

**AGENDA
ELLENSBURG PLANNING COMMISSION
PUBLIC HEARING**

September 28, 2023, 5:45 pm

Hybrid Meeting In-person and via Zoom



Members of the public who wish to participate in this meeting may do so either in person or remotely via video conferencing by following this link:

<https://us02web.zoom.us/j/86835256115?pwd=Nm9RVGdDYWpGd3ZEdlIHRmREbOV0dz09>

Meeting ID: 868 3525 6115

347244

**AGENDA OF THE PUBLIC HEARING OF THE
ELLENSBURG PLANNING COMMISSION
September 28, 2023, 5:45 pm**

**Hybrid Public Hearing
City Council Conference Room
City Hall, 501 N. Anderson St.
Ellensburg, WA 98926**

**OR
Zoom (Preferred)**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF AGENDA**
- 4. APPROVAL OF MINUTES**
 - a. Minutes of August 10, 2023, Planning Commission Meeting
 - b. Minutes of September 14, 2023, Planning Commission Meeting
- 5. NEW BUSINESS**
 - a. 2023 Land Development Code Amendments Public Hearing
- 6. OLD BUSINESS**
- 7. CITIZEN COMMENT**
- 8. STAFF UPDATE/DISCUSSION ITEMS**
- 9. COMMISSION REPRESENTATIVE UPDATE**
- 10. ADJOURNMENT**



For more information on the Planning Commission, contact the Department of Community Development at 509-962-7232 or e-mail address: johnstonj@ci.ellensburg.wa.us

The City of Ellensburg strives to make our services, programs, and activities readily accessible and usable by individuals with disabilities. Reasonable accommodations will be made upon request. Please furnish the ADA Coordinator with your request in sufficient time for the City to provide a reasonable accommodation.



CITY OF ELLENSBURG

Date of Meeting

Time of Meeting

Place of Meeting

Minutes of Planning Commission, Regular Meeting

August 10, 2023

5:45 PM

**Council Chambers
501 North Anderson Street
Ellensburg, WA 98926
And remotely via Zoom**

1. Call to Order and Roll Call of Members

Commissioner Padjen called the meeting to order at 5:46 p.m.

Present In-Person: Ed Harrel, Sathy Rajendran, Delano Palmer, Sigrid Davison, Fred Padjen, George Bottcher, Geraldine O'Mahoney

Present-Via Zoom: Rich Elliott

Absent: Sathy Rajendran (excused)

2. Approval of Agenda

Commissioner Bottcher motioned to approve the agenda. Motion passed 6-0

3. Approval of Minutes

a. Commissioner Delano motioned to Approve Minutes of June 8, 2023, Planning Commission Meeting

b. Commissioner Harrell motioned to Approve Minutes of July 13, 2023, Planning Commission Meeting

4. New Business

a. Inclusionary Zoning Research Review

Staff member Johnston explained research he has done regarding managing and maintenance of a mandate of providing affordable housing. There would need to be a staff member that is funded for an extensive period of time to monitor compliance with 30-year contracts, deeds, resale, etc. Johnston showed how on the Ellensburg map zones and overlays can be looked at to help determine where it makes sense to increase affordable housing. The Affordable Housing Commission will be presented with draft regulations to look for red flags. The draft regulations will then be brought to the Planning Commission to identify obstacles. Allowing smaller lots would increase the possibilities for owners to build affordable housing. Working with Kittitas County on the interlocal agreement in the Urban Growth Area will benefit the community. Current wait lists for section 8 housing are massive.

b. Zoning for Special Housing Types and Emergency Shelters

Even though House bill 1220 does not apply to the City of Ellensburg, the City is changing

zoning development code to add a code that would allow emergency shelters and emergency housing in more zones. There will be design standards that would be required. Transitional housing progressing into permanent supportive housing was discussed. Staff will create a resolution/ordinance for next month to review. Conditional Use Permits may be required but allowed in more zones.

5. Unfinished Business

None

6. Citizen Comment

None

7. Staff Update/Discussion Items

Staff member Johnston will draft regulations for the next meeting to review. This will help with another step towards completion of objective 1. Johnston stated one proposed map amendment to the Comprehensive Plan will be presented to City Council. There will be a clearer version of the future land use map designations for the public to understand. SEPA has been started.

A climate elements section will be added to the Comprehensive Plan, and brought before the commission to approve and then be forwarded to City Council. The section may be presented at the second meeting in September.

8. Commission Representative Update

The Commission Representative was not present at the end of the meeting

9. Adjournment

Adjournment at 6:58 p.m.



CITY OF ELLENSBURG

Minutes of Planning Commission, Regular Meeting

Date of Meeting

September 14, 2023

Time of Meeting

5:45 PM

Place of Meeting

**Council Chambers
501 North Anderson Street
Ellensburg, WA 98926
And remotely via Zoom**

1. Call to Order and Roll Call of Members

Chair Padjen called the meeting to order at 5:45 p.m.

Roll Call Present In-Person: Ed Harrel, Fred Padjen, Sathy Rajendran, Sigrid Davison

Absent: Geraldine O'Mahony (excused), Delano Palmer (excused), George Bottcher

Also Present In-Person: Jeremy Johnston, Community Development Planning Manager, Shannon Johnson, Senior Planner, Dan Carlson, Community Development Director, Kelle Vandenberg, Economic Development Director, and Rosemary Meyer, member of the public.

Also, Present Via Zoom: Matthew Sweeney, Agent for DNR Jensen Rentals LLC, Randy, and Dan Jensen.

2. Approval of Agenda

3. Approval of Minutes

Minutes tabled until the next meeting

4. New Business

Appearance of Fairness reviewed. Johnston provided background information. Five proposed amendments to the Comprehensive Plan were submitted. The City Council approved a motion to docket the five amendments on July 17, 2023.

Proposal 23-01 is to update the 6-year capital improvements plan as referenced in Chapter 6 of the Comprehensive Plan. The agenda includes the 6-year budgets for parks and recreation, public works, and utility services. Staff presented the staff report. Staff recommend approval. Public comment opened for docket item 23-01. No public comments. Public comment closed. Padjen voiced concerns regarding Gas Utility extension budget items in relation to the Climate Change Act. Commissioner Harrell moved that the Planning Commission recommend to Council approval of docketed item 23-01. Motion passed 3-1.

Proposal 23-02 was submitted by Mayor Lillquist and the Community Development

Department. This amendment would create a Future Land Use/Zoning conversion table within the City of Ellensburg's Comprehensive Plan Land Use section to provide transparency, clarity, and guidance for zoning options within each land use category. Staff recommend approval. Public comment opened. No public comment. Public comment closed. Commissioner Harrel moved that the Planning Commission recommend to Council approval of docketed item 23-02. Motion passed 4-0.

Proposal 23-03 submitted by a citizen to eliminate a Future Minor Collector roadway that impacts his property on Dolarway Road. The property owner referenced the map exhibits within the agenda packet. Johnston discussed this proposal with Public Works staff, and it was determined that removal of this roadway would not negatively impact the Future Transportation Plan for the City of Ellensburg. Staff recommend approval. Public comment opened. No public comment. Public comment closed. Commissioner Rajendran moved that the Planning Commission recommend to Council approval of docketed item 23-03. Motion passed 4-0.

Proposal 23-04 submitted by a citizen requested a map revision to change the Future Land Use designation of four parcels located on Vantage Highway to Heavy Industrial. The parcels listed in the application (181933, 171933, 025236, & 191933) are currently zoned Commercial Highway within a Community Mixed Use land use designation. Several properties to the north and south of the subject parcels are currently residential in use or undeveloped, and located within County jurisdiction or are unincorporated lands within the urban growth area. Staff believes that the proposal would create a pocket of Heavy Industrial surrounded by several incompatible current and future uses. Staff recommend denial. Public comment opened. Sweeney, an agent for DNR Jensen Rentals and Jensen property owners spoke. Sweeney gave background and the businesses owned by the Jensen's. Owners feel the best use of their property is Heavy Industrial and see a need for more of this land use. They don't agree with the staff's Heavy Industrial pocket creation analysis. Johnston stated that more industrial zoning could be beneficial but doesn't believe that the proposed area would be consistent with the general development patterns of the immediate area. Public comment closed. Commissioners deliberated. Commissioners voiced concerns of the inconsistencies of the proposed map amendment. Commissioner Harrel moved that the Planning Commission recommend denial of docketed item 23-04 to City Council. Motion passed 4-0.

Proposal 23-05 submitted by CenterFuse requested updates to the Economic Chapter of the Comprehensive Plan. Johnston summarized the background information. It was submitted in 2021, continued to the 2022 cycle, and due to staffing and workload issues, the item was again continued to the 2023 cycle. The current proposal addresses grammatical issues, general updates, adds a Covid-19 Impact section, expands the Arts & Culture and Business Development sections, and updates Demographic and Household Income Data. Kelle Vandenberg elaborated on the proposal and noted that some adjustments may be needed prior to City Council review after she has reviewed the goals to verify equal access fair equity. Public comment opened. No public comment. Public comment closed. Commissioner Harrel moved that the Planning Commission recommend to Council approval of docketed item 23-05 with the possibility of included adjustments to address equity issues as proposed by Economic Development Director Vandenberg. Motion passed 4-0.

5. Unfinished Business

None

6. Citizen Comment

None

7. Staff Update/Discussion Items

Special Meeting scheduled for September 28, 2023.

Commissioner Davison and Commissioner O'Mahoney may not be able to attend.

There will be no regular meeting scheduled in October.

8. Commission Representative Update

None

9. Adjournment

Meeting adjourned at 6:36 p.m.



COMMUNITY DEVELOPMENT DEPARTMENT
501 North Anderson Street, Ellensburg WA 98926

AGENDA REPORT

DATE: September 28, 2023

To: Planning Commission

FROM: Jeremy Johnston, Community Development Planning Manager

SUBJECT: PUBLIC HEARING (Legislative)
To consider nine proposed amendments to Ellensburg City Code

SUMMARY

The proposed ordinance will update various code sections within Titles 3, 4A, and 15 of the Ellensburg City Code (ECC). The proposals include amendments submitted by citizens, community development staff, and elected officials.

BACKGROUND

In 2013, the City adopted a new land development code which revised the standards and guidelines for new development in the City. Oftentimes, the impact of the development regulations are not fully understood until planning staff has an actual development application against which to review the regulations.

The City of Ellensburg is initiating a land development code amendment cycle pursuant to ECC15.250.100. Amendments to the Land Development Code require a Type V process which includes a recommendation from the Planning Commission to the City Council on the proposed amendments. The amendments include four citizen proposed items and five items proposed by staff and city officials. Please refer to the city code online, or refer to the attachment which includes the language, graphics and photos included in the code. The attached document includes a summary of each item and depicts the proposed edits in color and underlined.

ANALYSIS

The procedures for processing a land development code amendment are outlined in ECC 15.250.100. The Type V review process must be followed, which requires a public hearing before the Planning Commission, who then forward a recommendation to City

Council for their review during a separate public hearing. Land development code amendments that are approved by Council are made official through the adoption of an ordinance.

WASHINGTON STATE DEPARTMENT OF COMMERCE REVIEW AND SEPA REVIEW

The City issued a SEPA Determination of Non-Significance and forwarded the proposals to the Washington State Department of Commerce on August 29, 2023 (Exhibits D and C). No comments were submitted during the SEPA comments period as of the writing of this report. The 60-day notice to Commerce will be completed on October 28, 2023.

PROPOSED REVISIONS

Nine amendments have been prepared for consideration by the Planning Commission. The specific changes as well as associated applications and citizen submitted narratives have been provided as “Attachment A- 2023 LDC Amendment Proposals.” A summary of the proposed items are as follows:

Item 23-01- This item was submitted by Steve Willard who proposes an amendment to Title 15.420.060 – *Access, services, and utilities*.

The proposed amendment would eliminate specific dimensional standards for shared driveways (see attachment A) and replace them with general development standards prescribed in title 15, Title 4, and in the International Fire Code. The applicant also proposes adding a provision that requires a shared maintenance agreement or HOA recorded prior to issuance of building permits.

Community Development staff worked with Public Works and the City of Ellensburg Fire Marshal to identify potential impacts of this proposed amendment. Public Works staff identified the potential for the amendment to create a loophole to avoid frontage improvements that would be required for large projects and a lack of private road standards to ensure adequate access roadways.

The City Fire Marshal noted concerns regarding private road maintenance that could result in inadequate or unsafe access for emergency vehicles.

For these reasons, Community Development staff are recommending disapproval of amendment 23-01.

Item 23-02 – This item was submitted by Steve Willard proposing an amendment to Title 15.260.120(e) – *Short subdivision plat – Review procedures and criteria*.

The proposed amendment would replace the one-year expiration schedule for preliminary short plats with a five-year expiration schedule. This amendment would provide consistency with RCW 58.17.140(3)(a).

Community Development staff recommends approval of amendment 23-02 to create consistency with State subdivision regulations.

Item 23-03 – This item was submitted by Susan Savage proposing an amendment to the permitted use table in Title 15.310.040 – *Special Uses*.

The proposed amendment would add “indoor recreation” as a use that is permitted in the Residential Office (R-O) zone subject to conditional use permit approval. The Residential Office zone is a mixed use zone, “intended to serve as a transition zone separating more intense uses from single-family residential districts.”

Indoor recreation is defined as, “a commercial recreational 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.”

Staff has reviewed the proposal and finds that the Indoor Recreation use can be consistent with the R-O zone because the R-O zone is intended to be a transitional zone that provides for nonresidential uses that are compatible in scale and character with residential uses (ECC 15.300.060(B), and impacts would be mitigated through a Conditional Use Permit process. Staff therefore recommends approval of item 23-03.

Item 23-04 – This amendment was submitted by Stephanie Ritter proposing an amendment to Title 4.14A.070(c)(3) and (4)- *Sidewalk café permit*.

The applicant proposes adding an option for more tables and seating for sidewalk cafes that can accommodate this additional seating and tables while maintaining the minimum sidewalk passage area established in 4.14A.070(c)(1). This option would require changes to 4.14A.070(c)(3) and 4.14A.070(c)(4) as indicated below. The proposal will maintain standards for minimum passage space and the visual requirement that all outdoor seating be observable from the interior of the building.

Staff has reviewed the proposal and finds it to be consistent with the intent of Title 4.14A. The proposal utilizes most of the standards established for sidewalk cafés but allows flexibility for those businesses that abut a wider sidewalk and can accommodate more outdoor seating while maintaining safety and sidewalk access standards.

Staff recommends approval of item 23-04.

Item 23-05 – This item was submitted by Community Development staff proposing seven code cleanup amendments to various sections within Title 15 to eliminate conflicts and ensure development regulations are consistent and clear.

The purpose of this item is to address recognized deficiencies and inconsistencies in existing land development code sections to improve the function.

The seven proposed updates include revisions to sections; 15.310.040, 15.220.040 and 15.220.050, 4.14A.020, 15.540.020(D), ECC 15.220.110 and 15.250.035, 15.550.040(K)(1), 15.220.030 and 15.210.040(B).

Staff recommends approval of item 23-05.

Item 23-06 -This item is being proposed by Community Development staff to address a deficiency in Title 3.12.260 that restricts all off-premises signs. This amendment would create an exception to this prohibition for directional, warning, regulatory, or public information signs or structures required or authorized by law or government authority.

A need for this amendment was recognized when the City began contemplating placement of an informational sign to address requirement to call 811 before digging. Due to this restriction the City is unable to place the sign in high traffic areas, where the information can be disseminated effectively. This amendment would allow the City or other government authority to relay important information to the public at locations that maximize public interaction. Therefore, staff recommends approval of item 23.06.

Item 23-07 - Community Development Staff seeks an amendment to the Comprehensive Plan annual docket amendment timelines established in ECC 15.250.090. Many unsuccessful attempts to meet this schedule in past years demonstrate a need for revisions. Staff is proposing this amendment to allow for a more realistic review window for docket amendments proposals. Additionally, this amendment would remove the unnecessary rigid timelines for several steps in the process, while maintaining a requirement to complete the process within the year of each docket cycle.

The proposal would change the submittal deadline for proposed amendments from June 30th of each year to March 31st of each year and eliminate the January 1st date that initiates the current amendment submittal cycle. As a result, staff, public officials, and the public would have a full 12-month window to submit docket items (March 31 – March 31) instead of the current restriction of 6 months (January 1 – June 30th). By initiating the process earlier in the year and allowing for a larger submittal window, proposed docket items can undergo a more thorough review and consideration window from staff and the public.

The current process timelines established in ECC 15.250.090(D) leave little time for review. Under the current regulations staff must accept docket item submittals until June 30th of each year and issue a SEPA determination related to these items by the second Friday in August. This leaves approximately 45 days to perform a SEPA review on each item, issue a threshold determination, and prepare the items for submittal to the Department of Commerce for their 60-day notice. As there is no limit to the number of docket proposals allowed each year this has the potential to create a scenario where staff cannot perform their due diligence in the 45-day window before a SEPA determination and notice to Commerce are required.

Additionally, the current regulations establish specific timelines for the required Planning Commission recommendation hearing (September) and the subsequent City Council Hearing (first regular meeting in October). This proposed amendment would eliminate these specific timelines and simply establish a requirement that the docket cycle be completed prior to December 31st of each year. This change would allow flexibility in timing that can accommodate varied workloads, heavy docket cycles, and ensure that staff have adequate time to prepare, review, and provide more thorough and informed recommendations to the Planning Commission and City Council. This flexibility would also allow more time for the Planning Commission and City Council to review proposals as needed without unnecessary timeline restrictions limiting review windows.

Staff recommends approval of item 23-07.

Item 23-08 – This item was submitted by Community Development staff to address the use of recreational vehicles for habitation purposes. This amendment would clarify in ECC 15.340.040(N) that recreational vehicles can only be used as a primary residence within a manufactured home park. This amendment would also introduce sub-item “M” to address location restrictions on trailer and manufactured home locations.

Use of recreational vehicles for habitation purposes creates the potential for various health and safety issues. The purpose of this item is to address a gap in our regulations regarding utilization of recreational vehicles for non-recreational habitation purposes.

Staff recommends approval of item 23-08.

Item 23-09 – This amendment is being proposed to create a departure option for pre-existing roadways developed under previous standards to allow continuity in streetscape designs for new roadways intended to connect to these pre-existing roadways.

On April 4, 2022, City Council conducted a study session to review this item. The item was intended to address local access roadway connections for existing plats and allow for a departure option to assure continuity with existing connection points. Community Development Staff presented this proposal which would create a departure option for the continuation of an existing roadway into future phases of development.

Approval of this item would require an applicant to meet any applicable departure standards as outlined in ECC 15.210.060. Additionally, the connection allowances under this code section would provide a prohibition on road widths that would be inconsistent with the current Fire Code.

Staff recommends approval of item 23-09.

At the conclusion of the Planning Commission public hearing, the Commission shall forward a recommendation to the City Council. The decision criteria that Council must consider are set forth in ECC 15.250.100(C) as follows:

1. The amendment is in accordance with the comprehensive plan; and
2. The amendment will not adversely affect the public health, safety or general welfare; and
3. The amendment is not contrary to the best interest of the citizens and property owners of the city.

RECOMMENDATION(S):

1. Hold a legislative public hearing; and
2. Forward a recommendation to City Council to adopt the proposed revisions to Ellensburg City Code as presented.

ATTACHMENTS:

Exhibit A – Attachment A – 2023 LDC Amendment Proposals
Exhibit B – PC Notice of Public Hearing 9.28.23
Exhibit C – Notice to Commerce
Exhibit D – P23-097 LDC SEPA DNS
Exhibit E – P23-097 Notice of SEPA Action

2023 Land Development Code Amendments

City of Ellensburg

Proposal ID	Description	Recommendation
Amendment 23-01 File Number <i>P22-101 Willard</i>	Amend Title 15.420.060 Access, services, and utilities to eliminate specific shared driveway standards and replace with general LDC standards. The amendment also includes a provision requiring a road maintenance agreement or HOA prior to building permit issuance.	After consultation with Ellensburg Public Works and the City Fire Marshal, staff do not recommend approval of this item due to lack of private road standards and potential impacts to emergency access, maintenance uncertainties, and potential avoidance of frontage improvements.

Summary

This proposal would amend Title 15.420 - Subdivision Design and Block Structure. The applicant proposes eliminating specific standards for shared driveways and replacing them with general LDC standards including driveway, street, development, access, and fire standards. Additionally the proposal includes a provision requiring a road maintenance agreement or HOA governing maintenance responsibilities prior to building permit issuance for lots served.

Proposed Amendment

15.420.060 Access, services and utilities.

A. Each [lot](#) in a residential [subdivision](#) shall have access directly to a public [right-of-way](#), except for:

1. Alternative [lot](#) designs as described in EEC 15.420.050. Driveways shall be constructed per [public works development](#) standards and ECC Title [4](#), Public Works;
2. Shared driveways may access ~~up to five lots provided they are at least 15 feet wide and a maximum of 400 feet long residential lots in a subdivision in compliance with driveways, Section 3 – Street Standards, City of Ellensburg Development Standards ECC 4.04.040 and compliance with Appendix D, fire apparatus access roads, current International Fire Code.~~ Provisions shall be made to keep the driveways clear of snow, [vehicles](#) (“no parking” signs), and vegetation. ~~A road maintenance agreement or home owner’s association shall be of record prior to issuance of building permits on lots served.~~

Any [lot](#) created that is not adjacent to a public [right-of-way](#) but that has a right of ingress and egress to that [right-of-way](#); provided, that such right has been established as a matter of record in a manner that runs with the land and is irrevocable.

B. Each [lot](#) in a residential [subdivision](#) shall be provided with adequate provisions for water supplies, sanitary wastewater facilities, storm drainage and surface water facilities, electric, and natural gas facilities (if applicable), consistent with the requirements of the [public works development](#) standards and ECC Title [9](#), Utilities; and

C. Approval of [subdivisions](#) may be conditioned upon [dedications](#) to the [city](#) of drainage ways, other public ways, water supplies, sanitary wastewater facilities, [parks](#), playgrounds, and sites for [schools](#) per RCW [58.17.110](#) and subject to the provisions of RCW [82.02.020](#). [Ord. 4656 § 1 (Exh. O2), 2013.]



Land Use Application Cover Sheet

RECEIVED
10/20/22
COMMUNITY
DEVELOPMENT
P22-101

PA-01
APPLICATION

Community Development Department

501 N. Anderson, Ellensburg, WA 98926

(509) 962-7239 (Building) permits@ci.ellensburg.wa.us (509) 962-7231 (Planning) comdev@ci.ellensburg.wa.us

INSTRUCTIONS – PLEASE READ FIRST AND ANSWER ALL QUESTIONS COMPLETELY.

If you have any questions about this form or the application process, please ask to speak with a planner. All necessary attachments and the filing fee are required upon submittal. Filing fees are not refundable. This application consists of two parts. PART I - GENERAL INFORMATION and PART II, project descriptions and site plan contain additional information specific to your proposal and all required information MUST be attached to this page to complete the application process.

PART I – GENERAL INFORMATION

1. Applicant's Information:	Name:	STEVE WILLARD						
	Mailing Address:	1312 SANDERS ROAD						
	City:	ELLENSBURG	St:		Zip:	98926	Phone :	(206) 660 2738
	E-Mail:	willardis@gmail.com						
2. Applicant's Interest in Property:	Check One:	☐ Owner	☐ Agent	☐ Purchaser	☐ Other	NON PROTECT		
3. Property Owner's Information (If other than Applicant):	Name:	N/A NON PROTECT						
	Mailing Address:							
	City:		St:		Zip:		Phone :	()
	E-Mail:							
4. Subject Property's Assessor's Parcel Number(s):								
N/A								
5. Legal Description of Property. (if lengthy, please attach it on a separate document)								
N/A								
6. Property Address:								
N/A								
7. Property's Existing Zoning:								
☐ RS ☐ RL ☐ RM ☐ RH ☐ RO ☐ CN ☐ CH ☐ CT ☐ CC ☐ CCII ☐ MHP ☐ IL ☐ IH ☐ PR ☐ PUD								
8. Type Of Application: (Check All That Apply)								
☐ Final Plat Application			☐ Environmental Checklist (SEPA Review)			☐ Conditional Use Permit		
☐ Type (II) Review			☐ Landmarks COA			☐ Rezone		
☐ Boundary Line Adjustment			☐ Landmarks Demolition			☐ Shoreline		
☐ Short Plat Alteration			☐ Commercial Wireless Communication			☐ Critical Areas Review		
☐ Preliminary Short Subdivision			☐ Appeal to HE / City Council			☐ Variance/Admin. Variance		
☐ Preliminary Long Subdivision			☐ Code Interpretation AMENDMENT			☐ Temporary Use Permit		
☐ Plat Vacation			☐ Regional Retail Master Plan			☐ Design Review Major/Minor		
☐ Plat Alteration			☐ Design Review Departure			☐ Binding Site Plan		
☐ Master Plan P-R Use			☐ Comprehensive Plan Amendment			☐ Essential Public Facility		
☐ Annexation			☒ Development Code Amendment			☐ Site Development Permit		

9. PART II – PROJECT DESCRIPTION AND SITE PLAN (See attached page)

10. I certify that the information on this application and the required attachments are true and correct to the best of my knowledge.

Property Owner's Signature

Date

Applicant's Signature

Date

FILE/APPLICATION(S)#

DATE FEE PAID:

RECEIVED BY:

AMOUNT PAID:

RECEIPT NO:



Steve Willard <willardis@gmail.com>

re code amendment 15.420.o60

1 message

Steve Willard <willardis@gmail.com>
To: Steve Willard <willardis@gmail.com>

Mon, Sep 12, 2022 at 12:01 PM

15.420.060 Access, services and utilities.

A. Each lot in a residential subdivision shall have access directly to a public right-of-way, except for:

1. Alternative lot designs as described in ECC 15.420.050. Driveways shall be constructed per public works development standards and ECC Title 4, Public Works;

2. Shared driveways may access ~~up to five lots provided they are at least 15 feet wide and a maximum of 400 feet long.~~ **DELETE PORTION DELETED ADD TEXT IN ITS PLACE AS SHOWN BELOW.**
Provisions shall be made to keep the driveways clear of snow, vehicles ("no parking" signs), and vegetation. **UNDER A ROAD MAINTENANCE AGREEMENT OR HOME OWNER ASSOCIATION SHALL BE OF RECORD PRIOR TO ISSUANCE OF BUILDING PERMITS ON LOTS SERVED.**
Any lot created that is not adjacent to a public right-of-way but that has a right of ingress and egress to that right-of-way; provided, that such right has been established as a matter of record in a manner that runs with the land and is irrevocable.

B. Each lot in a residential subdivision shall be provided with adequate provisions for water supplies, sanitary wastewater facilities, storm drainage and surface water facilities, electric, and natural gas facilities (if applicable), consistent with the requirements of the public works development standards and ECC Title 9, Utilities; and

C. Approval of subdivisions may be conditioned upon dedications to the city of drainage ways, other public ways, water supplies, sanitary wastewater facilities, parks, playgrounds, and sites for schools per RCW 58.17.110 and subject to the provisions of RCW 82.02.020. [Ord. 4656 § 1 (Exh. 02), 2013.]

ADD TO 2. RESIDENTIAL LOTS IN A SUBDIVISION IN COMPLIANCE WITH DRIVEWAYS, SECTION 3 - STREET STANDARDS, CITY OF KLENSBUR DEVELOPMENT STANDARDS ECC 4.04.040 AND COMPLIANCE WITH APPENDIX D, FIRE APPARATUS ACCESS ROADS, 2015 INTERNATIONAL FIRE CODE.

2023 Land Development Code Amendments

City of Ellensburg

Proposal ID	Description	Recommendation
Amendment 23-02 File Number <i>P22-102 Willard</i>	Amend Title 15.260.120(E) to replace the one-year expiration of preliminary short plats to five years.	Staff recommends approval of this amendment to ensure consistency with the expiration schedule established in RCW 58.17.140(E).

Summary

The applicant proposes amending Title 15.260.120(E) – Short Subdivision Plat – Review procedures and criteria, eliminating the one-year expiration schedule of preliminary short plats and replacing this with a five-year expiration schedule.

Proposed Amendment

15.260.120 Short subdivision plat (sometimes referred to as short plats) – Review procedures and criteria.

A. Procedures. [Short subdivisions](#) are divisions that create nine or fewer [lots](#) and are sometimes referred to as [short plats](#). Short [subdivision](#) applications are subject to the Type II review [process](#) as set forth in Chapter [15.210](#) ECC, with exceptions provided herein.

B. Application Contents. Applications for a preliminary [short subdivision](#) shall contain all of the items required for a [preliminary subdivision](#) in ECC [15.260.060](#)(B) except as follows: no SEPA checklist is required unless the proposed [short subdivision](#) is determined to not be exempt from SEPA review.

C. Referral to [City Departments](#) and Other Agencies for Comments. The community [development department](#) shall distribute one copy of the preliminary [short subdivision](#) application to the public works [department](#) and utilities [department](#), building [department](#), fire marshal, and any public agency that may be affected by the proposed [preliminary subdivision](#).

Whenever the property proposed to be subdivided is located within one-half mile of the corporate limits of the unincorporated county, a copy of the proposed preliminary [short subdivision](#) application shall be distributed to the respective jurisdiction.

Comments may be submitted for 14 calendar days after the date of issuance of the notice of application.

D. Decision Criteria. The [director](#) may approve, approve with conditions, or deny a [short subdivision](#) application based on conformance with the following decision criteria:

1. Conformance with applicable provisions of the LDC, including the [building](#) setback and intensity standards in Chapter [15.320](#) ECC, the streetscape [design standards](#) in Chapter [15.410](#) ECC, the [subdivision design standards](#) in Chapter [15.420](#) ECC, the project [design standards](#) in Division V, the [public works development](#) standards, and applicable [critical areas](#) standards set forth in Division VI;
2. Integration of Specific Provisions. [Short subdivisions](#) shall integrate appropriate provisions for the public health, safety and general welfare and for such [open spaces](#), drainage ways, [streets](#) or roads, [alleys](#), other public ways, transit stops, potable water supplies, sanitary wastes, natural gas mains and services, [parks](#) and recreation, playgrounds, [schools](#) and [school](#) grounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who walk to and from [school](#);
3. Public Interest. The public's interest shall be served by the [short subdivision](#) and [dedication](#).

E. Time Frame for Approval. The administrator shall make a decision on approval or denial of a preliminary [short subdivision](#) application within 60 calendar days of the determination that the application is complete. An approved preliminary [short subdivision](#) application is valid for ~~one year~~ [five years](#) from date of approval. Failure to submit the final [short subdivision](#) application within that ~~one five~~ year time frame will result in a lapse of the preliminary [short subdivision](#) approval. [Ord. 4807 § 34, 2018; Ord. 4804 §§ 1, 3, 2018; Ord. 4656 § 1 (Exh. O2), 2013.]



Land Use Application Cover Sheet

PA-01
APPLICATION

RECEIVED

SEP 12 2022

Community Development Department

501 N. Anderson, Ellensburg, WA 98926

(509) 962-7239 (Building) permits@ci.ellensburg.wa.us (509) 962-7239 (Planning) comdev@ci.ellensburg.wa.us

INSTRUCTIONS – PLEASE READ FIRST AND ANSWER ALL QUESTIONS COMPLETELY.

If you have any questions about this form or the application process, please ask to speak with a planner. All necessary attachments and the filing fee are required upon submittal. Filing fees are not refundable. This application consists of two parts. PART I - GENERAL INFORMATION and PART II, project descriptions and site plan contain additional information specific to your proposal and all required information MUST be attached to this page to complete the application process.

PART I – GENERAL INFORMATION

1. Applicant's Information:	Name:	STEVE WILLARD							
	Mailing Address:	1312 SANDERS ROAD							
	City:	ELLENSBURG	St:	WA	Zip:	98926	Phone :	(206) 6602738	
	E-Mail:								
2. Applicant's Interest in Property:	Check One:	☐ Owner	☐ Agent	☐ Purchaser	☐ Other	N/A			
3. Property Owner's Information (If other than Applicant):	Name:	NON PROJECT CODE AMENDMENT							
	Mailing Address:								
	City:		St:		Zip:		Phone :	()	
	E-Mail:								
4. Subject Property's Assessor's Parcel Number(s):	N/A								
5. Legal Description of Property. (if lengthy, please attach it on a separate document)	N/A								
6. Property Address:	N/A								
7. Property's Existing Zoning:	☒ RS ☐ RL ☐ RM ☐ RH ☐ RO ☐ CN ☐ CH ☐ CT ☐ CC ☐ CCII ☐ MHP ☐ IL ☐ IH ☐ PR ☐ PUD								
8. Type Of Application: (Check All That Apply)									
☐ Final Plat Application			☐ Environmental Checklist (SEPA Review)			☐ Conditional Use Permit			
☐ Type (II) Review			☐ Landmarks COA			☐ Rezone			
☐ Boundary Line Adjustment			☐ Landmarks Demolition			☐ Shoreline			
☐ Short Plat Alteration			☐ Commercial Wireless Communication			☐ Critical Areas Review			
☐ Preliminary Short Subdivision			☐ Appeal to HE / City Council			☐ Variance/Admin. Variance			
☐ Preliminary Long Subdivision			☐ Code Interpretation			☐ Temporary Use Permit			
☐ Plat Vacation			☐ Regional Retail Master Plan			☐ Design Review Major/Minor			
☐ Plat Alteration			☐ Design Review Departure			☐ Binding Site Plan			
☐ Master Plan P-R Use			☐ Comprehensive Plan Amendment			☐ Essential Public Facility			
☐ Annexation			☒ Development Code Amendment			☐ Site Development Permit			

9. PART II – PROJECT DESCRIPTION AND SITE PLAN (See attached page)

10. I certify that the information on this application and the required attachments are true and correct to the best of my knowledge.

Property Owner's Signature

Date

Applicant's Signature

Date

FILE/APPLICATION(S)#

DATE FEE PAID:

RECEIVED BY:

AMOUNT PAID:

RECEIPT NO:

RECEIVED
9/12/22
COMMUNITY
DEVELOPMENT
P22-102

~~PROPOSED~~ AMENDMENT TO ECC

15.260.120 Short subdivision plat (sometimes referred to as short plats) – Review procedures and criteria.

A. Procedures. Short subdivisions are divisions that create nine or fewer lots and are sometimes referred to as short plats. Short subdivision applications are subject to the Type II review process as set forth in Chapter 15.210 ECC, with exceptions provided herein.

B. Application Contents. Applications for a preliminary short subdivision shall contain all of the items required for a preliminary subdivision in ECC 15.260.060(B) except as follows: no SEPA checklist is required unless the proposed short subdivision is determined to not be exempt from SEPA review.

C. Referral to City Departments and Other Agencies for Comments. The community development department shall distribute one copy of the preliminary short subdivision application to the public works department and utilities department, building department, fire marshal, and any public agency that may be affected by the proposed preliminary subdivision.

Whenever the property proposed to be subdivided is located within one-half mile of the corporate limits of the unincorporated county, a copy of the proposed preliminary short subdivision application shall be distributed to the respective jurisdiction.

Comments may be submitted for 14 calendar days after the date of issuance of the notice of application.

D. Decision Criteria. The director may approve, approve with conditions, or deny a short subdivision application based on conformance with the following decision criteria:

1. Conformance with applicable provisions of the LDC, including the building setback and intensity standards in Chapter 15.320 ECC, the streetscape design standards in Chapter 15.410 ECC, the subdivision design standards in Chapter 15.420 ECC, the project design standards in Division V, the public works development standards, and applicable critical areas standards set forth in Division VI;

2. Integration of Specific Provisions. Short subdivisions shall integrate appropriate provisions for the public health, safety and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, natural gas mains and services, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who walk to and from school;

3. Public Interest. The public's interest shall be served by the short subdivision and dedication.

E. Time Frame for Approval. The administrator shall make a decision on approval or denial of a preliminary short subdivision application within 60 calendar days of the determination that the application is complete. An approved preliminary short subdivision application is valid for one year from date of approval. Failure to submit the final short subdivision application within that one-year time frame will result in a lapse of the preliminary short subdivision appro

FIVE YEARS

PDF **RCW 58.17.140****APPLICABLE RCW
FOR SHORT & LONG PLATS****Time limitation for approval or disapproval of plats—Extensions.**

(1) Preliminary plats of any proposed subdivision and dedication shall be approved, disapproved, or returned to the applicant for modification or correction within ninety days from date of filing thereof unless the applicant consents to an extension of such time period or the ninety day limitation is extended to include up to twenty-one days as specified under RCW 58.17.095(3): PROVIDED, That if an environmental impact statement is required as provided in RCW 43.21C.030, the ninety day period shall not include the time spent preparing and circulating the environmental impact statement by the local government agency.

(2) Final plats and short plats shall be approved, disapproved, or returned to the applicant within thirty days from the date of filing thereof, unless the applicant consents to an extension of such time period.

(3)(a) Except as provided by (b) of this subsection, a final plat meeting all requirements of this chapter shall be submitted to the legislative body of the city, town, or county for approval within seven years of the date of preliminary plat approval if the date of preliminary plat approval is on or before December 31, 2014, and within five years of the date of preliminary plat approval if the date of preliminary plat approval is on or after January 1, 2015.

(b) A final plat meeting all requirements of this chapter shall be submitted to the legislative body of the city, town, or county for approval within ten years of the date of preliminary plat approval if the project is not subject to requirements adopted under chapter 90.58 RCW and the date of preliminary plat approval is on or before December 31, 2007.

(4) Nothing contained in this section shall act to prevent any city, town, or county from adopting by ordinance procedures which would allow extensions of time that may or may not contain additional or altered conditions and requirements.

[2013 c 16 § 1; 2012 c 92 § 1; 2010 c 79 § 1; 1995 c 68 § 1; 1986 c 233 § 2; 1983 c 121 § 3; 1981 c 293 § 7; 1974 ex.s. c 134 § 8; 1969 ex.s. c 271 § 14.]

NOTES:

Applicability—1986 c 233: See note following RCW 58.17.095.

Severability—1981 c 293: See note following RCW 58.17.010.

SEE PAGE 3

Subdivisions

This page provides a general overview of land subdivision regulations for cities and counties in Washington State, including subdivisions, short subdivisions, preliminary and final plats, and exemptions.

For a list of key court decisions and attorney general opinions, see our page on [Subdivisions Court Decisions and AG Opinions](#).

Overview

The subdivision of land into lots is governed in Washington State by [chapter 58.17 RCW](#) and by city and county ordinances adopted under that chapter's authority. The following is a list of key terms defined by these statutes.

- **Subdivisions** are defined in [RCW 58.17.020\(1\)](#) as the "division or redivision of land into five or more lots, tracts, or parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership."
- **Short subdivisions** are defined in [RCW 58.17.020\(6\)](#) as the "division or redivision of land into four or fewer lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership." Any city or town may increase the number of lots that can be regulated as short subdivisions up to a maximum of nine. Counties planning under the [Growth Management Act](#) may do the same with respect to unincorporated land within an urban growth area.
- **Plats and short plats** are defined in [RCW 58.17.020\(2\)](#) as the maps or representations of subdivisions and short subdivisions respectively that show the division of land into lots and the streets, alleys, dedications, easements, etc.
- **A Binding Site Plan** is an alternative method of land division authorized by [RCW 58.17.035](#). For more information, see [Site Plans and Binding Site Plans](#) or [Exemptions](#) section below.

Exemptions

Certain land divisions are exempt from state subdivision laws. See [RCW 58.17.040](#).

These exempt divisions include:

- Burial plots

- Divisions "made by testamentary provisions, or the laws of descent"
- Boundary line adjustments (no additional lots created)
- Divisions for industrial or commercial use when a binding site plan is approved
- Divisions for leasing lots for mobile homes when a binding site plan is approved
- Divisions where a portion of the property is developed as a condominium (and certain other requirements, including a binding site plan, are met)

RCW 58.17.035 authorizes cities and counties to, by ordinance, establish procedures for use of a binding site plan as an alternative to the subdivision process for the divisions identified in RCW 58.17.040 that require approval of a binding site plan to be exempt.

Subdivision Process Overview

Subdivisions, other than short subdivisions, must be regulated by cities and counties according to the procedures in chapter 58.17 RCW.

These statutory procedures establish a two-step process for the approval of subdivisions:

1. Preliminary plat approval
2. Final plat approval

Note that both subdivision and short subdivision approval require compliance with local ordinances such as those dealing with zoning, road standards, shorelines, utilities, and drainage, as set out by RCW 58.17.110.

Preliminary Plats

Initial Review and Hearing

Preliminary plat review is a quasi-judicial process that involves an initial review and hearing by the city or county planning commission or agency, which then makes a recommendation to the city council or board of county commissioners or county council. See RCW 42.36.010 for a definition of quasi-judicial land use actions.

A city or county may establish a hearing examiner system, as an alternative to having a planning commission or agency hear and issue recommendations for preliminary plat approval. See RCW 58.17.330.

Requirements for Approval

Unless the applicant requests otherwise, a preliminary plat must be processed simultaneously with applications for accompanying rezones, variances, planned unit developments, site plan approvals, and similar quasi-judicial or administrative actions to the extent that the procedural requirements for those actions allow for simultaneous processing.

A city or county may not approve a preliminary plat unless the city council, board of county commissioners or county council, or hearing examiner, as the case may be, makes written findings regarding certain matters identified in RCW 58.17.110, including open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable

Time Limitations for Approval

Preliminary plats must be approved, disapproved, or returned to the applicant for modification within 90 days of the filing of the preliminary plat application, unless the applicant consents to an extension. This does not include time preparing environmental impact statements. See [RCW 58.17.140](#).

Final Plats

Time Limitations for Submittal

[RCW 58.17.140](#) sets out the rules regarding the time period for an applicant to submit a preliminary plat for final plat approval. The general rule is that the applicant has five years after preliminary plat approval in which to submit the plat for final approval. However:

- If the preliminary plat was approved before **January 1, 2015**, the applicant has seven years to submit a final plat.
- If a preliminary plat was approved before **January 1, 2008** and is not subject to the [Shoreline Management Act](#), the applicant has 10 years to file for final plat approval.

Also, a city or county may adopt procedures by ordinance for extensions of these time periods. For examples, see [Examples of Subdivisions City and County Codes](#) section.

Approval Process

Final plat approval must be made by the legislative body, or the legislative body may by ordinance delegate that authority to "an established planning commission or agency, or to such other administrative personnel in accordance with state law or local charter" ([RCW 58.17.100](#)). The final plat approval is in the nature of a ministerial, non-discretionary process; that is, if the applicant meets the terms of preliminary approval and the plan conforms with state law and local ordinances, final approval must be granted ([RCW 58.17.170](#)). There is no public hearing for a final plat approval.

Examples of Ordinances Allowing Administrative Final Plat Approval

Below are ordinances from various Washington jurisdictions amending their municipal code to allow an administrative body or personnel to approve final subdivision plats.

- [Auburn Ordinance No. 6654](#) (2017) - Allows final plat approval by the Planning and Development Department Director
- [Spokane County Ordinance No. 2017-1041](#) (2018) - Allows final plat approval to be delegated administratively
- [Yakima Ordinance No. 2017-O30](#) (2017) - Allows the Community Development Director, rather than the city council, to approve final subdivision plats

Requirements for Approval

Among the statutory requirements for final plat approval are:

- Recommendation for approval by the local health department or the agency that would be furnishing sewer and water;

2023 Land Development Code Amendments

City of Ellensburg

Proposal ID	Description	Recommendation
Amendment 23-03 File Number <i>P23-063 Savage</i>	Amend Table 15.310.040 – Special Uses to allow Indoor Recreation as a Conditional Use within the Residential-Office (R-O) zoning designation.	Staff recommends approval of this item as indoor recreation uses do not appear to deviate from the purpose of the zone and impacts can be mitigated through the conditional use process.

Summary

The applicant proposes adding Indoor Recreation as permitted use with a Conditional Use permit within the Residential Office (R-O) zone. The applicant describes the amendment as improving economic and community health options to the public while mitigating impacts through the conditional use process. The Residential Office zone is described as a transitional zone between single family residential uses and intensive commercial uses.

Proposed Amendment

Table 15.310.040. Special uses.

Use	R-S	R-L	R-M	R-H	R-O	C-N	C-H	C-C	C-C II	NC-MU	RC-MU	I-L	I-H	P-R
PARK, OPEN SPACE AND RECREATIONAL														
Cemeteries, columbarium or mausoleums	P	P												
Golf course	P													P ¹¹
Golf driving range (not associated with a golf course)	C						C							P ¹¹

Table 15.310.040. Special uses.

[illegible]



P23-063

RECEIVED

JUN 13 2023

COMMUNITY DEVELOPMENT

Proposal No. _____ (leave blank) RETURN TO:

COMMUNITY DEVELOPMENT DEPARTMENT
501 N. ANDERSON STREET
ELLENSBURG, WA 98926

COMPREHENSIVE PLAN AMENDMENT PROPOSAL

THE PURPOSE OF THIS FORM IS TO CLEARLY OUTLINE INFORMATION REGARDING A PROPOSAL TO AMEND THE CITY OF ELLENSBURG COMPREHENSIVE PLAN. PROVISION OF THE FOLLOWING INFORMATION WILL INSURE THAT THE PROPOSAL CONTAINED HEREIN WILL RECEIVE FULL CONSIDERATION AND THAT THE INDIVIDUAL MAKING SUCH PROPOSAL WILL BE ADVISED OF ALL RELEVANT PUBLIC MEETINGS, HEARINGS, ETC....

NAME/DATE Susan Savage 6/13/2023

ADDRESS/PHONE NO. 580 Hanson Rd, Ellensburg WA 98926
509-424-6472

DESCRIPTION OF AMENDMENT TO COMPREHENSIVE PLAN

I request that an amendment be made to allow for an indoor recreation area in the R-D zone subject to a Conditional Use Permit to provide more needed service options within the zone but also mitigate impacts through the CUP process.

SECTIONS OF THE COMPREHENSIVE PLAN PROPOSED FOR AMENDMENT

Zoning of Mt. View + Chestnut Streets

REASONS AND INFORMATION SUPPORTING THE PROPOSED AMENDMENT

Allowing this amendment to the R-D zone would allow landowners within these zones to have a positive impact on the economic development, health resources and overall services available to not only the residents of within the vicinity but to also make these types of services to all the numbers of our community with easy access.

PROPOSED LANGUAGE FOR AMENDMENTS (IF NOT PROVIDED ABOVE)

2023 Land Development Code Amendments

City of Ellensburg

Proposal ID	Description	Recommendation
Amendment 23-04 File Number <i>P23-084 Ritter</i>	Amend Title 4.14A.070(3) and (4) to allow additional sidewalk tables and seating under certain circumstances as described below.	Staff recommends approval of this amendment as it is consistent with the intent of this Title in circumstances where sidewalks are wide enough to accommodate additional seating and minimum passage space.

Summary

The applicant proposes adding an option for more tables and seating for sidewalk cafes that can accommodate this additional seating and tables while maintaining the minimum sidewalk passage area established in 4.14A.070(c)(1). This option would require changes to 4.14A.070(c)(3) and 4.14A.070(c)(4) as indicated below. The proposal will maintain standards for minimum passage space and the visual requirement that all outdoor seating be observable from the interior of the building.

Proposed Amendment

4.14A.070 Sidewalk cafe permit

C. General Provisions.

1. Placement of tables, chairs, and any barriers must allow for a minimum of five linear feet of unobstructed passage for passersby between any table, chair or barrier and the outside edge of the sidewalk, and between any table, chair or barrier and any other object located in or upon the sidewalk.

2. Table Size Limitations. Tables may be circular, square, or rectangular only, and no side or diametrical dimension of such a table shall exceed 32 inches in length.

3. The number of chairs authorized for use under this permit shall not exceed twice the number of tables placed for use under this permit or if there is room for more than 2 chairs to reside around each of the allotted tables, and the seating can still be seen from the inside of the business, and allows for a minimum of five linear feet required in 4.14A.070.C.1, each table may be allowed up to 4 chairs.

4. There shall be a maximum of one table and two chairs, or more allowed in item 4.14A.070.C.3, for each 10 linear feet of the permittee's business fronting directly upon the sidewalk. If the business has a sidewalk frontage depth that would allow additional seating, and the seating can still be seen from the inside of the business and allows for a minimum of five linear feet required in 4.14A.070.C.1, the business is allowed additional tables not to exceed double the maximum amount allowed in 4.14A.070.C.3.

5. All tables, chairs and barriers placed on the sidewalk under this permit must be directly visible from the interior of the business.

6. The allowed hours of use of the sidewalk service area shall be 7:00 a.m. to 10:00 p.m.

7. The placement, use and removal of all tables, chairs and barriers authorized by this permit shall be at no cost to the city.

8. A sidewalk cafe must be ADA-accessible. A wheelchair user must be able to access at least one seat at a table, unless the business has other dining that is ADA-compliant and available for customer use.

9. The permittee, and permittee's officers and employees, shall comply with all applicable local, state, and federal laws, ordinances and regulations.



Land Use Application Cover Sheet

PA-01
APPLICATION

Community Development Department

501 N. Anderson, Ellensburg, WA 98926

(509) 962-7239 (Building) permits@ci.ellensburg.wa.us (509) 962-7231 (Planning) comdev@ci.ellensburg.wa.us

INSTRUCTIONS – PLEASE READ FIRST AND ANSWER ALL QUESTIONS COMPLETELY.

If you have any questions about this form or the application process, please ask to speak with a planner. All necessary attachments and the filing fee are required upon submittal. Filing fees are not refundable. This application consists of two parts. PART I - GENERAL INFORMATION and PART II, project descriptions and site plan contain additional information specific to your proposal and all required information MUST be attached to this page to complete the application process.

PART I – GENERAL INFORMATION

1. Applicant's Information:	Name:	Stephanie Ritter							
	Mailing Address:	PO Box 203							
	City:	Ellensburg	St:	WA	Zip:	98926	Phone :	(206) 852 7006	
	E-Mail:								
2. Applicant's Interest in Property:	Check One:	☐ Owner	☐ Agent	☐ Purchaser	☐ Other	Business Owl			
3. Property Owner's Information (If other than Applicant):	Name:	Brix Wine Bar & Restaurant							
	Mailing Address:	PO Box 203							
	City:	Ellensburg	St:	WA	Zip:	98926	Phone :	(206) 852 7006	
	E-Mail:	brixfamillylc@gmail.com							
4. Subject Property's Assessor's Parcel Number(s): 109 W 3rd Ave Ellensburg Wa 98926									
5. Legal Description of Property. (if lengthy, please attach it on a separate document) Restaurant									
6. Property Address:									
7. Property's Existing Zoning: ☐ RS ☐ RL ☐ RM ☐ RH ☐ RO ☐ CN ☐ CH ☐ CT ☐ CC ☐ CCII ☐ MHP ☐ IL ☐ IH ☐ PR ☐ PUD									
8. Type Of Application: (Check All That Apply)									
☐ Final Plat Application	☐ Environmental Checklist (SEPA Review)	☐ Conditional Use Permit							
☐ Type (II) Review	☐ Landmarks COA	☐ Rezone							
☐ Boundary Line Adjustment	☐ Landmarks Demolition	☐ Shoreline							
☐ Short Plat Alteration	☐ Commercial Wireless Communication	☐ Critical Areas Review							
☐ Preliminary Short Subdivision	☒ Appeal to HE / City Council	☐ Variance/Admin. Variance							
☐ Preliminary Long Subdivision	☒ Code Interpretation	☒ Temporary Use Permit							
☐ Plat Vacation	☐ Regional Retail Master Plan	☐ Design Review Major/Minor							
☐ Plat Alteration	☐ Design Review Departure	☐ Binding Site Plan							
☐ Master Plan P-R Use	☐ Comprehensive Plan Amendment	☐ Essential Public Facility							
☐ Annexation	☒ Development Code Amendment	☐ Site Development Permit							

9. PART II – PROJECT DESCRIPTION AND SITE PLAN (See attached page)

I would like to ask for an amendment to the Sidwalk Use Permit, code sections 4.14.070.c.3 and

10. I certify that the information on this application and the required attachments are true and correct to the best of my knowledge.

Stephanie Ritter
Property Owner's Signature

7-11-23
Date

Stephanie Ritter
Applicant's Signature

7-11-23
Date

FILE/APPLICATION(S)#

Application Description: I would like to request the following amendments to the Sidewalk Use Permit, code section 4.14a.070.c.3 and 4.14a.070.c.4. Below is the current code with our suggested amendments in red.

4.14A.070 Sidewalk café permit

C. General Provisions.

1. Placement of tables, chairs, and any barriers must allow for a minimum of five linear feet of unobstructed passage for passersby between any table, chair or barrier and the outside edge of the sidewalk, and between any table, chair or barrier and any other object located in or upon the sidewalk.
2. Table Size Limitations. Tables may be circular, square, or rectangular only, and no side or diametrical dimension of such a table shall exceed 32 inches in length.
3. The number of chairs authorized for use under this permit shall not exceed twice the number of tables placed for use under this permit **or if there is room for more than 2 chairs to reside around each of the allotted tables, and the seating can still be seen from the inside of the business, and allows for a minimum of five linear feet required in 4.14A.070.C.1, each table may be allowed up to 4 chairs.**
4. There shall be a maximum of one table and two chairs, **or more allowed in item 4.14A.070.C.3, for each 10 linear feet of the permittee's business fronting directly upon the sidewalk. If the business has sidewalk frontage depth that would allow additional seating, and the seating can still be seen from the inside of the business and allows for a minimum of five linear feet required in 4.14A.070.C.1, the business is allowed additional tables not to exceed double the maximum amount allowed in 4.14A.070.C.3.**

At Brix, we are big proponents and advocates for cultivating life, community, and culture in downtown Ellensburg. We believe in fostering warm and inviting hospitality, and doing our part to enhance our downtown to help increase its livability, desirability, cleanliness, attractiveness, and provide a quality service and product to the people of Ellensburg. The ability to host guests on the sidewalk in front of Brix surely only adds to the downtown appeal, and provides citizens of Ellensburg with a place to sit and enjoy our town, weather, and community with friends and family. Adding additional patio seating where space is abundantly available without infringing on the ally, neighboring businesses, or a 5' sidewalk clearance would seemingly be in tandem with the values of community development.

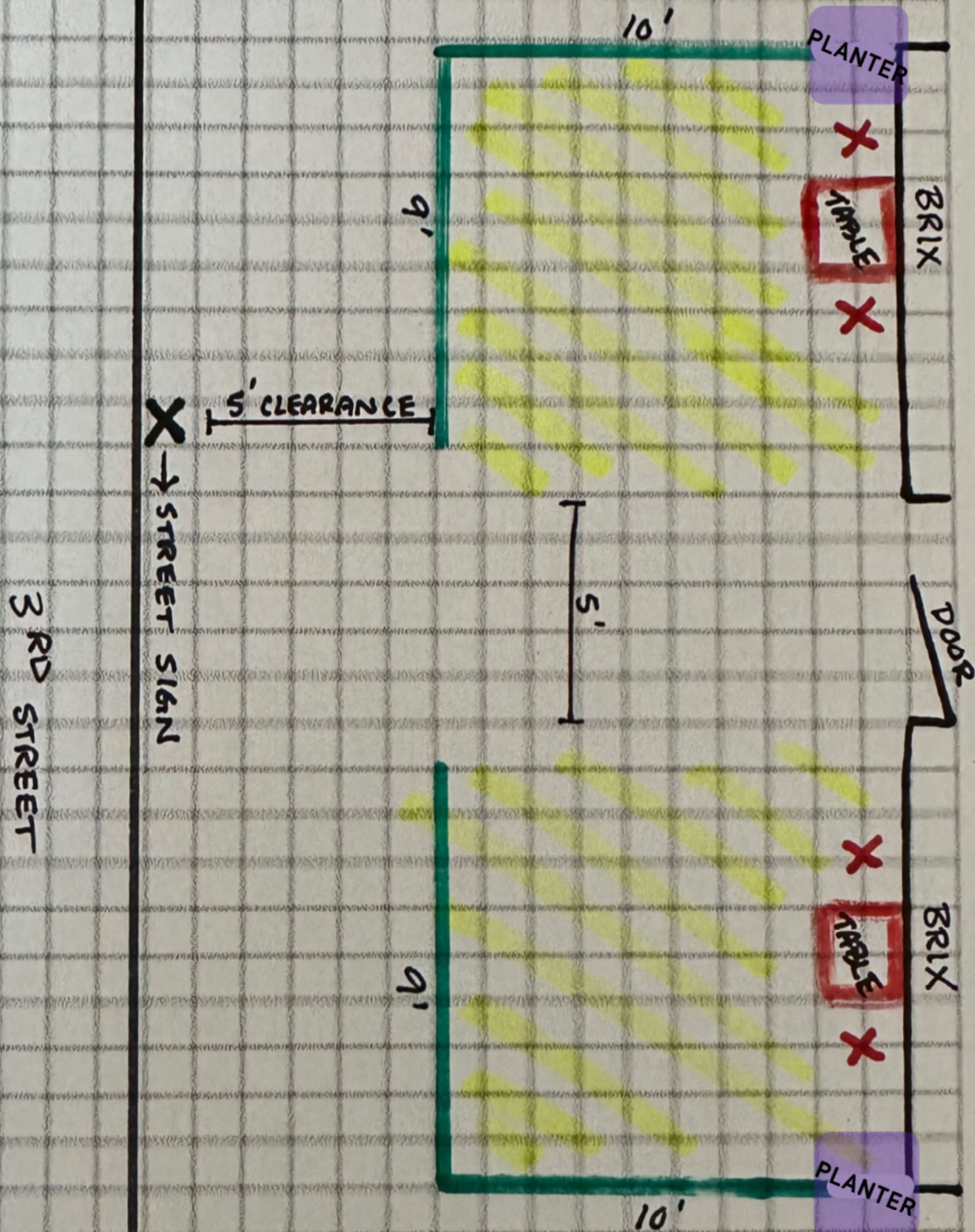
Please review our attached site plan to see how doubling the quantity of tables fits nicely in our 23' length x 15" depth sidewalk without over-crowding, while utilizing 10' of the sidewalk depth for seating and allowing the remainder as the 5' unobstructed pedestrian sidewalk.

The first site plan is drawn according to the current permitting requirements. The area shaded in yellow indicates the amount of unused patio space available if abiding by the current Sidewalk Use policies. The odd thing about the current policies is that the location of our (collapsible and movable) gate is still allowed to exist as marked on the site plan, yet no seating is allowed within the gate.

The second and third site plans are different possible seating arrangements drawn in accordance with our requested amendments to the Sidewalk Use Permit.

Thank you for your time, discussion, and consideration.

ALLEY



 = 42" liquor compliant collapsible removable railing.

Alley

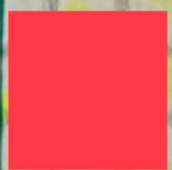
10'

PLANTER

X

X

9'



APPLE

BRIX

X

X

X → STREET SIGN
5' CLEARANCE

5'

DOOR

3 RD STREET

X

X

9'



APPLE

BRIX

X

X

10'

PLANTER

Alley

10'

PLANTER

X Couch

X

24" Table

X

APPLE

BRICK

X

9'

5' CLEARANCE

X → STREET SIGN

3 RD STREET

5'

DOOR

X Couch

X

24" Table

X

APPLE

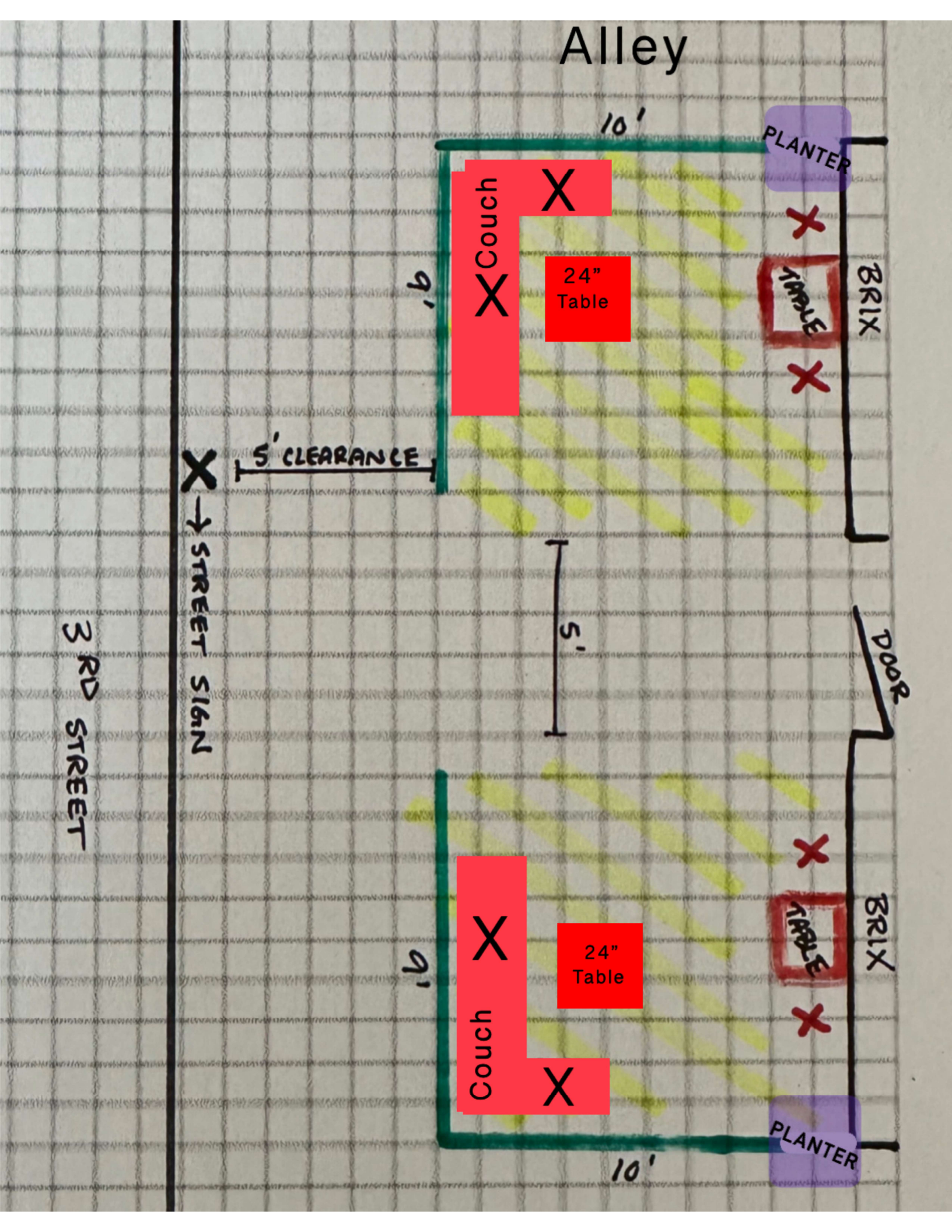
BRICK

X

9'

10'

PLANTER



2023 Land Development Code Amendments

City of Ellensburg

Proposal ID	Description	Recommendation
Amendment 23-05 Code Cleanup Amendments	Amend multiple sections within Title 15 to eliminate conflicts and ensure Land Development Regulations are consistent and clear to staff and the public.	Staff Recommends approval of these items to ensure continuity within Title 15 and eliminate recognized conflicts and issues within our land use regulations.

Summary

This item includes eleven updates to our Land Development Code. These are items that have been identified by staff as deficiencies and/or conflicts in Title 15 – Land Development Code. This proposal includes amendments to the following code sections which are listed in the same order noted below with distinguishing sub heading A-G:

23-07A - ECC 15.310.040

23-07B – ECC 15.220.040 and 15.220.050

23-07C – ECC 4.14A.020

23-07D – ECC 15.540.020(D)

23-07E – ECC 15.220.110 and 15.250.035

23-07F – ECC 15.550.040(K)(1)

23-07G – ECC 15.220.030 and 15.210.040(B)

Proposed Amendment

23-07A

The use table 15.310.040 permits marijuana processor and producer uses with a footnote (#14) referenced. This footnote does not exist. Staff recommends deleting footnote #14 from the table and adding footnote #11 which indicates that these uses are subject to the provisions established in ECC 15.370 – Medical Cannabis and State-Licensed Marijuana Business.

Table 15.310.040. Nonresidential uses.

Use	R-S	R-L	R-M	R-H	R-O	C-N	C-H	C-C	C-C II	NC-MU	RC-MU	I-L	I-H	P-R
RETAIL														
Auto sales, new and used							P	P ²	P		P			
Automobile fueling						P	P	P	P		P	P		
Automobile, electric vehicle battery charging station	P ¹	P ¹	P ¹	P ¹	P ¹	P	P	P	P	P	P	P	P	P
Farmers' markets *						P		P	P	P	P			
Fruit stands *	P	P	P	P	P									
Heavy retail (ECC 15.130.080)							P	P ²	P		P	P	P	
Nurseries and greenhouses	P						P	P	P	P	P	P	P	
Restaurants	P	P	P	P	P	P	P	P	P	P	P	P		A ⁶
Bars and brewpubs *						P	P	P	P	P	P	P		A ⁶
Coffee house, espresso bar	P ⁵	P ⁵	P	P	P	P	P	P	P	P	P	P		A ⁶
Retail , small scale (<2,000 sf floor area)	P ⁵	P ⁵	P	P	P	P	P	P	P	P	P			A ⁶
Retail , medium scale (2,000 – 20,000 sf floor area)						P	P	P	P	P	P			A ⁶

Table 15.310.040. Nonresidential uses.

Use	R-S	R-L	R-M	R-H	R-O	C-N	C-H	C-C	C-C II	NC-MU	RC-MU	I-L	I-H	P-R
Retail , large scale (20,001 – 60,000 sf floor area)						P ³	P	P	P	P	P			
Retail , very large scale (60,001 – 100,000 sf floor area)							P	C	C		P			
Retail , super scale (>100,001 sf floor area)							C				C			
Regional retail commercial projects* (subject to the requirements in Chapter 15.390 ECC)	P ⁸	P ⁸	P ⁸	P ⁸	P ⁸	P ⁸	P ⁸			P ⁸	P ⁸	P ⁸		
Marijuana retailer *						P ⁹	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹			
PERSONAL AND GENERAL SERVICE														
Day care I facilities*	P	P	P	P	P	P	P	P	P	P	P	P		A ⁶
Day care II facilities*	C	C	C	C	P	P	P	P	P	P	P			A ⁶
Heavy services (see Heavy retail and services definition in ECC 15.130.080)*							P	P ²	P		P	P	P	
Hotels/motels *							P	P	P	P	P			
Hospitals *	C	C	C		P			C	P		C			A ⁶
Offices, medical *					P	P	P	P	P	P	P			P/A ⁶
Kennels *							P		P			P		
Nursing homes *	C	C	C	P	P			P	P					P/A ⁶
Marijuana cooperative *	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	P ¹⁰
Personal service establishments *	P ⁵	P ⁵	P	P	P	P	P	P	P	P	P			A ⁶
Laundromats and dry cleaners			P	P	P	P	P	P	P	P	P	P		
Places of assembly *	C	C	C	C	P	P	P	P	P	C	C	C		A ⁶
Radio station (commercial)		C					P			P	P	C	C	A ⁶

Table 15.310.040. Nonresidential uses.

[illegible]

[Development](#) conditions:

1. [Vehicle battery charging stations](#) are permissible for the primary use of residents and their guests in all residential zones. [Battery charging station](#) clusters are permitted for [multifamily](#) uses located in the R-M and R-H zones.
2. Use must be enclosed entirely within a [building](#).
3. Grocery stores shall be the only [retail](#) uses permitted with more than 20,000 square feet of [gross floor area](#).
4. Except for office uses that are accessory to a permitted use, office uses may be permitted through the purchase of transferable [development](#) rights, subject to the adoption of a TDR program by the [city](#).
5. Subject nonresidential uses may be permitted in the R-S and R-L zones if the planned uses are at least 1,200 feet from an existing C-N zone or commercial use.
6. All uses permitted in the P-R zone must be either outright permitted and operated as a primary [public use](#) or must be an [accessory use](#) to that primary [public use](#). See ECC [15.310.050](#).
7. Includes light industrial activities that result in the production of goods placed for [on-site retail](#) sale. Special restrictions:
 - a. No power tools or equipment are allowed which by their decibel, frequency, and/or other feature of their operation would negatively impact the surrounding area by reason of decibel levels, light (see Chapter [15.580](#) ECC for standards), dust or other physical effect; and
 - b. Production or manufacturing activity shall not occur between the hours of 10:00 p.m. and 6:00 a.m.
8. Regional [retail](#) is administered as an overlay zone pursuant to Chapters [15.390](#) and [15.390A](#) ECC, and only permitted within the designated boundaries identified in Figure 15.390.040(A), the south interchange area, and Figure 15.390.040(B), the west interchange area. Permitted uses and use restrictions within a [regional retail commercial](#) project are described in ECC [15.390.030](#). Design criteria for regional [retail](#) is governed by Chapter [15.390A](#) ECC.
9. All [marijuana retail](#), production and processing facilities are subject to the requirements of Chapter [15.370](#) ECC.

10. All [marijuana cooperatives](#) are subject to the requirements of ECC [15.370.030](#), Chapter [314-55](#) WAC and Chapter [69.51A](#) RCW.

[11. All marijuana processing and production must conform to all applicable requirements outlined in ECC 15.370.](#)

Proposed Amendment

23-07B

RCW 35.13.140 outlines site posting requirements for annexation applications utilizing the Direct Petition method. Currently Title 15.220.040(c)(2) does not list a posting requirement for annexations. This amendment would clarify this posting requirement by noting it within the Public Notice of Application and Notice Board requirement sections. This will require updates to ECC 15.220.040(c)(2) and 15.220.050(B)(4) as indicated below.

15.220.040 Public notice of application.

A. Issue Notice. Within 14 calendar days of the determination of completeness, the [city](#) shall issue a notice of application for all Type II, III, and IV projects. Notice of any SEPA pre-threshold determination comment opportunities available pursuant to Chapter [15.270](#) ECC or [critical area](#) determination comment opportunities pursuant to Division VI shall be combined with the notice of application.

B. Notice Contents. The notice of application shall include the following information:

1. The dates of application, determination of completeness, and the date of the notice of application;
2. The name and address of the [applicant](#) or the [applicant's](#) designated agent;
3. The location and description of the project;
4. The requested actions and any required studies, if known;
5. The date, time, and place of any predecision [public meeting](#) or [open record hearing](#), if one has been scheduled;
6. Identification of any environmental or [critical area](#) documents related to the project, if any, and where they are located for review;

7. A statement of the limits of the public comment period. With the exception of [short subdivisions](#) which have a 14-calendar-day comment period, the comment period for all applications subject to review under this section is 21 calendar days beginning on the day following the date of notice of application;
8. A statement of the right of any [person](#) to comment on the application, receive notice of and participate in any hearings, request a copy of the decision once made, and any appeal rights;
9. The name and phone number and email address of the [city](#) staff contact for the application;
10. Identification of the known [development](#) regulations that will be used in determining consistency of the project with the [comprehensive plan](#); and
11. Any other information that the [city](#) determines to be appropriate.

C. Public Notification. The notice of application shall be made available to the public, through the following methods:

1. Mail. For site-specific proposals requiring a Type II (except signs), Type III or Type IV review [process](#), the [department](#) shall mail notice to owners of real property located within 300 feet of the subject property and to any agencies with jurisdiction;
2. Post Site. The [applicant](#) for site-specific proposals requiring a Type III or IV review [process](#) and/or requiring SEPA review pursuant to Chapter [15.270](#) ECC, shall post a notice board on the site at the [applicant](#)'s expense within five calendar days after the date of issuance of the determination of complete application per the requirements set forth in ECC [15.220.050](#) and [15.270.120. Type V Annexation proposals shall be posted in three public places within the territory proposed for annexation see ECC 15.220.050\(B\). The posting shall take place no later than 21 days prior to any scheduled public hearing, verified by an affidavit of publication](#); and
3. Newspaper. For Type II [permits](#) (except signs), site-specific proposals requiring a Type III or Type IV review [process](#), and for non-site-specific proposals requiring a Type V review [process](#), the [department](#) shall also publish a notice of the application in the newspaper of general circulation for the general area in which the proposal is located. This notice shall include the project location and description, the type of permit(s) required, comment period dates, staff contact information, and the location where the complete application may be reviewed.

15.220.050 Notice board requirements.

Posted notice for a proposal as required in ECC [15.220.040](#)(C)(2) shall consist of one or more notice boards posted at the [applicant's](#) expense by the [applicant](#) within five calendar days following the [department's](#) issuance of a determination of completeness as follows:

- A. Notice Board. The [department](#) shall provide the [applicant](#) with a reduced paper copy of the required notice which the [applicant](#) shall be responsible for enlarging to a six-square-foot (two feet tall by three feet wide) waterproof sign for posting;
- B. Number of Boards. A single notice board shall be posted for a project. This notice board may also be used for the posting of the notice of decision and notice of hearing. Additional notice boards may be required by the [department](#) when:
 - 1. The site does not abut a public road;
 - 2. A large site abuts more than one public road; or
 - 3. The [department](#) determines that additional notice boards are necessary to provide adequate public notice;
 - 4. [Type V Annexation proposals shall be posted in three public places within the territory proposed for annexation, and shall specify the time and place of hearing and invite interested persons to appear and voice approval or disapproval of the annexation pursuant to RCW 35.13.140.](#)

Proposed Amendment

23-07C

This amendment will update Title 4.14A Streateries, Parklets, and Sidewalk Cafes and Title 4.14A.030(D)(2). Staff proposes that the definition of “Director” in ECC4.14A.020 be updated to include the director’s designee. This change would allow the Director to designate staff to review and approve Streateries. This amendment would also eliminate the 200 square foot threshold for a building permit requirement. The City of Ellensburg Building Official determined that all streatory development will require a building permit.

4.14A.020 Definitions.

In this chapter, the following definitions shall apply:

“Applicant” means any person who seeks a right-of-way use permit from the city under this chapter.

“City” means the city of Ellensburg.

“Director” means the community development director of the city of Ellensburg [or his/her designee, unless otherwise specified.](#)

“Parklet” means the use of the public right-of-way designed to be used as a gathering space which is free and open to the public.

“Permit” means a permit issued by the community development department pursuant to this chapter.

“Right-of-way” means land acquired or dedicated for use as a public road, street, alley, and/or sidewalk, regardless of whether such land has been opened or improved for such use.

“Sidewalk cafe” means tables, seating, and other amenities such as umbrellas, landscaping or fencing adjacent to a lawfully operating business establishment in or on the public sidewalk, maintained by the owner of such establishment for the use of patrons of the business.

“Streatery” means the use of the public right-of-way, typically in a vehicle parking space, that has been designed to allow for food and beverage services.

“Traffic” means circulation or movement of vehicles, bicycles, and pedestrians. [Ord. 4912 § 2, 2023.]

4.14A.030 Right-of-way permits – Applications.

A. Permit Required. A right-of-way permit is required to use any portion of city right-of-way for streateries or parklets. Sidewalk cafe permits are issued separately pursuant to ECC [4.14A.070](#). This chapter does not include right-of-way construction permits required under Chapter [4.06](#) ECC.

B. Application – Permit. A completed “application for right-of-way (streatery/parklet) permit” must be submitted for any use of the right-of-way for streateries or parklets. Permits are issued for a maximum of one year. Once permitted, a permittee may apply for a new permit as set forth in subsection (D)(8) of this section. Permits shall not be renewed automatically. If there are more applicants for a city block than parking spaces permitted by this chapter, the permit(s) shall be selected based on when the application(s) was deemed complete by the director.

C. Complete Application. A permit application is deemed complete for the purposes of this section when it meets the submittal requirements of this chapter even though additional information may be required or subsequent permit modifications may occur. The determination of completeness shall not preclude the director from requesting additional information either at the time of the determination of completeness or later if new information is required to complete review of the application or substantial changes in the permit application are proposed.

D. The application shall comply with the following requirements:

1. Payment of a \$50.00 nonrefundable application fee required for the administrative costs associated with the permit request process.
2. Submission of a narrative describing the proposed design of the streatery or parklet, with a clear dimensional sketch including the width and height, and description of the location within the public right-of-way proposed for use. The boundary

description shall also include the square footage of the request. ~~Any temporary structure greater than 200 square feet or enclosed on two or more walls requires a building permit.~~

Proposed Amendment

23-07D

Staff have discovered a conflict between single-family design standards (ECC 15.540.020(D)) and private driveway standards established in the Public Works Street Standards. Staff is recommending establishing continuity between these standards by amending Title ECC 15.540.020(D) to reflect the Public Works Street Standards, as indicated below.

15.540.020 Single-family design standards.

D. Driveway Standards. Where a new driveway off of a public [street](#) is permitted, the following standards apply:

1. No more than one driveway per dwelling unit;
2. ~~Driveways for individual lots 40 feet or wider may be up to 24 feet in width; and~~

Private driveways shall not exceed the following widths:

<u>Width of Lot</u>		<u>Width of Driveway</u>
<u>Less Than 16 Feet</u>		<u>8 Feet</u>
<u>16 to 30 Feet</u>		<u>50% of Lot Width</u>
<u>30 to 50 Feet</u>		<u>20 Feet</u>
<u>Over 50 Feet</u>		<u>25 Feet</u>

3. ~~Driveways for individual lots less than 40 feet wide may be up to 12 feet in width.~~ Tandem parking configurations may be used to accommodate two-car garages for single-family and [duplex structures](#) pursuant to ECC [15.550.040](#)(A).

The width of properties with nonparallel side [lot lines](#) shall be determined at the plane of the garage door when determining conformance with the standards above.

Also see Section 3, [Street](#) Standards, of the [city's public works development](#) standards for additional driveway standards.

Proposed Amendment

23-07E

In an effort to provide a more intuitive and user-friendly framework for Site Development Permits, staff are recommending relocating the expiration schedule for Site Development Permits to the Site Development Permit section. Currently this expiration section is in ECC 15.220 – Permit Review Procedures, specifically 15.220.110. This amendment would relocate 15.220.110 to a more appropriate and intuitive section, 15.250.020- Site Development Permits. ECC 15.220.110 would be relocated in a new sub-section titled 15.250.035 and renamed, "Permit expiration timelines for clearing, grading and fill, and site development permits, Type I and Type II." The "Type I and Type II" language has been added to eliminate any confusion that this expiration schedule applies to both permit types. Additionally, the Type II sub-section (15.250.030), has been added to the introductory paragraph of the section to ensure consistency with the section title.

Existing location and language of section

Chapter 15.220

PERMIT REVIEW PROCEDURES

Sections:

[15.220.010 Preapplication meeting.](#)

[15.220.020 Application.](#)

[15.220.030 Determination of completeness.](#)

[15.220.040 Public notice of application.](#)

[15.220.050 Notice board requirements.](#)

[15.220.060 Optional consolidated permit process for multi-agency permit applications.](#)

[15.220.070 Permit processing time limits.](#)

[15.220.080 Public notice of decision.](#)

[15.220.090 Limitations on refiling of applications.](#)

[15.220.100 Limitation on number of applications.](#)

[15.220.110 Permit expiration timelines for clearing, grading and fill, and site development permits.](#)

15.220.110 Permit expiration timelines for clearing, grading and fill, and site development permits.

A [site development permit](#) may be issued pursuant to ECC [15.250.020](#) approving land clearing, grading, [fill](#), and/or infrastructure [improvements](#) required in conjunction with the [development](#) of a site. The expiration limitations of this [permit](#) are as follows:

- A. [Site Development Permit](#) – [Permit](#) Expiration. [Site development permits](#) shall become invalid unless [start of construction](#) authorized by such [permit](#) is commenced within 180 calendar days after its issuance, or if the [start of construction](#) authorized by such [permit](#) is suspended or abandoned for a period of 180 calendar days after the time construction is commenced. [Site development permits](#) associated with [subdivision](#) applications shall expire when the [preliminary subdivision](#) approval has expired as set forth by RCW [58.17.140](#).
- B. [Site Development Permit](#) – [Permit](#) Extension. The [director](#) is authorized to grant a single 180-calendar-day extension when the [applicant](#) requests an extension in writing at least 60 days before the expiration of the [site development permit](#). Extensions may be granted for those [permits](#) issued in conjunction with a [preliminary subdivision](#) approval that has been extended as provided in RCW [58.17.140](#) but shall expire when the [preliminary subdivision](#) approval has expired as set forth in RCW [58.17.140](#). Denial of extension requests shall be appealable to [city council](#) as an [open record appeal](#). [Ord. 4656 § 1 (Exh. O2), 2013.]

Proposed Location of Section, new sub-title number, and clarifying language.

Chapter 15.250 REVIEW AND DECISION CRITERIA FOR CERTAIN PERMITS

Sections:

[15.250.010 Temporary use permits – Type II review process.](#)

[15.250.020 Site development permits – Type I or II review process.](#)

[15.250.030 Design review – Type II review process.](#)

[15.250.035 Permit Expiration Timelines for clearing, grading and fill, and site development permits, Type I and Type II.](#)

[15.250.040 Conditional use permits – Type III review process.](#)

[15.250.050 Variances – Type III review process.](#)

[15.250.060 Rezones – Type IV or V review process.](#)

[15.250.070 Repealed.](#)

[15.250.080 Master plan for P-R zone uses – Type IV review process.](#)

[15.250.090 Comprehensive plan amendments – Type V review process.](#)

[15.250.100 Land development code amendments – Type V review process.](#)

[15.250.110 Siting essential public facilities – Type V review process.](#)

15.250.035 Permit expiration timelines for clearing, grading and fill, and site development permits, [Type I and Type II.](#)

A [site development permit](#) may be issued pursuant to ECC [15.250.020 or 15.250.030](#) approving land clearing, grading, [fill](#), and/or infrastructure [improvements](#) required in conjunction with the [development](#) of a site. The expiration limitations of this [permit](#) are as follows:

A. [Site Development Permit – Permit](#) Expiration. [Site development permits](#) shall become invalid unless [start of construction](#) authorized by such [permit](#) is commenced within 180 calendar days after its issuance, or if the [start of construction](#) authorized by such [permit](#) is suspended or abandoned for a period of 180 calendar days after the time construction is commenced. [Site development permits](#) associated with [subdivision](#) applications shall expire when the [preliminary subdivision](#) approval has expired as set forth by RCW [58.17.140](#).

B. [Site Development Permit – Permit](#) Extension. The [director](#) is authorized to grant a single 180-calendar-day extension when the [applicant](#) requests an extension in writing at least 60 days before the expiration of the [site development permit](#). Extensions may be granted for those [permits](#) issued in conjunction with a [preliminary subdivision](#) approval that has been extended as provided in RCW [58.17.140](#) but shall expire when the [preliminary subdivision](#) approval has expired as set forth in RCW [58.17.140](#). Denial of extension requests shall be appealable to [city council](#) as an [open record appeal](#). [Ord. 4656 § 1 (Exh. 02), 2013.]

Proposed Amendment

23-07F

This amendment would delete a reference to zone that no longer exists in the City of Ellensburg. The change is indicated below.

15.550.040 Computation of required off-street parking spaces.

K. Setback Areas.

1. Required [off-street parking spaces](#) are not allowed to extend within any required setback area or required [open space](#) area in the R-L, R-M, R-O, and R-H zoning districts, ~~or in the front setback area in the C-T zoning district.~~ Single-family residences located in any of the R-L, R-M, R-O, and R-H zoning districts are allowed to locate the minimum required two [off-street parking spaces](#) within the setback areas or required [open space](#) area. Any additional parking spaces must be located outside of the required [open space](#) and setback areas.

Proposed Amendment

23-07G

Title 15.210.040(B) is a table that outlines procedures for permit review process types. This table notes no requirement for a notice of complete application for Type I permits. Title 15.220.030(A) requires notice of complete application for all Type I, II, III, or IV permit types. This amendment would eliminate this inconsistency by removing the "Type I" complete application notification requirement as indicated below.

15.220.030 Determination of completeness.

A. Written Determination. Within 28 calendar days after receiving an application for a Type I, II, III or IV decision, the [director](#) shall provide to the [applicant](#) a written determination that the application is complete, or that the application is incomplete and what is necessary to make the application complete. If the [director](#) does not provide a written determination within the 28 calendar days, the application shall be deemed complete as of the end of the twenty-eighth calendar day.

2023 Land Development Code Amendments

City of Ellensburg

Proposal ID	Description	Recommendation
Amendment 23-06 Informational Signs	A staff proposed amendment to Title 3.12.260 which would allow for an off-premise sign for directional, warning, regulatory, or informational signs proposed by City of Ellensburg agencies.	Staff recommends approval of this amendment for the reasons described in the summary below.

Summary

This amendment is being proposed by staff to address limitations in our sign regulation. Staff proposes adding an off-premise sign option for directional, warning, regulatory, or information signs or structures required or authorized by law or city authority. The addition would allow for city government entities to relay important information through various sign types throughout the City of Ellensburg. Currently this code section will not allow for these types of signs to be erected off-premise. This can significantly reduce the ability of City government agencies to relay important information to the public at locations that will interact with a large segment of the public.

Proposed Amendment

3.12.260 Off-premises signs.

No off-premises signs shall be allowed except for: directional, warning, regulatory, or public information signs or structures required or authorized by law or government authority.

[Ord. 4907 § 1, 2023; Ord. 4890 § 3, 2022; Ord. 3402 § 1, 1983.]

2023 Land Development Code Amendments

City of Ellensburg

Proposal ID	Description	Recommendation
Amendment 23-07 Comprehensive Plan Docket Cycle Process Amendment	Amend section 15.250.090 – Comprehensive plan amendments to begin the annual process earlier each year and allow for more flexible processing timelines.	Staff recommend approval of this item to ensure a more effective review/process timeline and a more adequate review window to assess each amendment.

Summary

Community Development Staff seeks an amendment to the Comprehensive Plan annual docket amendment timelines established in ECC 15.250.090. Many unsuccessful attempts to meet this schedule in past years demonstrate a need for revisions. Staff is proposing this amendment to allow for a more realistic review window for docket amendments proposals. Additionally, this amendment would remove the unnecessary rigid timelines for several steps in the process, while maintaining a requirement to complete the process within the year of each docket cycle. The proposal will update the submittal date for proposed amendments from June 30th of each year to March 31st of each year and eliminate the January 1st date that initiates the current amendment submittal cycle. As a result, staff, public officials, and the public would have a full 12-month window to submit docket items (March 31 – March 31) instead of the current restriction of 6 months (January 1 – June 30th). By initiating the process earlier in the year and allowing for a larger submittal window, proposed docket items can undergo a more thorough review and consideration window from staff and the public.

The current process timelines established in ECC 15.250.090(D) leave little time for review. Under the current regulations staff must accept docket item submittals until June 30th of each year and issue a SEPA determination related to these items by the second Friday in August. This leaves approximately 45 days to perform a SEPA review on each item, issue a threshold determination, and prepare the items for submittal to the Department of Commerce for their 60-day notice. As there is no limit to the number of docket proposals allowed each year this has the potential to create a scenario where staff cannot perform their due diligence in the 45-day window before a SEPA determination and notice to Commerce are required. Additionally, the current regulations establish specific timelines for the required Planning Commission recommendation hearing (September) and the subsequent City Council Hearing (first regular meeting in October).

This proposed amendment would eliminate these specific timelines and simply establish a requirement that the docket cycle be completed prior to December 31st of each year. This change would allow flexibility in timing that can accommodate varied workloads, heavy docket cycles, and

ensure that staff have adequate time to prepare, review, and provide more thorough and informed recommendations to the Planning Commission and City Council.

Proposed Amendment

15.250.090 Comprehensive plan amendments – Type V review process.

A. Purpose. A [comprehensive plan](#) amendment or review is a mechanism by which the [city](#) may modify the text or map of the [comprehensive plan](#) in accordance with the provisions of the Growth Management Act, in order to respond to changing circumstances or needs of the [city](#), and to review the [comprehensive plan](#) on a regular basis.

B. Initiation of Text and Map Amendments.

1. The [city's comprehensive plan](#) shall be subject to continuing evaluation and review by the [city](#). Any amendment or revision to the [comprehensive plan](#) shall conform to Chapter [36.70](#) RCW.

2. [Comprehensive plan](#) amendments may be initiated by citizens, by the [planning commission](#) or other boards and commissions of the [city](#), city staff, [city council](#), or any other interested [persons](#) including [applicants](#), hearing examiners and staff of other agencies. The proposed amendments or revisions to the [comprehensive plan](#) shall be docketed and considered by the [city](#) no more frequently than once every year except that amendments may be considered more frequently under the following circumstances:

a. The initial adoption of a subarea plan. Subarea plans adopted under this section must clarify, supplement, or implement jurisdiction-wide [comprehensive plan](#) policies, and may only be adopted if the cumulative impacts of the proposed plan are addressed by appropriate environmental review under Chapter [43.21C](#) RCW;

- b. The [development](#) of an initial subarea plan for economic [development](#) located outside of the 100-year [floodplain](#) in a county that has completed a state-funded pilot project that is based on watershed characterization and local habitat assessment;
- c. The adoption or amendment of a shoreline master program under the procedures set forth in Chapter [90.58](#) RCW;
- d. The amendment of the capital facilities element of a [comprehensive plan](#) that occurs concurrently with the adoption or amendment of a county or [city](#) budget; or
- e. The adoption of [comprehensive plan](#) amendments necessary to enact a planned action under RCW [43.21C.440](#); provided, that amendments are considered in accordance with the public participation program established by the county or [city](#) under RCW [36.70A.130](#)(2)(a) and all [persons](#) who have requested notice of a [comprehensive plan](#) update are given notice of the amendments and an opportunity to comment.

3. All docketed amendment proposals shall be considered by the [city](#) concurrently so the cumulative effect of the various proposals can be ascertained. However, the [city](#) may adopt amendments or revisions to its [comprehensive plan](#) that conform with Chapter [36.70](#) RCW after appropriate public participation whenever an emergency exists or to resolve an appeal of a [comprehensive plan](#) filed with the growth management hearings board or with a court.

C. Periodic Review of [Comprehensive Plan](#) and [Development](#) Regulations. The Growth Management Act requires the [city](#) to periodically conduct a thorough review of its [comprehensive plan](#) and regulations to bring them up to date with any relevant changes in the Growth Management Act and to respond to changes in land use and population growth. Consistent with the schedule in RCW [36.70A.130](#), the [city](#) shall periodically review and, if necessary, revise and adopt its [comprehensive plan](#) and [development](#) regulations every eight years.

D. Procedures. [Comprehensive plan](#) amendments are subject to the Type V review [process](#) with the following variations:

- 1. A complete application for a [comprehensive plan](#) amendment shall be made on the [comprehensive plan](#) amendment form provided by the Ellensburg community [development department](#). Additional supporting materials, such as photographs, statistics, etc., shall be included with the application;

2. The [city](#) will accept applications for [comprehensive plan](#) amendments ~~from April 1st to Mach 31st of the following year between January 1st and June 30th of every year~~. The start of that acceptance period shall be advertised in accordance with the [city](#)'s noticing requirements;

3. In the [city council](#)'s second regular meeting in July, the [city council](#) shall review the proposed amendments timely submitted for consideration to be docketed for review that year. Each proposed amendment shall be accompanied by the amendment application materials and a staff discussion of the proposed amendment with a recommendation on whether or not the proposed amendment is an appropriate amendment subject and is ready for consideration to be docketed for review that year;

4. ~~Within 15 calendar days of the docketing date, It~~ the proposed amendments chosen to be docketed by [city council](#) shall then be transmitted to the SEPA responsible official for SEPA review ~~and to the planning commission for review at a public hearing~~, and a 60-day notice of intent to adopt [comprehensive plan](#) or [development](#) regulation amendments shall be sent to the Washington State [Department](#) of Commerce. The [city council](#) may also request other [city](#) boards or agencies or other governmental entities to provide comments and recommendations on proposed [comprehensive plan](#) amendments. The comments and recommendations must be submitted to the [city](#) by the date of the [planning commission](#)'s hearing unless the [city](#) grants an extension of time. Letters of support or objection to a proposed [comprehensive plan](#) amendment may be filed by any interested party. The letters must be filed by the date of the [city council](#) public hearing unless an extension of time is granted;

5. The SEPA responsible official shall issue a notice of the SEPA threshold decision on the docketed amendments ~~on or before the second Friday in August~~;

6. The [planning commission](#) shall schedule and hold a public hearing on the docketed amendments and shall then make a recommendation to [city council](#) ~~prior to council's first regular meeting in October~~. The [planning commission](#) shall make one of four decisions in considering [comprehensive plan](#) text and map amendments:

- a. Approval in the form submitted for public hearing;
- b. Approval with changes;
- c. Approval in part; or

d. Disapproval;

7. A public hearing to consider the docketed amendments shall be scheduled for ~~city council's first regular meeting in October following the Planning Commission hearing~~. Any appeal of the SEPA threshold determination shall also be heard at that public hearing;

8. The [city council](#), after a recommendation from staff and the [planning commission](#), and after holding a public hearing, shall make one of the following decisions:

- a. Approval in accordance with the findings and recommendations submitted by the [planning commission](#);
- b. Approval with modifications;
- c. Refer all or part of the plan text or map amendment proposal back to the [planning commission](#);
- d. Refer all or part of the plan text or map amendment proposal to the following year's annual amendment [process](#); or
- e. Disapprove.

If the [city council](#)'s decision is to refer the amendment request back to the [planning commission](#), the [council](#) must specify which matters it wishes reconsidered by the [planning commission](#). The final form and content of the [comprehensive plan](#) is determined by the [city council](#); and

9. ~~The annual docket cycle shall be completed by December 31st of the docket year.~~ The [comprehensive plan](#) together with any and all amendments shall be provided to the [city](#) clerk to be placed in a permanent file and made available for public inspection. The [city](#) shall also transmit a complete and accurate copy of its [comprehensive plan](#) amendments to the Washington State [Department](#) of Commerce within 10 days of adoption in accordance with state law. [Ord. 4807 § 29, 2018; Ord. 4656 § 1 (Exh. O2), 2013.]

2023 Land Development Code Amendments

City of Ellensburg

Proposal ID	Description	Recommendation
Amendment 23-08 Recreational Vehicle Habitation	Amend 15.340.040 to address restriction and limitations on recreational vehicle usage as a primary residence.	Staff recommends approval of this amendment to address restrictions on utilizing recreational vehicle for primary residence uses.

Summary

This amendment would clarify in ECC 15.340.040(N) that recreational vehicles can only be used as a primary residence within a manufactured home park. This amendment would also introduce sub-item “M” to address location restrictions on trailer and manufactured home locations.

Proposed Amendment

15.340.040 Manufactured home park.

[Manufactured home parks](#) shall be permitted in accordance with the use tables in ECC [15.310.040](#), subject to the following property [development](#) standards:

- A. Minimum area shall be three acres;
- B. [Developments](#) are subject to [building](#) setback and intensity standards for the applicable zoning district as set forth in Chapter [15.320](#) ECC unless otherwise directed herein;
- C. Setback Standards.

1. Minimum front yard: five feet from internal private roads; otherwise, the minimum [front yard](#) shall be the same as set forth in Chapter [15.320](#) ECC;
 2. Minimum separation of manufactured homes on the site: 10 feet;
 3. Side and rear setbacks to the [manufactured home park](#) property line (or [manufactured home park](#) boundary line as shown on the site [development](#) plan) shall meet the setbacks for the applicable zone in Chapter [15.320](#) ECC; and
 4. [Accessory structures](#) shall be located no closer than:
 - a. Ten feet to mobile or manufactured homes on adjacent spaces, unless constructed of noncombustible materials, in which case the minimum setback shall be five feet;
 - b. Five feet to [accessory structures](#) of mobile or manufactured homes on adjacent spaces; and
 - c. Five feet to the mobile or manufactured home or other [accessory structures](#) on the same space, except a carport or garage may be attached to the mobile or manufactured home, and the separation may be waived when such [structures](#) are constructed of noncombustible materials;
- D. [Development](#) shall include common [open space](#) that meets the design criteria of ECC [15.520.030](#)(E)(1) and equals no less than five percent of the [net project area](#);
- E. Internal access roads must conform to one of the three local access [street](#) design options as referenced in ECC [15.410.040](#), including auto lanes, parking lanes, planting strips (between the road and sidewalk only for private roads), and sidewalks. Through roads (streets that extend from one end of the [lot](#) to the other) shall be dedicated as public [streets](#) and must comply with Section 3, [Street](#) Standards, of the [city's public works development](#) standards;
- F. [Developments](#) shall comply with [block](#) and connectivity standards set forth in ECC [15.420.020](#);
- G. [Developments](#) shall provide an appropriate side and [rear yard](#) design [treatment](#) along the [manufactured home park](#) property line (or [manufactured home park](#) boundary line as shown on the site [development](#) plan) that meets the provisions of ECC [15.520.020](#);

H. At least one of the [off-street parking spaces](#) required for each manufactured home shall be located on or adjacent to each manufactured home pad;

I. All utility distribution and service lines located within the boundaries of a [manufactured home park](#), including electric power, water supply, sewage disposal, natural gas, telephone, and television antenna cable, shall be [installed](#) underground in accordance with applicable [city](#) codes;

J. Every manufactured home shall be permanently connected to electric power, water supply, sewage disposal, gas, and telephone service lines in compliance with applicable [city](#) codes;

K. [Mobile homes](#) may be sited within the [manufactured home park](#) provided they comply with manufactured home setbacks and other [development](#) standards herein. [Mobile homes](#) must also pass a fire safety inspection performed by the Washington State [Department](#) of Labor and Industries before an installation [permit](#) will be issued;

L. All [mobile homes](#) supported by piers shall be fully skirted;

M. A [manufactured home park](#) may include a storage area for RVs owned by residents of the [park](#), provided the storage area contains no utility hook-ups and no RV within the storage area shall be used as living quarters; and

N. [Recreational vehicles](#), used as a primary residence, are permitted only within a [manufactured home park](#) per RCW [35A.21.312](#), provided they meet the service and utility provisions per subsection (J) of this section or ECC [15.340.050](#)(M). [Ord. 4807 § 50, 2018; Ord. 4656 § 1 (Exh. O2), 2013.]

O. No recreational vehicles or manufactured home shall be used for a place of habitation in the city, except in those areas permitted as recreational vehicle parks, manufactured home parks or manufactured home subdivisions.

2023 Land Development Code Amendments

City of Ellensburg

Proposal ID	Description	Recommendation
Amendment 23-09 Streetscape Design Departure Option	Amend Table 15.410 – Streetscape Design- to allow for a departure option for roadway continuity.	Staff recommends approval of amendment 23-11 to allow for flexibility and continuity in streetscape design for projects that can demonstrate consistency with 15.210.060.

Summary

On April 4, 2022, City Council attended a study session to review this item. The item was intended to address local access roadway connections for existing plats and allow for a departure option to assure continuity with existing connection points. Community Development Staff presented this proposal which would create a departure option for the continuation of an existing roadway into future phases of development.

Proposed Amendment

Chapter 15.410

STREETSCAPE DESIGN

Sections:

- 15.410.010 Purpose.
- 15.410.020 Arterial street design.
- 15.410.030 Collector street design.
- 15.410.040 Local access street design.
- 15.410.050 Multi-use pathways.

15.410.010 Purpose.

Streetscapes are typically defined as the areas between buildings that are occupied by the public street right-of-way and related street, sidewalk, and landscaping improvements, and any setback and yard areas on private property. Ellensburg's streetscapes are among the most important urban design features of the community, because their appearance, character and the impressions they evoke, create the public image of the city. Streetscape design also impacts the ability of residents and visitors to move from place to place. A high priority for the city is to create a multi-modal network of streets, where roads are shared by a combination of pedestrians, bicyclists, motorists, and transit users. To accomplish this goal, streets need to be both safe and attractive to these users.

This chapter provides a summary of street design provisions for the full range of street classifications. For the detailed design provisions, see Section 3, Street Standards, of the city's public works development standards. Standards and guidelines for the privately owned portions of the streetscape (setbacks/yards, landscaping and buildings) are addressed via site orientation standards in Chapter 15.510 ECC. [Ord. 4656 § 1 (Exh. O2), 2013.]

15.410.020 Arterial street design.

A. Purpose. Provide safe and attractive arterial streets to facilitate movement of multi-modal traffic through the city and to regional and community destinations. As mobility is the primary function of the arterial streets, access to property may be limited to accommodate traffic flow.

B. Implementation. Street section connections to existing curbs/sidewalks shall be as follows:

1. When curbs/sidewalks exist on one abutting end of proposed project, the new development shall transition from existing location to the new street section as provided by current code requirements.
2. When existing curbs/sidewalks exist on both abutting ends of a proposed project (infill), or along the frontage of the proposed project, the project applicant may petition the public works and utilities director for a departure from the code streetscape requirements. This departure, if granted, would allow for the continuation of the existing roadway section across the proposed development. As a condition of departure, the applicant shall be required to dedicate necessary rights-of-way to construct improvements and execute a deferral agreement to participate in a future project to construct said improvement(s) in accordance with ECC 4.06.060.

C. Principal Arterial Street Design.

1. Design. Principal arterials typically include two lanes of travel in each direction, a center/left turn lane, bicycle lanes, planting strips with street trees, and sidewalks. On-street parking may be included in single-family zones and in commercial zones where storefronts are permitted (see Chapter 15.510 ECC). See Section 3, Street Standards, of the city's public works development standards for detailed standards.

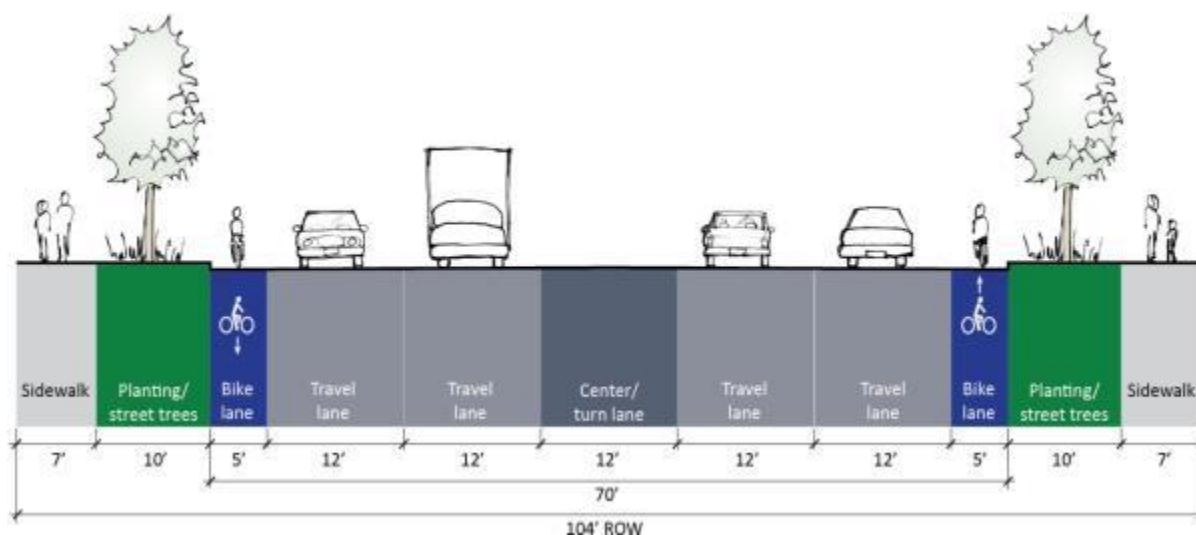


Figure 15.410.020(B). Cross-section of standards for typical new principal arterial streets with standard dimensions. Variations could include on-street parking lanes in single-family zones and commercial zones in special circumstances, and wider sidewalks with trees in grates in commercial zones.

D. Minor Arterial Street Design.

1. Design. Minor arterials typically include one lane of travel in each direction, a center/left turn lane, bicycle lanes, planting strips with street trees, and sidewalks. On-street parking may be included in single-family zones and in special circumstances in commercial zones. See Section 3, Street Standards, of the city's public works development standards for detailed standards.

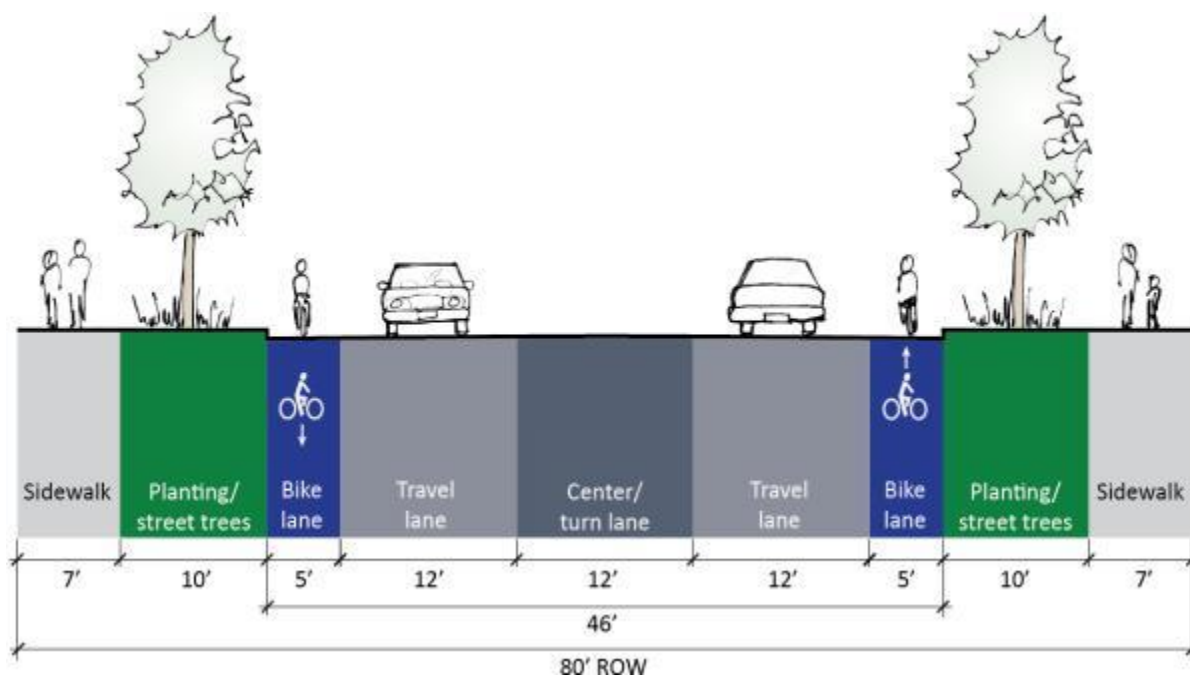


Figure 15.410.020(D). Cross-section of standards for new minor arterial streets located in commercial, industrial, and multifamily zones (with standard dimensions). Variations could include on-street parking lanes in single-family zones and commercial zones in special circumstances, and wider sidewalks with trees in grates in commercial zones.

[Ord. 4804 § 4, 2018; Ord. 4656 § 1 (Exh. O2), 2013.]

15.410.030 Collector street design.

- A. Purpose. Provide safe and attractive collector streets that balance mobility and access to encourage flow of traffic from neighborhoods and provide access to property.
- B. Implementation. Street section connections to existing curbs/sidewalks shall be as follows:
 1. When curbs/sidewalks exist on one abutting end of proposed project, the new development shall transition from existing location to the new street section as provided by current code requirements.
 2. When existing curbs/sidewalks exist on both abutting ends of a proposed project (infill), or along the frontage of the proposed project, the project applicant may petition the public works and utilities director for a departure from the code streetscape requirements. This departure, if granted, would allow for the continuation of the existing roadway section across the proposed development. As a condition of departure, the applicant shall be required to dedicate necessary rights-of-way to construct improvements and execute a deferral agreement to participate in a future project to construct said improvement(s) in accordance with ECC 4.06.060.
- C. Design. Collector streets typically include one lane of travel in each direction with shared auto and bicycle lanes, on-street parking, planting strips with street trees, and sidewalks. See Section 3, Street Standards, of the city's public works development standards for detailed standards.

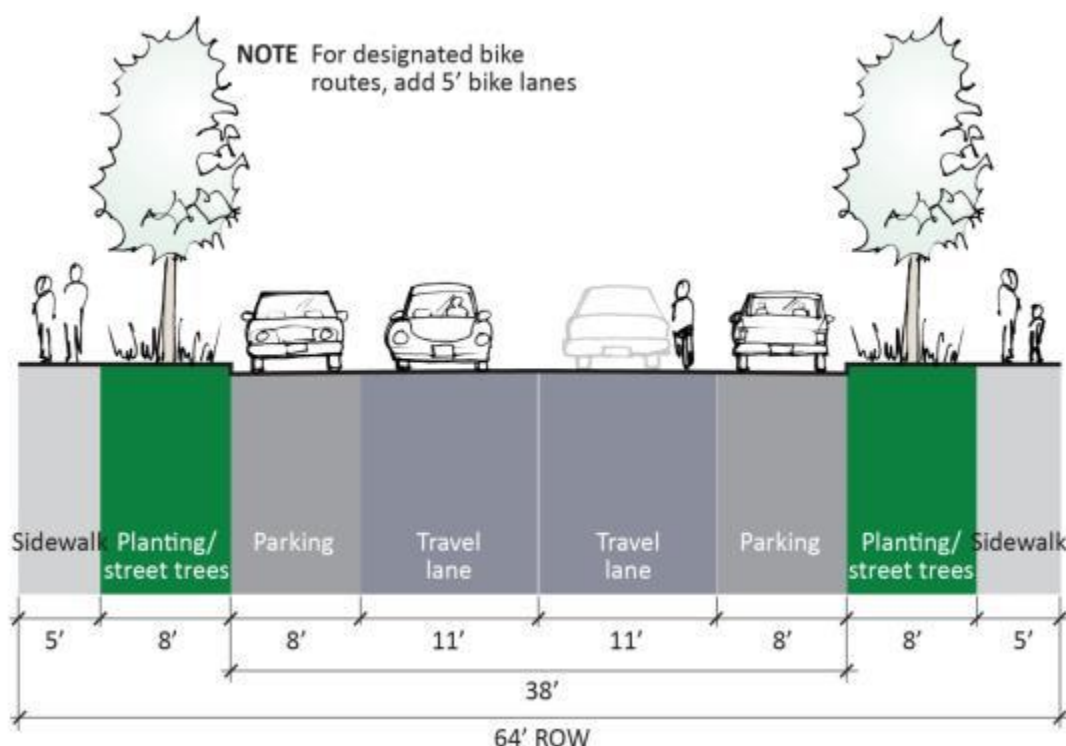


Figure 15.410.030. Cross-section of standards for collector streets (with standard dimensions). Variations could include removal of on-street parking lanes in single-family zones (where alleys and other provisions for off-street parking are provided to adjacent lots) and commercial zones in special circumstances, and wider sidewalks with trees in grates in commercial zones.

[Ord. 4804 § 4, 2018; Ord. 4656 § 1 (Exh. O2), 2013.]

15.410.040 Local access street design.

- A. Purpose. Provide safe and attractive local access streets that provide access to property.
- B. Implementation. Street section connections to existing curbs/sidewalks shall be as follows:
 1. When curbs/sidewalks exist on one abutting end of proposed project, the new development shall transition from existing location to the new street section as provided by current code requirements. The project applicant may petition the public works and utilities director for a departure from the code streetscape improvements. This departure if granted, would allow for the continuation of the existing roadway section into future phases of a development. The applicant must define the boundaries of the development proposed for exclusion from the new street scape requirements and comply with the departure criteria of ECC 15.210.060.
 2. When existing curbs/sidewalks exist on both abutting ends of a proposed project (infill), or along the frontage of the proposed project, the project applicant may petition the public works and utilities director for a departure from the code streetscape requirements. This departure, if granted, would allow for the continuation of the existing roadway section across the proposed development. As a condition of departure, the applicant shall be required to dedicate necessary rights-of-way to construct improvements and execute a deferral agreement to participate in a future project to construct said improvement(s) in accordance with ECC 4.06.060.

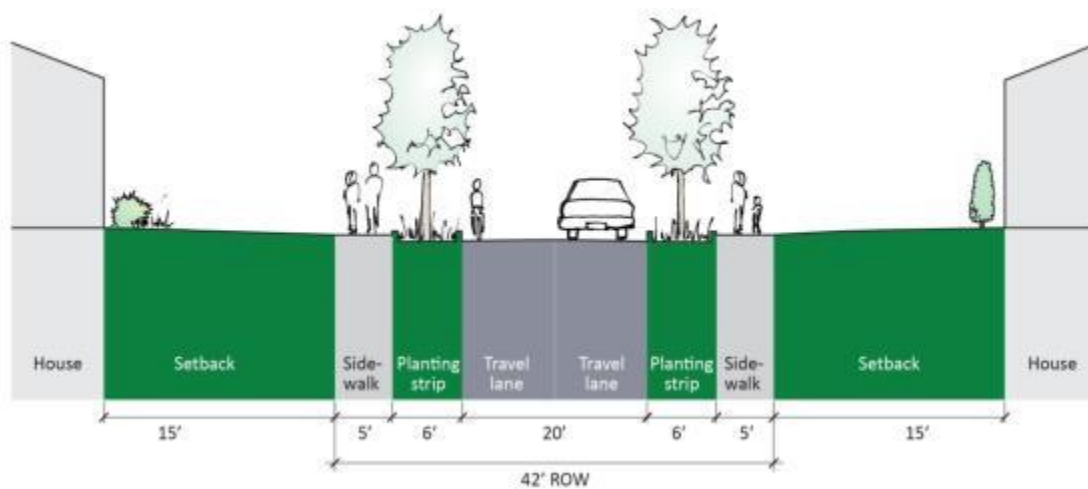
C. Design. There are three optional designs for local access streets, including 20-foot, ~~26~~4-foot, and 30-foot-wide streets, to allow flexibility for subdivision design while accommodating functional access needs and community design goals. Travel lanes are shared auto and bicycle lanes. Planting strips with street trees and sidewalks are included on both sides of the street. See Section 3, Street Standards, of the city's public works development standards for detailed standards.

1. Continuity. The designs shall be consistent on individual blocks. An exception is for a hybrid design. An example would be a 20-foot street that integrates parking pockets on one side of the street.
2. Limitation for 20-Foot Streets. The 20-foot street is intended to be used only in special cases where there is available guest parking on nearby streets or additional off-street parking is provided within walking distance of homes. All dwelling units shall be within 500 feet (measured along sidewalks or other internal pathways) of available on-street or off-street guest parking equal to one space per dwelling unit, minimum. Developments may integrate parallel parking bulb-outs (see Figure 15.410.040) along these streets, provided the bulb-outs take up no more than 50 percent of the planting strip length. Use of this street type shall only be permitted when in compliance with the Fire Code. The 20-foot wide travel lane will be required to be increased to 26 feet when the block length exceeds fire code limitations.

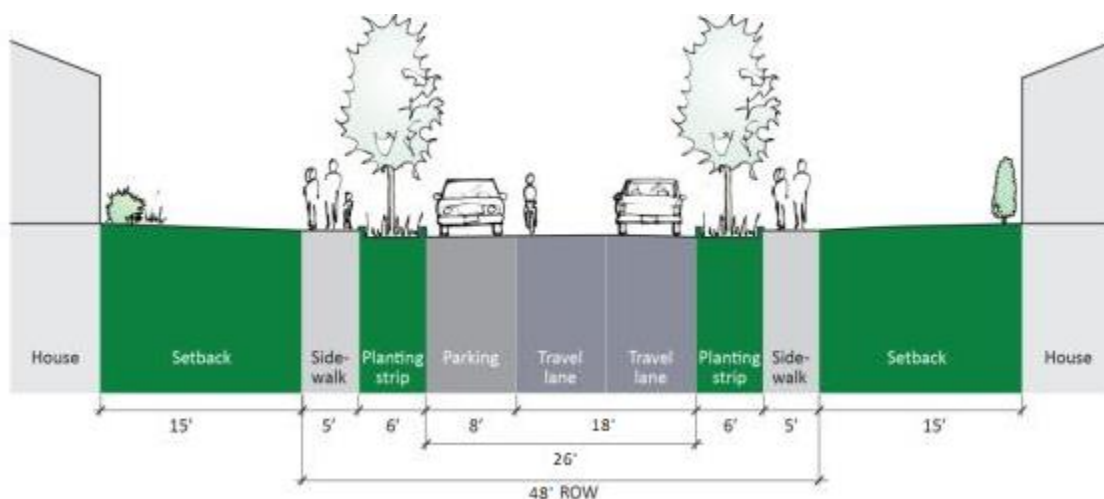


Figure 15.410.040. Example of a local access street with integrated parallel parking bulb-outs.

20' Wide Street



26' Wide Street



30' Wide Street

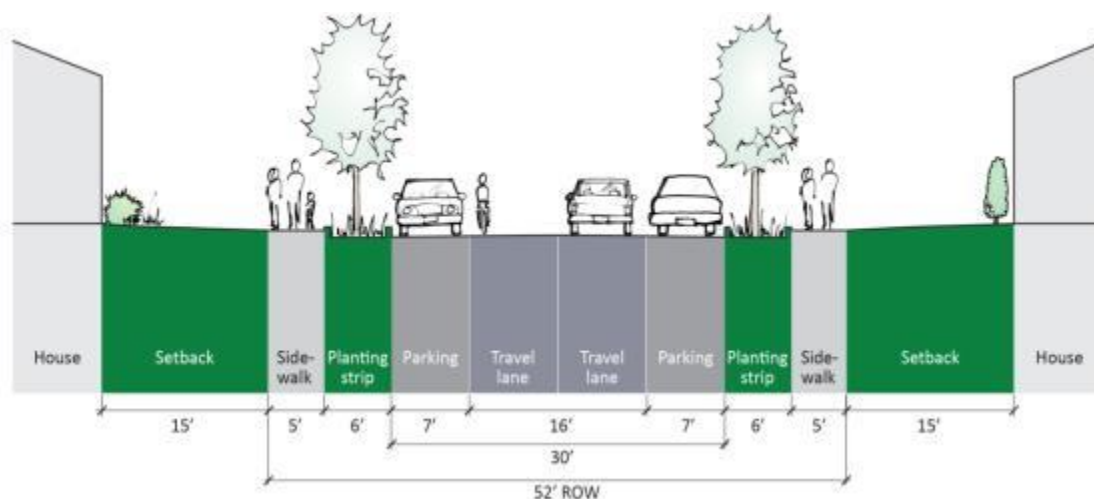
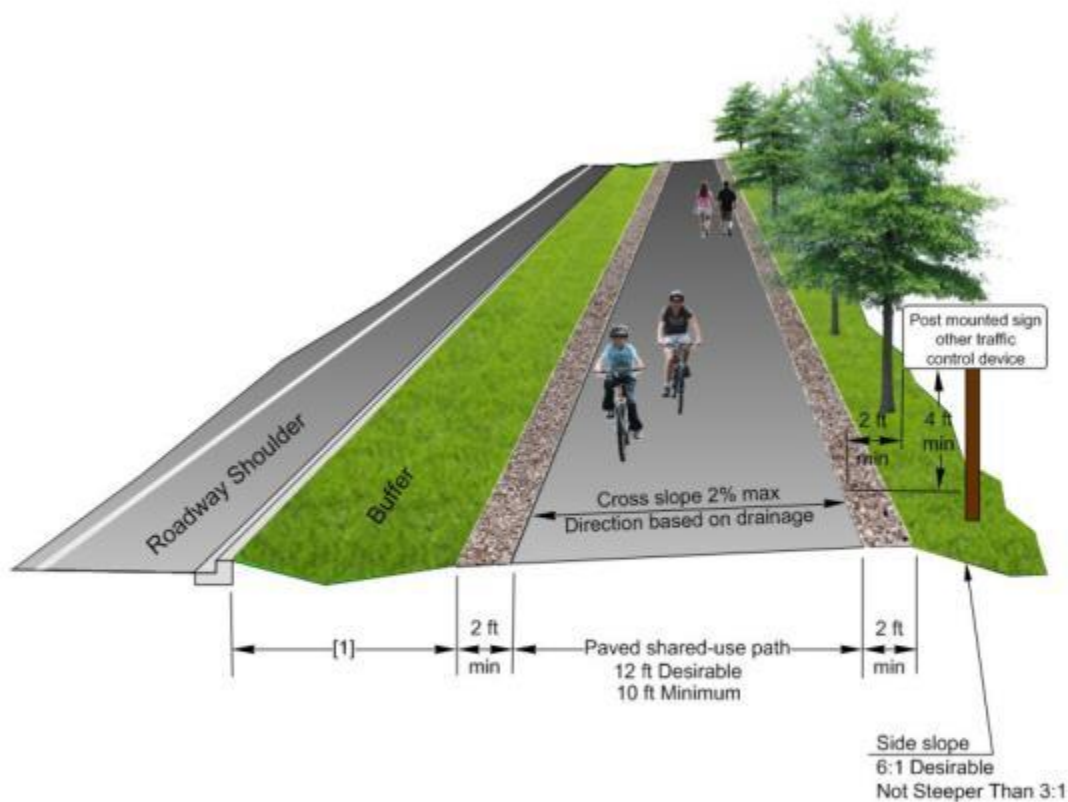


Figure 15.410.040. Cross-sections for local access street design options (with standard dimensions).

[Ord. 4804 § 4, 2018; Ord. 4656 § 1 (Exh. O2), 2013.]

15.410.050 Multi-use pathways.

- A. Purpose. Provide standards and guidelines for multi-use pathways in Ellensburg.
- B. Alternative to Standard Sidewalks. Multi-use pathways, designed per standards and guidelines herein, may be used in place of a standard sidewalk for all streets.
- C. Standards and Guidelines. Multi-use pathways shall be constructed to WSDOT's Shared Use Path design standards (Chapter 1515 of the WSDOT Design Manual). This includes a minimum paved width of 10 feet, with 12-foot pathways desirable in areas anticipating substantial use.



Note:

[1] 3 ft minimum. Provide as much separation from the roadway as practicable.

Figure 15.410.050. Cross-sections for a multi-use pathway adjacent to a roadway with maximum speed of 35 mph or less, from Chapter 1515 of the WSDOT Design Manual.

[Ord. 4656 § 1 (Exh. O2), 2013.]

AFFIDAVIT OF PUBLICATION

RECEIVED

SEP 19 2023

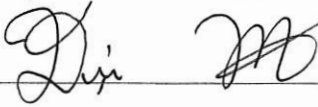
State of Washington, County of Kittitas, ss: The undersigned being first duly sworn on oath, deposes and says: That he/she is the representative of The Daily Record, a daily newspaper. That said newspaper is a legal newspaper and has been approved as a legal newspaper by order of the superior court in the County in which it is published and it is now and has been for more than six months prior to the date of the publications hereinafter referred to, published in the English language continually as a newspaper in Ellensburg, Kittitas County, Washington, and it is now and during all of said time printed in an true copy of

CITY OF ELLENSBURG-CITY CLERK
N/PUBLIC HEARING COMPREHENSIVE PLAN 2023

is published in regular issues (and not in supplement form) of said newspaper once a week for a period of 1 consecutive week(s), commencing on the following days.

09/14/23

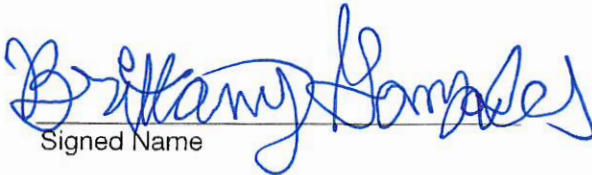
All dates inclusive and that such newspaper were regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is the sum of \$129.26 the rate of \$9.00 per column inch for each insertion.



Subscribed to me this date: 09/14/23



Printed Name
Notary Public in and for
The State of Washington
(SEAL)


Signed Name

REQUEST FOR QUOTATION CITY OF ELLENSBURG

2023 CITY WIDE TRAFFIC COUNT

Project No. 23-093
Bid Call No. 2023-14

Sealed quotes will be received by the City of Ellensburg at the office of the City Clerk, City Hall, 501 N. Anderson St., Ellensburg, WA 98926, until 3:00 PM on Thursday, September 21, 2023, and will then be opened and read for performance of the traffic counts. Each quote shall be plainly marked "2023 City Wide Traffic Count Update - Bid Call #: 2023-14".

Average Daily Count Traffic counts will be taken at 170 locations throughout the City of Ellensburg. Most of these counts will be two-day, dual direction vehicle counts at mid-block locations. 113 of the count locations shall be two-day, Volume only 24-hour vehicle counts, 49 of the count locations shall be two-day, Classification Speed and Volume 24-hour vehicle counts. Total 24-hour bicycle counts shall also be taken at eight locations. Most of the roads are 2 lane roads, Main St., Water St., Canyon Road, and Mountain View Ave are mostly 3 lane roads, and University Way is a mix of 2, 3, and 4 lane sections, with one short portion of 4 lane with turn pockets. All the roadways have speed limits of 35 mph or less, and most are posted at 25 mph.

Quote documents are available on the Public Works & Utilities homepage on the City's website at <https://cl.ellensburg.wa.us>. The Public Works & Utilities Dept. can be reached by telephone at (509) 962-7230. The City of Ellensburg, Washington, reserves the right to reject any or all quotes and to waive irregularities or informatics in the quote. Responsibility and competency of consultant and will be considered in making the award. All documents received in response to this request for quotation will become a matter of public record subject to the Washington public disclosure act under chapter 42.56 RCW.

The City of Ellensburg, in accordance with Title VI of the Civil Rights Act of 1964, (78 Stat. 252, 42 U.S.C. 2000d to 2000d-4) and the Regulations, hereby notifies all consultants that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit quotes in response to this request and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

No quotes may be withdrawn after the hour set for the opening thereof or before the award of contract, unless said award is delayed for a period exceeding sixty days.

Derek K Mayo, City Engineer

PUBLISH: Seattle Daily Journal of Commerce: September 7 & 14, 2023

PUBLISH: Daily Record: September 7 & 14, 2023 / Legal #: 419420

Commissioners Respond to Anonymous Harassment Toward District Employees

Ellensburg, WA – The Commissioners of the District have learned of the actions of individuals to intimidate, threaten, and harass specific utility staff members. Those anonymous individuals have targeted individual public employees using text messages, email, postcards, and online social media. We firmly reject this unfortunate and cowardly behavior toward the dedicated employees serving our community.

We, the Board of Commissioners of the Kittitas Public Utility District, would like to express our unwavering support and appreciation for the dedicated public employees who serve our district. It is with great respect and commitment to the principles of fairness, justice, and equality that we issue this statement today.

Public employees are the backbone of our community, working diligently to ensure the delivery of essential services to our residents. Their tireless efforts contribute significantly to the well-being and prosperity of our district, and we recognize the critical role they play in our collective success.

We resolutely affirm the legal rights of our public employees to come to work and fulfill their responsibilities without fear of harassment, intimidation, discrimination, or anonymous accusations. These fundamental rights are not only enshrined in our laws but are also intrinsic to the values we hold dear as a community.

As elected officials, we are committed to fostering an environment where public policy discussions and debates are encouraged and welcomed. Healthy debate is essential to progress, and we will always engage in constructive dialogue to improve the services we provide to our community at board meetings, which are available for public attendance and participation.

However, we want to make it unequivocally clear that we reject any form of harassment, intimidation, discrimination, or intolerance of our public employees. Such actions not only undermine the core principles of our democracy but also hinder our ability to serve our residents effectively.

In closing, we stand united in our support for our public employees and their right to a safe and respectful workplace. Let us remember that our strength as a community lies in our unity, diversity, and the dedication of those who work tirelessly to ensure our district's well-being.

Shan Rowbotham
Kittitas PUD No.1 Board President

Rick Catlin
Kittitas PUD No.1 Board Vice President

Joe O'Leary
Kittitas PUD No.1 Board Secretary

PUBLISH: Daily Record: September 14, 2023/LEGAL #: 422020

**Ads with a price ALWAYS
generate more sales!**

Public Notice Kittitas County, Ellensburg WA

Kittitas County is seeking a representative from public health, health care facilities, and providers to fill a vacancy on the following Board:

Kittitas County Board of Health

The Kittitas County Board of Health (BOH) is the governing body for the Kittitas County Public Health Department. Responsibilities include policy framework, long-range planning, budget, and contracts. The BOH works in collaboration with the county health officer, public health department management, and community members to ensure that the core public health functions are implemented and maintained.

Applicants should be residents of Kittitas County with experience, knowledge, and interest beneficial to public health, including the environmental and personal public health needs of Kittitas County. Applicants must meet requirements set forth in RCW 70.05.030(1) for the public health, health care facilities, and providers category.

Applications are available:

- Kittitas County Courthouse, Commissioners' Office, 205 E 5th Suite #108, Ellensburg, WA 98926
- Kittitas County Public Health Department, 507 N Nanum #102, Ellensburg, WA 98926
- Application form: <https://www.co.kittitas.wa.us/boc/boards/documents/AppointmentApplication.pdf>
- Email your request to BOCC@co.kittitas.wa.us

Completed application with cover letter and resume is due by 5:00 pm September 21, 2023

For additional information contact:

Kittitas County Health Department: 509-962-7515

Board of County Commissioners: 509-962-7508

More information is online at <http://www.co.kittitas.wa.us/notices/>

Julia Kjosnik
Clerk of the Board

PUBLISH: North Kittitas County Tribune: September 7 & 14, 2023.

PUBLISH: Daily Record: September 7 & 14, 2023 / LEGAL #: 419598

NOTICE OF A PUBLIC HEARING CITY OF ELLENSBURG 2023 COMPREHENSIVE PLAN AMENDMENTS

NOTICE IS HEREBY GIVEN that the Ellensburg City Council will hold a public hearing on Monday, October 2, 2023 at 7:00 p.m. to consider the proposed 2023 amendments to the City of Ellensburg Comprehensive Plan. This meeting will be held both in-person in the Council Chambers AND virtually via Zoom. During the City Council meeting held on July 17, 2023, the City Council docketed 5 proposed amendments for consideration.

Materials Available for Review: The proposed amendments and related documents may be examined by the public by visiting the City of Ellensburg Community Development Department webpage at <https://www.ci.ellensburg.wa.us/5227/PUBLIC-Notices-Current-Projects>, or by requesting a copy from the Community Development office.

Written Comments from interested persons will be accepted by email up until 5:00 p.m. on October 2, 2023 by sending them to Jeremy Johnston, Community Development Planning Manager at jjohnston@ci.ellensburg.wa.us. Written comments sent via USPS must arrive by the same deadline.

Mailing Address: Community Development Dept., 501 N. Anderson St., Ellensburg, WA 98926.

NOTICE IS FURTHER GIVEN that all persons interested in this matter may participate in the REMOTE meeting by contacting Staff no later than 5:00 pm on Monday, October 2, 2023. An email link or phone number will be provided which will allow for electronic participation in the public hearing. A link will also be made available in the City Council agenda packet.

The City of Ellensburg strives to make our services, programs, and activities readily accessible and usable by individuals with disabilities. Reasonable accommodations will be made upon request. A "Request for Accommodation" form may be obtained from the City Clerk Beth Leader by calling 509-925-5614.

PUBLISH: Daily Record: September 14, 2023/LEGAL #: 421951

Downtown Street & Parking Closures--Road Closures/Traffic Interruptions 9/18-10/4/2023

Please be advised that Main Street and Wildcat Way will be undergoing construction for the City of Ellensburg's 2023 Overlays project in the coming weeks. Work taking place includes asphalt milling, pavement repairs, asphalt overlay and utility adjustments. All closures/lane shifts detailed below will be night work and will take place BETWEEN THE HOURS OF 7PM AND 6AM.

Please see the below dates for a comprehensive list of traffic interruptions/closures to be expected:

9/18/23	7:00 PM - 6:00 AM	Main Street
9/19/23	7:00 PM - 6:00 AM	Main Street
9/20/23	7:00 PM - 6:00 AM	Main Street
9/21/23	7:00 PM - 6:00 AM	Main Street
9/22/23	7:00 PM - 6:00 AM	Main Street
9/23/23	7:00 PM - 6:00 AM	Main Street
9/24/23	7:00 PM - 6:00 AM	Main Street
9/25/23	7:00 PM - 6:00 AM	Main Street
9/26/23	7:00 PM - 6:00 AM	Main Street
9/27/23	7:00 PM - 6:00 AM	Main Street
9/28/23	7:00 PM - 6:00 AM	Main Street
9/29/23	7:00 PM - 6:00 AM	Main Street
9/30/23	7:00 PM - 6:00 AM	Main Street
10/1/23	7:00 PM - 6:00 AM	Main Street
10/2/23	7:00 PM - 6:00 AM	Main Street
10/3/23	7:00 PM - 6:00 AM	Main Street
10/4/23	7:00 PM - 6:00 AM	Main Street

PUBLISH: Daily Record: September 14, 15, 19, 20, 21, 23, 26, 27, 28, 30 & October 3 & 4, 2023/LEGAL #: 422587

CITY OF ELLENSBURG LANDMARKS AND DESIGN COMMISSION NOTICE OF A PUBLIC HEARING FOR CERTIFICATE OF APPROPRIATENESS REQUEST

NOTICE IS HEREBY GIVEN that the City of Ellensburg Landmarks and Design Commission (LDC) will hold a public hearing on Tuesday, October 3, 2023, at 5:45 p.m. Please note that this meeting will be hybrid attendance, meaning the Commission, applicant, and the public can attend in person at City Hall or through remote attendance. NOTICE IS FURTHER GIVEN that written comments may be filed with the Community Development Dept. City Hall, 501 N. Anderson St., Ellensburg, WA 98926, attention: Stacy Henderson, or to her email, up until 5:00 p.m. on October 3. All application materials are available by requesting an emailed copy from Stacy Henderson: 509-925-6608, hendersons@ellensburgwa.gov.

(P23-102) Date of Application: September 11, 2023
Date of Notice of Complete Application: September 13, 2023

The Commission shall consider a Certificate of Appropriateness (COA) Request (P23-102) from Russ Humphrey, agent for building owner. This is per ECC 15.260.090(A), requesting approval for proposed window restoration work to the historic Lodge building at 307 N. Pine Street. This building is located within the Downtown Ellensburg National Register Historic District and Local Landmarks District. Parcel ID #717033.

NOTICE IS FURTHER GIVEN that all persons interested in this matter may participate in the REMOTE meeting by contacting Staff no later than 5:00 pm on Monday, October 3, 2023. An email link, text link, or phone number will be provided which will allow for electronic participation in the public hearing. The City of Ellensburg strives to make our meetings and activities readily accessible by individuals with disabilities. Please furnish your request in sufficient time for the City to provide a reasonable accommodation by calling the City of Ellensburg ADA Coordinator at (509) 962-7222 or email ADAcoordinator@ci.ellensburg.wa.us

PUBLISH: Daily Record: September 14, 2023/LEGAL #: 422556

NOTICE OF A PUBLIC HEARING CITY OF ELLENSBURG 2023 LAND DEVELOPMENT CODE AMENDMENTS

NOTICE IS HEREBY GIVEN that the City of Ellensburg Planning Commission will hold a public hearing on Thursday, September 28, 2023 at 5:05 p.m. to consider proposed 2023 Land Development Code Amendments.

Materials Available for Review: The proposed amendments and related documents may be examined by the public by visiting the City of Ellensburg Community Development Department webpage at <https://www.ci.ellensburg.wa.us/5649/SEPA-State-Environmental-Policy-Act>.

Written Comments from interested persons will be accepted by USPS Mail or email to jjohnston@ci.ellensburg.wa.us up until 5:00 p.m. on September 28, 2023.

Mailing Address: Community Development Dept., 501 N. Anderson St., Ellensburg, WA 98926.

Staff contact: Jeremy Johnston, Community Development Planning Manager
NOTICE IS FURTHER GIVEN that all persons interested in this matter may participate in the hybrid meeting by contacting Staff no later than 4:00 pm on Thursday, September 28, 2023. An email link, or phone number will be provided which will allow for electronic participation in the public hearing. The City of Ellensburg strives to make our services, programs, and activities readily accessible and usable by individuals with disabilities. Reasonable accommodations will be made upon request.

PUBLISH: Daily Record: September 14, 2023/LEGAL #: 422234

PUBLIC NOTICE OF APPLICATION TO APPROPRIATE PUBLIC WATERS

TAKE NOTICE: That Central Washington University (CWU) of Ellensburg, Washington on June 1, 2023, under Water Right Application No. 04-33516, filed for a permit to appropriate public groundwater, subject to existing rights, from a proposed groundwater well for year-round use in the amount of 2,000 gallons per minute (gpm) as needed for nonconsumptive industrial use in a groundwater source heat pump. Groundwater will be extracted, circulated through a heat exchanger, then returned to the same aquifer at the same rate resulting in no diminishment of the source.

The source of the proposed appropriation is located within the NE 1/4 SE 1/4 of Section 35, Township 18 N., Range 18 E.W.M., Kittitas County. That the proposed place of use is located on the CWU campus within the E 1/4 of Section 35 and the W 1/4 of Section 36 all within Township 18 N., Range 18 E.W.M. Kittitas County.

To view this application as well as the source of the proposed appropriation and place of use, visit our Water Right Search application and web map search here: <https://apps.wa.ecology.wa.gov/waterrighttrackingssystem/WaterRights/default.aspx>

Protests to this application must include a detailed statement of the basis for the objections. Protests must be accompanied with a fifty dollar (\$50.00) non-refundable recording fee. We accept check or money order only. Do not send cash. Send your protest with the \$50.00 fee to the Department of Ecology Cashiering Unit, PO Box 47611, Olympia, WA 98504-7611 within 30 days from September 21, 2023.

PUBLISH: Daily Record: September 14, and 21, 2023/LEGAL #: 422090

**SUBSCRIBE
TODAY**



THANK YOU

We have received your amendment submission. Please allow 1-3 business days for review. Please keep the Submittal ID as your receipt and for any future questions. We will also send an email receipt to all contacts listed in the submittal.

Submittal ID: 2023-S-6393

Submittal Date Time: 08/29/2023

Submittal Information

Jurisdiction	City of Ellensburg
Submittal Type	60-day Notice of Intent to Adopt Amendment
Amendment Type	Development Regulation Amendment

Amendment Information

Brief Description

This is the City's 2023 Land Development Code amendment process includes nine proposals. Four of these proposals were citizen initiated and the remainder have been proposed by staff and elected officials. The proposed revisions are included in detail in Attachment A

☐ Yes, this is a part of the 10-year periodic update schedule, required under RCW 36.70A.130.

Anticipated/Proposed Date of Adoption 11/20/2023

Categories

Submittal Category

Development Regulations

Attachments

Attachment Type	File Name	Upload Date
Development Regulation Amendment - Draft	Attachment A.pdf	08/29/2023 07:16 AM

Contact Information

Prefix	Mr.
First Name	Jeremy
Last Name	Johnston
Title	Planning Manager
Work	(509) 962-7232

Cell
Email johnstonj@ci.ellensburg.wa.us

☐ Yes, I would like to be contacted for Technical Assistance.

Certification

■ I certify that I am authorized to submit this Amendment for the Jurisdiction identified in this Submittal and all information provided is true and accurate to the best of my knowledge.

Full Name Jeremy Johnston
Email johnstonj@ci.ellensburg.wa.us



STATE OF WASHINGTON
DEPARTMENT OF COMMERCE
1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000
www.commerce.wa.gov

08/29/2023

Mr. Jeremy Johnston
Planning Manager
City of Ellensburg
501 N Anderson Street
Ellensburg, WA 98926

Sent Via Electronic Mail

Re: City of Ellensburg--2023-S-6393--60-day Notice of Intent to Adopt Amendment

Dear Mr. Johnston:

Thank you for sending the Washington State Department of Commerce (Commerce) the 60-day Notice of Intent to Adopt Amendment as required under [RCW 36.70A.106](#). We received your submittal with the following description.

This is the City's 2023 Land Development Code amendment process includes nine proposals. Four of these proposals were citizen initiated and the remainder have been proposed by staff and elected officials. The proposed revisions are included in detail in Attachment A

We received your submittal on 08/29/2023 and processed it with the Submittal ID 2023-S-6393. Please keep this letter as documentation that you have met this procedural requirement. Your 60-day notice period ends on 10/28/2023.

We have forwarded a copy of this notice to other state agencies for comment.

Please remember to submit the final adopted amendment to Commerce within ten days of adoption.

If you have any questions, please contact Growth Management Services at reviewteam@commerce.wa.gov, or call Deanah Watson, (509) 290-4754.

Sincerely,

Review Team
Growth Management Services



**COMMUNITY DEVELOPMENT DEPARTMENT
501 N. Anderson St., Ellensburg, WA 98926**

**State Environmental Policy Act (SEPA)
PRELIMINARY DETERMINATION OF NON-SIGNIFICANCE (DNS)**

Proponent: City of Ellensburg Community Development Department

Date: August 29, 2023

Location: Ellensburg City Limits and the Urban Growth Area

Description: This SEPA Checklist is a part of the City of Ellensburg's Land Development Code amendment process. The City is proposing nine amendments to the Land Development Code. A complete listing and description of the proposed amendments can be found in the SEPA Checklist and Attachment A.

Lead Agency: City of Ellensburg

File #: P23-097

The lead agency for this proposal has determined that the proposed adoption of this action plan, will not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed Environmental Checklist and other information on file with the lead agency. This information is available to the public upon request.

This Preliminary Determination of Non-Significance (DNS) is issued under WAC 197-11-340(2); The lead agency will not act on this proposal for 21 days from the date of issuance. The lead agency will not act on this proposal for 21 days from the date below. Agencies, tribes, and the public are encouraged to review and comment on the proposal. If you have any comments on the proposed project and/or the SEPA Checklist, please submit them to our department by mail or email by **5:00 pm on Wednesday, September 20, 2023.**

Questions and comments may be submitted by 5:00 p.m. on Wednesday, September 20, 2023 to: Jeremy Johnston, Planning Manager- City of Ellensburg. johnstonj@ci.ellensburg.wa.us, 509-962-7232.

Responsible Official: Jeremy Johnston
Title: Community Development Planning Manager
Address: City of Ellensburg
Community Development Dept.
501 N. Anderson St.
Ellensburg WA 98926
Phone: (509) 962-7232 Fax: (509) 925-8655



ADVERTISING PROOF

401 N Main St,
 Ellensburg, WA 98926
Ph. (509) 204-8236 **Fax:** (907) 452-5054

BILLING DATE:	ACCOUNT NO:
08/28/23	50080

CITY OF ELLENSBURG-CITY CLERK
 501 N. ANDERSON
 ELLENSBURG, WA 98926

AD #	DESCRIPTION	START	STOP	TIMES	AMOUNT
415877	NOTICE OF SEPA ACTIO	08/29/23	08/29/23	2	\$169.25

Payments:

Date	Method	Card Type	Last 4 Digits	Check	Amount
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Discount: **\$0.00**
 Surcharge: **\$0.00**
 Credits: **\$0.00**

Gross: **\$169.25**
 Paid Amount: **\$0.00**

Amount Due: **\$169.25**

We Appreciate Your Business!

NOTICE OF SEPA ACTION

**City of Ellensburg 2023 Land Development Code
Amendments SEPA Environmental Review
DETERMINATION OF NON-SIGNIFICANCE (DNS)**

Notice is hereby given that the City of Ellensburg has issued a Determination of Non-Significance for the proposed 2023 Land Development Code Amendments.

Date of application: August 29, 2023
Comments due date: September 20, 2023

Project Description: Case # P23-097; A non-project SEPA Environmental Checklist submitted by Jeremy Johnston, City of Ellensburg. This SEPA Checklist review is a part of the City of Ellensburg's land development code amendment process. The City is proposing nine amendments to the Land Development Code. A complete listing and description of the proposed amendments can be found in the SEPA Checklist and Attachment A.

Project Location: Ellensburg city limits and the Urban Growth Area

Materials Available for Review: The submitted application and file documents may be examined by the public by visiting the **City of Ellensburg Community Development Department webpage** at <https://www.ci.ellensburg.wa.us/658/SEPA-State-Environmental-Policy-Act>. Documents available include the SEPA Checklist, Attachment A.

Written Comments: The public is encouraged to review and comment on the proposed project. **Written comments must be received via email, or postmarked, by 5:00 pm on Wednesday, September 20, 2023.**

Mailing Address: Community Development Dept., 501 N. Anderson St., Ellensburg, WA 98926

Staff contact: Jeremy Johnston, Planning Manager.
Email: johnstonj@ci.ellensburg.wa.us

Environmental Review (SEPA): The lead agency for this proposal has determined that the proposed adoption of the listed amendments will not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed Environmental Checklist and other information on file with the lead agency. This information is available to the public upon request.

This Preliminary Determination of Non-Significance (DNS) is issued under WAC 197-11-340(2); The lead agency will not act on this proposal for 21 days from the date of issuance. Agencies, tribes, and the public are encouraged to review and comment on the proposal. If you have any comments on the proposed project and/or the SEPA Checklist, please submit them to our department by mail or email by 5:00 pm on Wednesday, September 20, 2023.

PUBLISH: Daily Record: August 29, 2023 / LEGAL #: 415877