review of the application and that the application will expire 180 days from the date of notification if the corrections are not submitted or are not adequate to resolve the corrections items listed. The Building Official is authorized to grant one extension, not to exceed 365 days. The extension shall be requested in writing, prior to permit application expiration, and justifiable cause shall be demonstrated. ~~Fees for extension shall be established by resolution.~~ If expired, the application becomes null and void and the deposit is forfeited.
2. After a plan review has been completed, a letter will be sent notifying the applicant that the permit is ready for issuance and that if not purchased 180 days from the date of notification, the application will expire. The Building Official is authorized to grant one extension, not to exceed 365 days. The extension shall be requested in writing, prior to permit expiration, and justifiable cause shall be demonstrated. ~~Fees for extension shall be established by resolution.~~ If a completed application expires and the deposit is less than the plan review fee, the applicant is responsible for any outstanding balance and an invoice will be sent to the property owner of record.

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2. The International Residential Code (IRC), 2015 Edition, published by the International Code Council as adopted and amended by the State of Washington in [Chapter 51-51 WAC](#); with the following adopted amendments:

a. Amendments

i. Section R105.2 Work Exempt from Building Permit

1. One-story detached accessory structures provided the floor area does not exceed 200 square feet, is not used for habitable space and does not contain plumbing or mechanical. All accessory structures must meet all zoning and building setbacks and must comply with the requirements of [KCC Title 17A \(Critical Areas\)](#) and [KCC Chapter 14.08 \(Flood Damage Prevention\)](#).
2. Platforms, sidewalks and driveways not more than 30 inches above adjacent grade and not over any basement or story below.
3. Other exemptions as specified in Section 105.2.

ii. Section R105.3.2 Expiration of Application

1. If, after a plan review has been initiated, an application for building permit requires corrections, a letter will be sent notifying the applicant of those items necessary to complete the review of the application and that the application will expire 180 days from the date of notification if the corrections are not submitted or are not adequate to resolve the corrections items listed. The Building Official is authorized to grant one extension, not to exceed 365 days. The extension shall be requested in writing, prior to permit application expiration, and justifiable cause

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shall be demonstrated. ~~Fees for extension shall be established by resolution.~~ If expired, the application becomes null and void and the deposit is forfeited.

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2. After a plan review has been completed, a letter will be sent notifying the applicant that the permit is ready for issuance and that if not purchased 180 days from the date of notification, the application will expire. The Building Official is authorized to grant one extension, not to exceed 365 days. The extension shall be requested in writing, prior to permit expiration, and justifiable cause shall be demonstrated. ~~Fees for extension shall be established by resolution.~~ If expired, the application becomes null and void and, the deposit is forfeited. If a completed application expires and the deposit is less than the plan review fee, the applicant is responsible for any outstanding balance and an invoice will be sent.

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14.04.030 Building relocation - Applicant.

1. Applicant must furnish to Kittitas County a bond, cashier's check or certified check in the sum of 1000.00 for houses and/or \$500.00 for outbuildings in addition to hourly plan review fee and a \$.30 per square foot of usable space regardless of the classification of the structure. The applicant must also submit an application for placement of the structure following and adhering to the adopted permit process and code requirements. Bond funds will be held by Kittitas County until the following conditions are met:
 - a. Appropriate inspections have been approved by the building department for setback requirements, foundation, structural, mechanical, plumbing, life safety, energy, ventilation and fire codes.
 - b. Electrical approval shall be made by the Washington State Department of Labor and Industries.
 - c. Final access approval must be made by the Kittitas County Department of Public Works prior to the issuance of a certificate of occupancy or use of the structure.
 - d. Final approval for potable water and sewage disposal from the Kittitas County Environmental Health Department is required prior to the issuance of a certificate of occupancy or use of the structure.
2. The structure must be completed as described in subsection (1) of this section within 365 days of the issuance of the building permit. If not completed, then the Building Official shall revoke the refund of the bond. This bond may then be utilized for the removal of the structure and any costs in excess of the bond amount shall be charged to the owner of record. The Building Official is authorized to grant one extension, not to exceed 365 days. The extension shall be requested in writing, prior to permit expiration, and justifiable cause shall be demonstrated. ~~Fees for extension shall be established by resolution.~~ If approved, any extension may occur only once.
3. The bond shall be held for 10 days from the date of compliance pursuant to KCC 5.16.070.
4. Refer to Chapter 5.16 KCC for definitions including other requirements for building relocation.

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(Ord. 2013-006, 2013; Ord. 2010-003, 2010; Ord. 2008-22, 2008; Ord. 2007-29, 2007; Ord. 2004-18, 2004; Ord. 98-23, 1998)

14.04.050 Dry cabins.

1. Dry cabins may be utilized as recreational dwelling units and may be located only in those remote areas where electrical power is not available. They may be utilized for no more than 90 days per year. The Building Official shall make the final determination regarding locations that qualify. These cabins shall have the following requirements and/or restrictions:
 - a. A permit shall be required including critical areas approval before construction proceeds. Structural aspects will be enforced as with any other permitted building. Fire and life safety issues such as roof covering, solid fuel or gas appliance location and installation and smoke detectors shall apply as with any other habitable structure.
 - b. The usable floor space shall be no less than 121 square feet and no more than 800 square feet of living area and not more than 200 additional square feet of attached garage or accessory use area. If the cabin has a loft area that could be utilized for sleeping purposes it must have an egress window as defined in the current adopted edition of the IRC. If heated with propane or oil, minimum insulation requirements will be required.
 - c. Dry cabins shall be provided with either a privy or composting toilet for which a permit will also be required from the Kittitas County Environmental Health Department.
2. Only under special circumstances and by decision of the Building Official, in its entirety, shall decisions conflicting with this policy be made.
3. ~~Fees shall be determined by adopted resolution.~~
4. Dry cabins may be constructed of alternative materials as approved by the Building Official. Factory assembled structures are not included in this category.
5. Habitable dry cabins intended for recreational use may be unheated.
6. Dry cabins located within the area designated as a Wild-Land Urban Interface area shall comply with the Wild-Land Urban Interface code with the following exception:
 - a. Properties may be exempt from the sprinkler requirement, upon Fire Marshal approval. All other applicable Wild-Land Urban Interface Codes shall apply.

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(Ord. 2010-003, 2010; Ord. 2008-22, 2008; Ord. 2007-29, 2007; Ord. 2004-18, 2004; Ord. 98-23, 1998)

Chapter 14.05 Grading

Sections

- 14.05.010 Title
- 14.05.020 Purpose
- 14.05.030 Authority and administration
- 14.05.040 Definitions
- 14.05.050 Permits required
- 14.05.060 Exemptions
- 14.05.070 Application requirements
- 14.05.080 Grading plan
- 14.05.090 Permit application and submittal
- 14.05.100 Special inspections
- 14.05.110 Excavations
- 14.05.120 Fill
- 14.05.130 Compaction
- 14.05.140 Air Quality
- 14.05.150 Appeals
- 14.05.160 Conflicts with other regulations*
- 14.05.170 ~~Fees~~

* Editor's Note: Section "14.04.160" was incorrectly listed as "14.04.150" in Ordinance 2014-015.

14.05.010 Title.

This chapter shall be known and may be cited as the Kittitas County Grading Ordinance.

(Ord. 2014-015, 2014)

14.05.170 Fees. Repealed.

~~Fees shall be adopted by separate resolution.~~

EXHIBIT E

Chapter 15.04

Article X. Agency Compliance

15.04.250 Purpose of this article and adoption by reference.

This article contains rules for agency compliance with SEPA, including rules for charging fees under the SEPA process, designating categorical exemptions that do not apply within critical areas, listing agencies with environmental expertise, selecting the lead agency, and applying these rules to current agency activities. The county adopts the following sections by reference:

WAC

[197-11-900](#) Purpose of this part.

[197-11-902](#) Agency SEPA policies.

[197-11-916](#) Application to ongoing actions.

[197-11-920](#) Agencies with environmental expertise.

[197-11-922](#) Lead agency rules.

[197-11-924](#) Determining the lead agency.

[197-11-926](#) Lead agency for governmental proposals.

[197-11-928](#) Lead agency for public and private proposals.

[197-11-930](#) Lead agency for private projects with one agency with jurisdiction.

[197-11-932](#) Lead agency for private projects requiring licenses from more than one agency, when one of the agencies is a county.

[197-11-934](#) Lead agency for private projects requiring licenses from a local agency, not a county and one or more state agencies.

[197-11-936](#) Lead agency for private projects requiring licenses from more than one state agency.

[197-11-938](#) Lead agencies for specific proposals.

[197-11-940](#) Transfer of lead agency status to a state agency.

[197-11-942](#) Agreements on lead agency status.

[197-11-944](#) Agreements on division of lead agency duties.

[197-11-946](#) DOE resolution of lead agency disputes.

[197-11-948](#) Assumption of lead agency status. ([Ord. 2011-013](#), 2011)

15.04.260 Fees.

1. For every environmental checklist the county will review when it is lead agency, the county shall establish a fee by resolution [as referenced in Chapter 4.08](#) and shall collect the fee prior to undertaking a threshold determination.
2. For every environmental impact statement, the county shall require ~~the following~~ fees for its activities in accordance with the provisions of this chapter:

- a. When the county is the lead agency for a proposal requiring an EIS and the responsible official determines that an EIS shall be prepared by employees of the county, a development agreement will be established between the county and the applicant to insure that the county ~~may charge and collect~~ a reasonable fee from any applicant to cover costs incurred by the county in preparing the EIS. ~~The responsible official shall advise the applicant(s) of the projected costs for the EIS prior to actual preparation; the applicant shall post bond or otherwise ensure payment of such costs.~~
- b. The responsible official may determine that the county will contract directly with a consultant for preparation of an EIS, or a portion of the EIS, for activities initiated by some persons or entity other than the county and may bill such costs and expenses directly to the applicant. The county may require the applicant to post bond or otherwise insure payment of such costs. Such consultants shall be selected by mutual agreement of the county and applicant after a call for proposals.
- c. If a proposal is modified so that an EIS is no longer required, the responsible official shall refund any fees collected under (a) or (b) of this subsection which remain after incurred costs are paid.
 - i. ~~For SEPA appeals, the county shall establish a fee by resolution and shall collect the fee prior to scheduling any appeal hearing.~~
 - ii. ~~The county may collect a reasonable fee from an applicant to cover the cost of meeting the public notice requirements of this ordinance relating to the applicant's proposal.~~
 - iii. The county may charge any person for copies of any document prepared under this chapter, and for mailing the document, in a manner provided by chapter 42.17 RCW. (Ord. 2011-013, 2011)

EXHIBIT F

Chapter 15A.03

PROJECT PERMIT APPLICATION REVIEW

Sections

- [15A.03.010](#) Complete application defined.
- [15A.03.020](#) Pre-application conference.
- [15A.03.030](#) Application and accompanying data.
- [15A.03.040](#) Determination of complete application.
- [15A.03.045](#) Permit processing time.
- [15A.03.050](#) Fee schedule.
- [15A.03.060](#) Notice of application.
- [15A.03.070](#) Specific procedures for permit review.
- [15A.03.080](#) Projects exempt from the provisions of notice of application.
- [15A.03.090](#) Review actions on project permit applications.
- [15A.03.100](#) Criteria for review of all project actions.
- [15A.03.110](#) Posting sites.

15A.03.050 Fee schedule.

The fees for such application processes related to this title shall be established annually by resolution and are referenced within Title 4 of the Kittitas County Code, and may be obtained from the Community Development Services department. Fees shall be payable to Kittitas County and shall not be refundable in any case. (Ord. 2007-22, 2007; Ord. 2000-07; Ord. 98-10, 1998)

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EXHIBIT G

Chapter 15B.03 AMENDMENTS TO COMPREHENSIVE PLAN

Sections

- 15B.03.010 Amendments limited to annual review - Exceptions.
- 15B.03.020 Concurrent review except during emergencies.
- 15B.03.030 Docketing.
- 15B.03.035 Application requirements.
- 15B.03.040 Procedures.

15B.03.010 Amendments limited to annual review - Exceptions.

Proposed amendments or revisions of the comprehensive plan are considered by the county board of commissioners no more frequently than once a year except that amendments may be considered more frequently pursuant to Table B at the end of this title, Procedures for Non-Docketed Legislative Items:

1. The initial adoption of a subarea plan; and
2. The adoption or amendment of a shoreline master program under the procedures set forth in Chapter 90.58 RCW. (Ord. 98-10 (part), 1998).

15B.03.020 Concurrent review except during emergencies.

All proposals shall be considered by Kittitas County concurrently so the cumulative effect of the various proposals can be ascertained. However, after appropriate public participation Kittitas County may adopt amendments or revisions to its comprehensive plan whenever an emergency exists or to resolve an appeal of a comprehensive plan filed with a growth management hearings board or with the court. (Ord. 98-10 (part), 1998).

15B.03.030 Docketing.

Any interested person, including applicants, citizens, county commission and board members, and staff of other agencies may suggest plan or development regulation amendments. The suggested amendments shall be docketed with the planning department for annual consideration by the Kittitas County planning commission and board of county commissioners. For purposes of this section, docketing refers to compiling and maintaining a list of suggested changes to the comprehensive plan in the planning department in a manner that will ensure such suggested changes will be considered by Kittitas County and will be readily available for review by the public. Docketing for the calendar year shall be taken from January 1st to June 30th of each calendar year. Amendments docketed after June 30th shall be considered in the following calendar year. Amendments to the comprehensive plan docketed by June 30th shall be approved or denied by the

board of county commissioners on or before December 31st of that same calendar year. (Ord. 98-10 (part), 1998).

15B.03.035 Application requirements.

Applications shall be filed on forms prescribed by the Community Development Services department. The application shall be accompanied by a SEP~~A~~A checklist in conformance with the KCC 15.04 SEPA Regulations and by review fee(s) paid in full. ~~The fee for such application shall be established annually by resolution. (Ord. 2011-013, 2011)~~

EXHIBIT H

Chapter 16.04 GENERAL PROVISIONS

Sections

16.04.010 Applicability.

16.04.020 Exemptions.

16.04.025 Prohibition of split-zone parcels.

16.04.030 Administration.

16.04.040 Procedure - Application and fees.

16.04.010 Applicability.

- A. Every division and boundary line adjustment within the unincorporated area of Kittitas County shall proceed in compliance with this title and Kittitas County Code.
- B. Every division and boundary line adjustment within the unincorporated area of Kittitas County shall proceed in compliance with KCC Title 12 Road Standards, KCC Title 20.10 Wildland Urban Interface Code as published by the International Code Council; with the adopted appendices and amendments as listed in KCC Title 20.10, and the International Fire Code. (Ord. 2013-013, 2013; Ord. 2013-001, 2013; Ord. 2005-31, 2005)

16.04.020 Exemptions.

The provisions of this title shall not apply to:

- 1. An alteration made for the purpose of adjusting boundary lines as defined in KCC 16.08.055.
- 2. Divisions made by testamentary provisions or the laws of descent;
- 3. Cemeteries and other burial plots while used for that purpose;
- 4. Divisions for industrial or commercial use, provided the division is in accordance with KCC Chapter 16.05;
- 5. Divisions for the purpose of lease to permit travel trailers to be placed upon the land, provided the division is in accordance with KCC Chapter 16.05;
- 6. Divisions for residential condominiums, provided the division is in accordance with KCC Chapter 16.05;
- 7. Divisions for the purpose of leasing land for facilities providing personal wireless services while used for that purpose. "Personal wireless services" means any federally licensed personal wireless service. "Facilities" means unstaffed facilities that are used for the transmission or reception, or both, of wireless communication services including, but not necessarily limited to, antenna arrays, transmission cables, equipment shelters, and support structures; and
- 8. Divisions into lots or tracts of less than three (3) acres that is recorded in accordance with Chapter 58.09 RCW and is used or to be used for the purpose of establishing a site for construction and operation of consumer-owned or investor-owned electric utility facilities. For purposes of this subsection, "electric utility facilities" means unstaffed facilities, except for the

presence of security personnel, that are used for or in connection with or to facilitate the transmission, distribution, sale, or furnishing of electricity including, but not limited to, electric power substations. This subsection does not exempt a division of land from the zoning and permitting laws and regulations of cities, towns, counties, and municipal corporations. Furthermore, this subsection only applies to electric utility facilities that will be placed into service to meet the electrical needs of a utility's existing and new customers. New customers are defined as electric service locations not already in existence as of the date that electric utility facilities subject to the provisions of this subsection are planned and constructed. (Ord. 2013-001, 2013; Ord. 2012-006, 2012; Ord. 2011-013, 2011; Ord. 2005-31, 2005)

16.04.025 Prohibition of split-zone parcels.

No lot created through the provisions of this Title or adjusted through the boundary line adjustment process shall contain more than one land use zone classification. (Ord. 2014-015, 2014;)

16.04.030 Administration.

The Director is vested with the duty of administering subdivision and platting regulations within the unincorporated areas of the County, and may prepare and require the use of such forms as are essential to their administration. (Ord. 2013-001, 2013; Ord. 2005-31, 2005)

16.04.040 Procedure - Application and fees.

Any person desiring to subdivide the land in an unincorporated area of the County shall submit a preliminary plat (see KCC Chapter 16.12) to the Director ~~which shall be accompanied by filing fees established annually by the Board under separate action.~~ (Ord. 2013-001, 2013; Ord. 2005-31, 2005)

EXHIBIT I

Title 17 | ZONING*

Chapters

- 17.04 General Provisions and Enforcement
- 17.08 Definitions
- 17.11 Urban Growth Area
- 17.12 Zones Designated - Map
- 17.13 Transfer of Development Rights
- 17.14 Repealed
- 17.15 Allowed Uses
- 17.16 R - Residential Zone
- 17.18 R-2 - Residential Zone
- 17.19 R-3-Rural-3 Zone
- 17.20 Repealed
- 17.22 UR - Urban Residential Zone
- 17.24 HT-C - Historic Trailer Court Zone
- 17.28 A-3 - Agriculture-3 Zone
- 17.28A A-5 - Agricultural Zone
- 17.29 A-20 - Agricultural Zone
- 17.30 Rural Recreation Zone
- 17.30A R-5 - Rural-5 Zone
- 17.31 CA - Commercial Agriculture Zone
- 17.32 C-L - Limited Commercial Zone
- 17.36 PUD - Planned Unit Development Zone
- 17.37 Master Planned Resorts
- 17.38 Repealed
- 17.40 C-G - General Commercial Zone
- 17.44 C-H - Highway Commercial Zone
- 17.48 I-L - Light Industrial Zone
- 17.52 I-G - General Industrial Zone
- 17.56 F-R Forest and Range Zone
- 17.57 CF - Commercial Forest Zone
- 17.58 Airport Zone
- 17.59 Liberty Historic Zone
- 17.60A Conditional Uses
- 17.60B Permitted Administrative Uses
- 17.61 Utilities
- 17.61 A Wind Farm Resource Overlay Zone
- 17.61 B Small Wind Energy Systems
- 17.62 Public Facilities Permits
- 17.65 Repealed (Ord. 2005-35, 2005)**
- 17.66 Electric Vehicle Infrastructure
- 17.70 Signs

17.72 Repealed
17.74 Right to Farm for Protection of Agricultural Activities
17.80 Nonconforming Uses
17.84 Variances
17.92 Permits
17.96 Repealed
17.98 Amendments

* For a schedule of [Community Development Services](#) processing fees ~~for current land-use classification applications for farm and agricultural lands, open space lands, and timber lands,~~ [contact CDS, the webpage, and](#) see Ch. 4.08 of this code.

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.

17.13.070 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. ~~The fees for such application shall be as established annually by the Board under separate action. Fees shall be payable to Kittitas County Community Development Services and shall not be returnable in any case.~~

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 Fees.~~
- 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.040 Fees.~~

~~The fees for such application shall be as established annually by the Board under separate action. Fees shall be payable to the Kittitas County and shall not be returnable in any case. (Ord. 2013-001, 2013; Ord. 2007-22, 2007; Ord. 88-4 § 11 (part), 1988; Res. 83-10, 1983)~~

Chapter 17.60B

PERMITTED ADMINISTRATIVE USES

Sections

- 17.60B.010 Applicability.
- 17.60B.020 Purpose.
- 17.60B.030 Administrative Authority.
- ~~17.60B.040 Fees.~~
- 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.040 Fees.~~

~~The fees for such application shall be consistent with the most updated fee schedule as established annually by the Board under separate action. Fees shall be payable to the Kittitas County Treasurer and shall not be refundable in any case. (Ord. 2013-001, 2013; Ord. 2007-22, 2007)~~

Chapter 17.60B

PERMITTED ADMINISTRATIVE USES

Sections

- 17.60B.010 Applicability.

- 17.60B.020 Purpose.
- 17.60B.030 Administrative Authority.
- ~~17.60B.040 Fees.~~
- 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.**~~

~~The fees for such application shall be consistent with the most updated fee schedule as established annually by the Board under separate action. Fees shall be payable to the Kittitas County Treasurer and shall not be refundable in any case. (Ord. 2013-001, 2013; Ord. 2007-22, 2007)~~

Chapter 17.92

PERMITS*

Sections

- 17.92.010 Temporary permits.

17.92.020 Building permits.

~~17.92.030 Fee schedule.~~

* 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.~~

~~Fees for zone changes, conditional uses and all special permits related to this code are established annually by resolution and may be obtained from the Community Development Services department. (Ord. 2007-22, 2007; Ord. 83-Z-2 (part), 1983; Res. 83-10, 1983)~~