



TECHNICAL MEMORANDUM

Date:	March 23, 2026
To:	Chad Bala, Community Development Services Director, Kittitas County Jamey Ayling, Planning Manager, Kittitas County
From:	Kyle Cotchett, Environmental Planner, Facet Dan Nickel, Principal of Planning, Facet
Project Name:	Kittitas County Comprehensive Plan Periodic Update
Facet Number:	2402.0429.00

2026 Periodic Comprehensive Plan Update – Draft Critical Areas Ordinance Memorandum

Project Description and Background

The Growth Management Act (GMA) requires all cities and counties in Washington to adopt regulations protecting “critical areas”. Regulated critical areas include wetlands, aquifer recharge areas, fish and wildlife habitat conservation areas, frequently flooded areas, and geologically hazardous areas. The intention of these regulations is to preserve the natural environment, wildlife habitats, and sources of fresh drinking water, while also encouraging public safety by limiting development in areas prone to natural hazards.

The Washington State Growth Management Act (GMA) requires Kittitas County to update its Comprehensive Plans and implementing development regulations every 10 years (RCW 36.70A.130). As part of that update, the County is required to evaluate and, if needed, revise its Critical Areas Ordinance (CAO). Kittitas County's Comprehensive Plan underwent a complete update in 2021. Kittitas County adopted a new CAO on December 7, 2021, which was implemented on February 7, 2022. Following a settlement process with the Yakima Nation, the County adopted Ordinance No. 2025-006, amending the CAO on July 1, 2025.

Kittitas County is in the process of conducting its 2026 periodic update and simultaneously is in the process of completing the periodic review of its CAO. The proposed changes to the CAO seek to align with the best available science and to update the code for clarity and efficiency.

SUMMARY OF CRITICAL AREA ORDINANCE CHANGES

As required by the Washington State GMA, the review of the Best Available Science (BAS) was compiled to support Kittitas County's CAO update, a component of comprehensive updates to the land use and development code. BAS means the current and best available information that follows a valid scientific process as specified in WAC 365-195-900 through WAC 365-195-900. In addition to BAS, Facet

provided the County with a Gap Analysis, which reviewed the current critical areas regulations and evaluated gaps in consistency between them and BAS or the GMA. This document also included recommendations for improvements to general aspects of the CAO. Prior to the completion of the settlement process with the Yakima Nation, Facet completed a Gap Analysis of the 2021 adopted CAO. Following receipt of the 2025 CAO adopted as part of the settlement, Facet reviewed the updated code against its original Gap Analysis recommendations and issued an addendum identifying which recommendations remain applicable.

Considering the adoption of an updated CAO in 2025, Facet's proposed changes are minor in nature and focus on clarity, consistency, and ease of use. The draft Critical Area Ordinance updates are described below.

Exemptions (KCC 17A.01.050)

Limited edits to this section clarify no net loss principles, separate provisions related to forest practices and noxious weed control and removal, and the addition of a provision allowing repair and maintenance of legally established nonconforming uses or structures.

Non-conforming structures and uses (KCC 17A.01.070)

Minor language edits were made to clarify the relationship between the exemption for repair and maintenance of non-conforming uses or structures in KCC 17A.01.050 and the allowances within this subsection.

Definitions (KCC 17A.02)

Non-substantive changes were made to the definitions of "erosion hazard areas", "fish and wildlife habitat conservation areas", "qualified professional" to better align with the WAC and state guidance.

Critical Aquifer Recharge Areas (KCC 17A.03)

Minor changes were made to this chapter to include clarification of adherence to requirements to federal and state regulations as well as the inclusion of granting the Director the ability to impose additional conditions to protect the quality and quantity of groundwater.

Fish and Wildlife Habitat Conservation Areas (KCC 17A.04)

Non-substantive changes were made to clarify upland habitat buffer requirements as well as the minimum mitigation ratio to be implemented for impacts to buffers and riparian management zones.

Wetlands (KCC 17A.07)

Minor changes were made to clarify the use of mapping resources and to codify the U.S. Army Corps of Engineers' delineation manual. To align with state guidance and ensure adequate function, the code was updated to clarify the assumed vegetated condition of wetland buffers and to grant the Director discretionary authority to require revegetation or buffer widening. Additional updates to align with state guidance include expanded provisions for allowed buffer uses and the inclusion of "preservation" in Table 17A.07.070.6, Wetland Mitigation Ratios.