

COUNCIL AGENDA

Monday, October 18, 2021



Ellensburg City Council meetings are broadcast on Charter/Spectrum Channel 191 and available to livestream on Ellensburg Community Television at ectv2.com or on YouTube at ECTV Ellensburg. Members of the public may attend City Council meetings either in person or by registering to attend remotely via video conference.

The Study Session will take place in the City Council Chambers, 501 N Anderson Street, Ellensburg, WA 98926. No public comment will be accepted. The meeting is available to livestream on YouTube at ECTV Ellensburg.

To attend the city council meeting virtually register here:
https://us02web.zoom.us/webinar/register/WN_v0Fc4Rn9Qci2v-QHsk2iBQ

Face coverings are currently required for persons attending City Council meetings in person per the Washington Governor's Proclamation 20-25.17.

COUNCIL MEETING GUIDELINES FOR PUBLIC PARTICIPATION

All City Council meetings are broadcast on Charter/Spectrum Channel 191 and available to livestream on Ellensburg Community Television at www.ectv2.com or on YouTube at [ECTV Ellensburg](http://ECTV.Ellensburg). You may also attend by phone, only, and listen to the meeting by following the registration instructions under "Remote testimony during the meeting," below. Once you register, you will be sent a meeting invite with a phone number for the meeting.

City Council accepts testimony or comments in person or via remote testimony under Citizen Comment on Non-Agenda Items (Item No. 7) as well as for all other topics under the Regular Agenda. Testimony or comments will be accepted in the following manner:

SUBMISSION OF WRITTEN COMMENTS

- **Written comments submitted in advance of meeting**
Submit written comments by mail to Beth Leader, City Clerk, Ellensburg City Hall, 501 N. Anderson St., Ellensburg, WA 98926, or via email to: leaderb@ci.ellensburg.wa.us. Comments received by 5 p.m. on the meeting date will be compiled, sent to the City Council and entered into the record.
- **Comments for public hearings**
Written comments must be received by the City Clerk by 5 p.m. on the meeting date. Comments can either be mailed to Beth Leader, City Clerk, Ellensburg City Hall, 501 N. Anderson St., Ellensburg, WA 98926, or sent via email to: leaderb@ci.ellensburg.wa.us. Comments received by 5 p.m. on the meeting date will be compiled, sent to the City Council and entered into the record.

PROCEDURE FOR REMOTE PARTICIPATION DURING MEETING

1. **Advance registration is required to provide public comment or hearing testimony via remote meeting attendance.** Anyone wishing to speak on items under the Agenda must register prior to 7 p.m. the day of the meeting. Register for the meeting at: https://us02web.zoom.us/webinar/register/WN_v0Fc4Rn9Qci2v-QHsk2iBQ. Once registered, you will receive an email with the meeting link and phone number (for those who wish to call into the meeting).
2. **Join the meeting early**, as you may need to download the app in advance to participate. Once you've joined the meeting, your camera and microphone will be muted until you are recognized by the Mayor to speak.
3. Please note that there may be several items on the City Council Agenda that will precede the agenda item you wish to address.
4. **The Mayor will identify the agenda item** and ask if anyone wishes to speak on the matter.
5. Any interested person may provide comments: 1) under Item 7 on non-agenda items, or 2) on any listed agenda items. If you wish to speak, you must:
 - a) **Raise your "virtual hand"** in the corner of Zoom application on the computer screen or press *9 on your phone. Raising your hand signals the moderator that you wish to speak.
 - b) **Wait to be called upon by the Mayor** using your name, e-mail, or phone number used to log in to the teleconference.
6. **Please state your name, address, and whether you are representing only yourself or others.**

PROCEDURE FOR IN-PERSON PARTICIPATION (COUNCIL CHAMBERS)

1. When recognized, approach the microphone provided on the right side of the room.
2. Please state your name, address, and whether you are representing only yourself or others.
3. Each speaker's comments are to be limited to 3 MINUTES.
4. Submit written comments to the City Clerk.
5. Speakers are cautioned not to make comments of a personal, impertinent or derogatory nature.
6. Speakers may not identify themselves as candidates for elective public office or make any statements which assist or discuss the campaign of a candidate for elective office, or discuss or campaign for or against a ballot proposition (unless the ballot proposition is being considered as part of the City Council agenda item).

PUBLIC COMMENT RULES FOR ALL MEETING PARTICIPANTS

1. Each speaker's comments are to be limited to 3 MINUTES.
2. Speakers are cautioned not to make comments of a personal, impertinent or derogatory nature.
3. Speakers may not identify themselves as candidates for elective public office or make any statements which assist or discuss the campaign of a candidate for elective office, or discuss or campaign for or against a ballot proposition (unless the ballot proposition is being considered as part of the City Council agenda item).

Please note: City Council Rules provide that no action will be taken by the Council at the meeting at which a subject is first introduced during the citizen comment period (Item 7 on the Agenda). You may wish to concisely state your concern and request placement of your matter on a future agenda.

CONSENT AGENDA

Members of the audience may request items be removed from the consent agenda by asking for recognition and making the request during Agenda Approval. Items will not be removed from the consent agenda unless your request is confirmed by a councilmember.

AGENDA ITEMS

If you wish to have an item placed on a Council agenda, a written request should be delivered to the City Manager's Office prior to noon on the Monday preceding the Council meeting. Assistance will be provided in preparing a request if you wish to contact the City Clerk at 925-8614.

PUBLIC HEARINGS

City Council accepts testimony or comments in person or via remote testimony on a particular subject schedule for Public Hearing. Council will consider all testimony, respond to any questions, and take action after the public hearing is closed. Testimony or comments will be accepted in the following manner:

- ◆ When recognized,
 - If attending in the Council Chambers, approach the microphone provided on the right side of the room.
 - If attending remotely, raise your "virtual hand" in the corner of Zoom application on the computer screen or press *9 on your phone.
- ◆ Please state your name, address, and whether you are representing only yourself or others.
- ◆ Please limit your comments to 5 MINUTES.
- ◆ Submit written comments to the City Clerk.

AMERICANS WITH DISABILITIES ACT

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. A Request for Accommodation form may be obtained on the first floor of City Hall or by calling the City of Ellensburg ADA Coordinator at 962-7222.

**CITY OF ELLENSBURG
COUNCIL AGENDA
Council Chambers
501 North Anderson Street
Ellensburg, WA 98926
And Remotely via Zoom
Monday, October 18, 2021
6:00 PM – Study Session
7:00 PM - Regular Meeting**

Study Session (no public comment will be accepted)

1. [American Rescue Plan Act \(ARPA\)/Coronavirus State & Local Fiscal Recovery \(CLFR\) Funds](#) 7
 2. [Proposed Land Development Code Amendments](#) 8
[DRAFT Land Development Code Ordinance](#)
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Pledge of Allegiance

1. **Call to Order and Roll Call**
2. **Proclamations**
 - 2.A Friends of the Libraries Week Proclamation 65
[Friends of Libraries Week 2021](#)
3. **Awards and Recognitions**
4. **Approval of Agenda**
5. **Consent Agenda**

Items listed below have been distributed to Councilmembers in advance for study and will be enacted by one motion. If separate discussion is desired on an item, that item may be removed from the Consent Agenda and placed on the Regular Agenda at the request of a Councilmember or at the request of a member of the public with concurrence of a Councilmember. Requests to remove items should be made under Item 4 Approval of Agenda.

 - 5.A Approve Minutes of the October 4, 2021 Regular Meeting 66
[10-4-21 Council Minutes](#)
 - 5.B Approve the Minutes of the October 11, 2021, Special Meeting. 71
[2021-10-11 SM Minutes](#)
 - 5.C Acknowledge Minutes of Boards and Commissions 73
[9-4-21 DEI Commission Minutes](#)

[6-16-21 Environmental Commission Minutes](#)
[7-21-21 Environmental Commission Minutes](#)
[8-18-21 Environmental Commission Minutes](#)
[4-6-21 Landmarks & Design Minutes](#)
[5-4-21 Landmarks & Design Minutes](#)
[5-18-21 Landmarks & Design Minutes](#)
[9-1-21 Lodging Tax Advisory Committee Minutes](#)
[8-5-21 Planning Commission Minutes](#)
[8-26-21 Planning Commission Minutes](#)
[8-11-21 Parks & Recreation Minutes](#)

5.D Accept the Resignation of Marcella Gauthier from the Senior Citizens Advisory Commission. 108

[Resignation of Marcella Gauthier](#)

5.E Approve University Way Banner Request for Ellensburg Rotary/Operation Harvest - November 1-8, 2021 109

[Operation Harvest-Rotary Banner Request](#)

5.F Approve University Way Banner Request for Air Force ROTC - November 8 - 14, 2021 110

[POW MIA 24Hr Senior Vigil Banner Request](#)

5.G Approve October 18, 2021 Voucher Listing 111

[10-18-21 Voucher Listing](#)

6. Petitions, Protests, and Communications

6.A [I-90 Expansion Project Update](#) 112

6.B COVID-19 Update

6.C [Board and Commission Appointments](#) 113

[B and C Agenda Report Chart 10-18-21](#)
[Applications for Appointment](#)

7. Citizen Comment on Non-agenda Issues

8. Business Requiring Public Hearings

8.A [Resolution supporting the Board of County Commissioners for Kittitas County adopting an ordinance implementing a sales and use tax for increasing access to mental health and chemical dependency treatment and support services as authorized by RCW 82.14.460.](#) 121
[Resolution - mental health treatment tax support](#)

8.B [Public Hearing \(Legislative\) to Consider Resolution to Declare City Property, Parcels 617033 and 937033 as Surplus for the Public Benefit of Affordable Housing](#) 125

9. Introduction and Adoption of Ordinances and Resolutions

10. Unfinished Business

11. New Business

12. Miscellaneous

12.A Manager's Report

130

[10-18-21 MANAGERS REPORT](#)

12.B Councilmembers' Reports

13. Executive Session

14. Adjournment



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: October 18, 2021

Item Title/Agenda Subject: American Rescue Plan Act (ARPA)/Coronavirus State & Local Fiscal Recovery (CLFR) Funds

Submitted by: Heidi Behrends Cerniwey City Manager Department

Recommended Action or Motion: This is a discussion item only.

Background/Summary: On March 11, 2021, the American Rescue Plan Act ("ARPA" or "ARP") was signed into law authorizing a new round of fiscal relief for local governments. Guidance for use and reporting of these grant funds has been issued by the Department of Treasury. These Coronavirus Local Fiscal Recovery Funds (CLFR) Funds help entities respond to the COVID-19 emergency.

The Local Fiscal Recovery Funds may be used to:

- Support public health expenditures,
- Address the negative economic impacts caused by the public health emergency,
- Replace lost public sector revenue,
- Provide premium pay for essential worker, and
- Invest in water, sewer, and broadband infrastructure.

The City of Ellensburg is scheduled to receive \$5.9 million in CLFR funds. Grant funds must be obligated by December 1, 2024 and expended by 12/31/2026.

Previous Council Action: No previous action has been taken.

Analysis: At the meeting, staff will present a recommendation for funding and a framework for discussion.

Financial Impact: The City's distribution amount is \$5,898,850 including a \$5,757 "redistribution" from unclaimed funds from other Washington cities.



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: October 18, 2021

Item Title/Agenda Subject: Proposed Land Development Code Amendments

Submitted by: Kirsten Sackett Community Development

Recommended Action or Motion: Study Session - no action required

Background/Summary:

This study session continues the discussion that was carried over from the October 11 study session, for the purpose of reviewing and discussing an ordinance to amend the zoning districts and land use tables of the land development code, and also to amend the zoning map.

As described in the previous discussion, this ordinance was drafted up partially in response to Goal H-2 of the 2017 Comprehensive Plan, which reads in part as follows:

Goal H-2 Allow and encourage a variety of housing types and densities to meet housing needs of all economic segments of the community.

Policy A Review the Land Development Code to allow for a wider variety of housing types.

Program 1 Review barriers to the development of denser housing types such as duplexes, townhomes, and accessory dwelling units.

Policy B Encourage residential development in commercial and mixed use zones, especially those within proximity to transit.

Program 1 Expand the Multifamily Tax Exemption program beyond the downtown area to encourage multifamily housing in other areas where it is needed.

Program 2 Evaluate, review, revise, and publicize the density bonus incentive program.

In addition to the staff effort to achieve the goals of the comprehensive plan, some of the proposed revisions were drafted by Staff in response to the changing conditions of certain neighborhoods. Planning staff members have found over time that certain properties are difficult to develop based on the uses that are allowed within zoning districts. It was determined that appropriate development could be allowed to occur through either a rezone of property, or amendments to the uses that are allowed within the zoning districts.

The proposed ordinance was reviewed by the Planning Commission during 12 work sessions between August 2018 and November of 2019. The work was shared with City Council during their meetings of April 1, 2019 and October 21, 2019, and four public meetings were held from May to July of 2019. Outreach was conducted with the property owners that would be affected by the changes and general support was achieved during this time period.

Previous Council Action: City Council discussed this proposed ordinance during a Study Session held on September 20, 2021, and again in a Special Study Session meeting held on October 11, 2021.

Analysis:

From a broader perspective the zoning ordinance will do the following:

- Add two new mixed-use zoning districts – regional scale and neighborhood scale
 - The descriptions of the zoning districts in ECC 15.300 will be updated to include the two new zones, and the chapter will be reorganized into different categories.
 - The two new zones will be added to the land use charts in ECC 15.310
- Eliminate the Commercial-Tourist (C-T) zoning district, and consolidate with the Commercial-Highway zoning district.
 - As presented by staff, the uses currently allowed within BOTH zoning districts will remain as allowed uses in the C-H zoning district.

- Amend the zoning map to:
 - Include the mixed use zones
 - Consolidate the C-T zone into the C-H zone
 - Rezone certain properties on Mountain View Avenue to account for the commercial nature of the area
 - Rezone portion of west Ellensburg, which currently consists of single-family homes, out of I-L zoning and into R-L
 - Rezone other specific areas of town as identified in the full ordinance.
- Revisions to the land use charts to accommodate for uses that staff has identified as more appropriate for current conditions, including:
 - Proposed new uses within the chart that provide more specificity (for example, pulling automobile fueling station out of the term “general services”
 - Eliminating restrictions on allowances for duplexes in the R-S and R-L zones.
- Revisions to the setback and density tables to accommodate for the new mixed use zones

The draft ordinance has again been attached for review. A few minor revisions have been made to the ordinance based on Council feedback received during the October 11 meeting. Specifically, edits have been made to the permitted uses within the land use charts, beginning on page 21 of the ordinance itself. Within the residential use table, Bed and Breakfast has been added as a Permitted use in the two new mixed use zones (pg 21 of ordinance). Also, within the special use table, Footnote #12 has been eliminated to remove the size restriction on museums within the residential zoning districts (pgs 26-27). Instead the use will regulated solely through the conditional use permit process.

There was general consensus from City Council regarding the revisions to the residential use chart, but there was not sufficient time to review the nonresidential and special use charts during the meeting. Staff will continue this study session with further discussion on the remaining two use tables, and will also be sharing proposed changes to ECC 15.320 which outlines the setback and intensity standards.

Council also requested further discussion on the Retail, super scale (>60,000 sq feet) use, and its appropriateness in the C-H and RC-MU zoning districts (pg 22).

In advance of this study session, Staff will research definitions for automobile fueling station to ensure that the use category allows for electric vehicle charging stations, and will also provide additional examples for the proposed light manufacturing use. Staff will also welcome discussion on any other aspects of the proposed ordinance for which questions may arise.

Financial Impact: None

Attachments:
[DRAFT Land Development Code Ordinance](#)

ORDINANCE NO. *****

AN ORDINANCE RELATING TO THE CITY OF ELLENSBURG LAND DEVELOPMENT CODE, TITLE 15; AMENDING CHAPTER 15.130 “DEFINITIONS”; AMENDING CHAPTER 15.300 “ZONES, MAPS, AND DESIGNATIONS”; AMENDING CHAPTER 15.310 “PERMITTED USES”; AMENDING CHAPTER 15.320 “BUILDING SETBACK AND INTENSITY STANDARDS”, AND AMENDING AREA WIDE ZONING BOUNDARY MAPS.

WHEREAS, the Planning Commission held twelve work sessions from August 2018 through November 2019 to develop recommendations and review public feedback; and

WHEREAS, the Ellensburg City Council held two discussion sessions at regularly scheduled Council meetings on April 1 and October 21, 2019 to provide direction to staff and review public feedback; and

WHEREAS, the Community Development Department held public workshops on May 13, May 21, May 30, and July 9, 2019 at which staff presented proposed amendments to the zoning boundaries and Land Development Code and heard feedback from attendees; and

WHEREAS, the Community Development Department issued an online survey from June through July 2019 to solicit public feedback on the proposed changes to the Land Development Code and received 95 responses; and

WHEREAS, the Ellensburg Comprehensive Plan was initially adopted on December 18, 2017, and last updated January 19, 2021; and

WHEREAS, following adoption of the Comprehensive Plan update in December 2017, City of Ellensburg staff worked to evaluate the City’s development regulations and zoning districts to ensure consistency with the requirements of Chapter 36.70A RCW; and

WHEREAS, City of Ellensburg staff completed an analysis of the City’s development regulations for consistency with the requirements of Chapter 36.70A RCW, and staff found the development regulations and zoning district amendments set forth herein provide consistency with and will implement the City’s comprehensive plan; and

WHEREAS, City of Ellensburg staff found the development regulations and zoning district amendments set forth herein provide consistency with and will implement findings from community outreach conducted during the 2017 comprehensive plan update. This community outreach encouraged participation and feedback by community stakeholders and neighborhood groups and was preceded by broad and inclusive public notification of these initiatives, including public notices, community presentations and workshops, and information presented at community events; and

WHEREAS, City of Ellensburg staff found the development regulations and zoning district amendments set forth herein implement standards that provide predictability and consistency of application while also allowing adequate flexibility in ways more specifically set forth below in Sections 34 – 39, each of which is supported by comprehensive plan policies and the policies of Chapter 36.70A RCW; and

WHEREAS, the proposed amendments to the Ellensburg City Code were issued a SEPA Determination of Non-Significance on _____, 2021; and

WHEREAS, pursuant to RCW 36.70A.106, notice of the City’s intent to amend the Land Development Code was sent to the Washington State Department of Commerce; and

WHEREAS, the required Washington State Department of Commerce 60-day notice was complete on _____, 2021; and

WHEREAS, the proposed ordinance was reviewed by the Planning Commission in a public hearing on _____, 2021, and based on public testimony and other evidence received at said hearing, the Planning Commission recommended City Council adoption of the ordinance; and

WHEREAS, the City Council conducted a public hearing on _____, 2021, where it received and considered public comments on the proposed changes; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. The recitals set forth above are hereby adopted as the findings of the City Council and are by this reference incorporated herein as if set forth in their entirety.

Section 2. Chapter 2.30.010 of Ellensburg City Code, as last amended by Ordinance 4678, is hereby amended to read as follows:

2.30.010 Purpose

The purpose of this chapter is to provide limited exemptions from ad valorem property taxation for multifamily housing in the downtown area and is intended to:

- A. Encourage increased residential opportunities within the central commercial zone as defined by Chapter 15.300 ECC (official zoning map) and ECC ~~15.300.050(E)~~ 15.300.060(B)(2);
- B. Stimulate new construction or rehabilitation of existing vacant and underutilized buildings for multifamily housing in the central commercial zone to increase and improve housing opportunities; and
- C. Assist in directing future population growth to the central commercial zone, thereby reducing development pressure on single-family residential neighborhoods. [Ord. 4678 § 1, 2014; Ord. 4488 § 4, 2007.]

Section 3. Chapter 2.30.020 of Ellensburg City Code, as last amended by Ordinance 4678, is hereby amended to read as follows:

2.30.020 Residential targeted area designated.

The central commercial zone as defined by Chapter 15.300 ECC (official zoning map) and ECC ~~15.300.050(E)~~ 15.300.060(B)(2) is hereby designated as the residential targeted area for the city of Ellensburg pursuant to RCW 84.14.040. [Ord. 4678 § 3, 2014; Ord. 4488 § 4, 2007.]

Section 4. Chapter 2.30.040 of Ellensburg City Code, as last amended by Ordinance 4678, is hereby amended to read as follows:

2.30.040 Project eligibility.

A proposed project must meet the following requirements for consideration for a property tax exemption:

- A. Location. The project must be located within the central commercial zone as defined by Chapter 15.300 ECC (official zoning map) and ECC ~~15.300.050(E)~~ 15.300.060(B)(2).

B. **Tenant Displacement.** The project must not displace existing residential tenants of structures that are proposed for redevelopment, unless the applicant has provided each existing tenant housing of comparable size, quality, and price and a reasonable opportunity to relocate. Existing dwelling units proposed for rehabilitation must fail to comply with one or more standards of applicable building or housing codes in ECC Title 3, the rehabilitation improvements shall achieve a condition of substantial compliance with the applicable building, construction, and housing codes contained in ECC Title 3 and all uniform codes adopted pursuant to ECC Title 3. Applications for new construction cannot be submitted for vacant property upon which an occupied residential rental structure previously stood during any portion of the 12-month period immediately preceding submission of the application, unless the applicant had provided each displaced tenant housing of comparable size, quality, and price and a reasonable opportunity to relocate.

C. **Business Displacement.** The project must not displace existing commercial space, occupied or unoccupied, located on the first floor of structures that are proposed for redevelopment, except for the limited purposes of providing:

1. Stairway and/or elevator ingress and egress to and from the street front and/or alley; or
2. The provision of garage, parking or loading areas on alley frontages, so long as such displacement does not exceed 25 percent of the existing commercial space.

D. **Size.** The project must include at least four units of multifamily housing within a residential structure or as part of a mixed-use development. A minimum of four new units must be constructed or at least four additional multifamily units must be added to existing occupied multifamily housing. Existing multifamily housing that has been vacant for 12 months or more does not have to provide additional units.

E. **Permanent Residential Housing.** At least 50 percent of the space designated for multifamily housing must be provided for permanent residential occupancy.

F. **Proposed Completion Date.** New construction multifamily housing and rehabilitation improvements must be scheduled to be completed within three years from the date of approval of the application.

G. **Compliance with Guidelines and Standards.** The project must be designed to comply with the city's comprehensive plan, building, housing and zoning codes and any other applicable regulations in effect at the time the application is approved. New construction must comply with the International Construction Code. The project must also comply with any other standards and guidelines adopted by the city council for the area in which the project will be developed. [Ord. 4678 § 5, 2014; Ord. 4488 § 4, 2007.]

Section 5. Chapter 2.30.060 of Ellensburg City Code, as last amended by Ordinance 4678, is hereby amended to read as follows:

2.30.060 Application review and issuance of conditional certificate.

The director may certify as eligible an application which is determined to comply with the requirements of this chapter. A decision to approve or deny an application shall be made within 90 days of receipt of a complete application.

A. **Approval.** The director may approve the application if they find that:

1. A minimum of four new units are being constructed or in the case of occupied rehabilitation or conversion within 12 months of occupancy, a minimum of four additional multifamily units are being developed.
2. The proposed project either is, or will be at the time of completion, in conformance with all applicable local plans and regulations that apply at the time the application is approved.

3. The owner has complied with all standards and guidelines adopted by the city under this chapter.
4. The site is located within the central commercial zone as defined by Chapter 15.300 ECC (official zoning map) and ECC ~~15.300.050(E)~~ 15.300.060(B)(2).

B. If an application is approved, the applicant shall enter into a contract with the city, subject to approval by resolution of the city council, regarding the terms and conditions of the project. Upon council approval of the contract, the director shall issue a conditional certificate of acceptance of tax exemption which shall contain a statement by the director that the property has complied with ECC 2.30.050 and 2.30.060. The conditional certificate expires three years from the date of approval.

C. Denial. The director shall state in writing the reasons for denial and shall send notice to the applicant at the applicant's last known address within 10 days of the denial. An applicant may appeal a denial to the city council within 30 days of receipt of notice. The appeal before city council will be based on the record made before the director. On appeal, the director's decision will be upheld unless the applicant can show that there is no substantial evidence on the record to support the director's decision. The city council's decision on appeal will be final. [Ord. 4678 § 6, 2014; Ord. 4488 § 4, 2007.]

Section 6. Chapter 14.04.030 of Ellensburg City Code, as last amended by Ordinance 4808, is hereby amended to read as follows:

14.040.030 Definitions.

“Applicant” means a person, individual, or organization seeking permission to develop land within the city of Ellensburg by applying for a building permit.

“Central commercial district” means the established commercial area of the city of Ellensburg which has historically supported intensive urban usage and is zoned for C-C.

Commercial. For the purposes of this chapter, “commercial shall be defined as those activities allowable within the following zones as defined in ECC Title 13: commercial neighborhood zone (C-N), ~~commercial tourist zone (C-T)~~, commercial highway zone (C-H), master site plans for regional retail commercial projects, central commercial zone (C-C), central commercial II zone (C-C II), neighborhood center mixed use zone (NCMU), regional center mixed use zone (RCMU).

“Duplex” means a building that is entirely surrounded by open space on the same lot and contains two dwelling units or two dwelling units that are physically separated but on the same lot.

“Dwelling unit” means one or more rooms designed for or occupied by one family for living or sleeping purposes and containing kitchen, sleeping, and sanitary facilities for use solely by one family.

“Encumber” means to transfer traffic impact fee dollars from the traffic impact fee fund to a fund for a particular system improvement that is fully funded in the current year's budget. Funds may only be encumbered by an action of the city council. The fund encumbering the traffic impact fee dollars shall bear the name of the system improvement financed with such money.

“Gross floor area” means the total square footage of livable area of any dwelling unit and the gross leasable square footage area of any nonresidential building, structure, or use, including accessory uses.

Industrial. For the purposes of this chapter, “industrial” shall be defined as those activities allowable within the following zones as defined in ECC Title 15: light industrial zone (I-L) and heavy industrial zone (I-H).

“Interest” means the interest earned by the account during the period the fees were retained.

“Low-income housing” means housing with a monthly housing expense that is no greater than 30 percent of 80 percent of the median family income adjusted for family size for Kittitas County, as reported by the United States Department of Housing and Urban Development. In addition, the developer and/or owner shall have entered into a binding, irrevocable programmatic commitment with one or more federal, state, or local governmental agencies and/or nonprofit agencies qualified as 501(c)(3) under the Internal Revenue Service Code. Development activity that is comprised of a mix of affordable and market rate housing and/or affordable housing and commercial space shall be defined as low-income housing only for those specific units that are set aside as low-income housing with the aforementioned income limits. Programs that may otherwise be defined elsewhere as “low-income housing” and/or “affordable housing,” but have income eligibility limits above those described above or no income limits, shall not be defined as low-income housing.

“Multifamily dwelling unit” means one lot that contains three or more dwelling units. “Multifamily” may include duplexes located on contiguous lots.

“New development” means any land use action which culminates in the issuance of a building permit for new construction and/or expansion of existing gross floor area.

“Peak hour” means the consecutive 60-minute period during the 4:00 p.m. and 6:00 p.m. peak period during which the highest volume occurs.

“Project improvements” means site improvements and facilities that are planned and designed to provide service for a particular development project and that are necessary for the use and convenience of the occupants or users of the project, and are not system improvements. No improvement or facility included in the city’s transportation facilities plan or transportation improvement plan approved by the city council shall be considered a project improvement.

“System improvements” means transportation facilities that are included in the city’s six-year transportation facilities plan, and are designed to provide service to the community at large, in contrast to project improvements.

“Traffic impact fee” means payment of money imposed by the city of Ellensburg upon development activity pursuant to this chapter as a condition of granting development approval and/or a building permit for new development in order to pay for the public facilities needed to serve the new development. Traffic impact fees do not include permit fees, an application fee, the administrative fee for collecting and handling traffic impact fees, the cost of reviewing independent fee calculations or the administrative fee required for an appeal.

“Traffic impact fee fund” means the fund established for the public facilities for which traffic impact fees are collected, pursuant to ECC 14.04.070 and in compliance with the requirements of RCW 82.02.060.

“Traffic impact fee rate study update” means the study which determined the traffic impact fee updated July 2018.

“Traffic impact fee schedule” means that schedule adopted by ECC 14.04.170, or as amended by city council. Trip generation rates in the schedule shall be those rates derived from the “9th Edition Trip Generation” manual published by the Institute of Transportation Engineers, or subsequent editions. [Ord. 4808 § 2, 2018; Ord. 4675 § 1, 2014; Ord. 4646 § 1, 2013; Ord. 4534 § 1, 2009.]

Section 7. Chapter 15.130.020 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4803, is hereby amended to read as follows:

15.130.020 B definitions

“Boarding houses, lodging houses, ~~sororities, fraternities~~” means an establishment with lodging for five or more persons on a weekly or longer basis with a central kitchen and dining area maintained exclusively for residents and their guests.

“Mixed-use” means any combination of permitted land uses either within one development or within one zoning district.

“Museum” means an institution, open to the public, devoted to the procurement, conservation, study, and display of objects of historical, scientific, artistic, or cultural interest, for the purposes of education, study and enjoyment.

Section 12. Chapter 15.130.150 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4807, is hereby amended to read as follows:

15.130.150 O definitions

“Office, Business or Professional”. ~~“Business or professional office”~~ means an office to be used for the purpose of providing professional, administrative, or business-related services. ~~an office wherein business, technical or scientific services are rendered involving labor, skill, education and special knowledge for certain compensation or profit, but such labor, skill, education and special knowledge being predominantly mental or intellectual, rather than physical, manual or mercantile in nature.~~ Examples of such uses would include, but not be limited to, the offices of lawyers, accountants, brokers, ~~and insurance agents,~~ graphic design, courier and messenger services, technology services, and photocopying and printing services.

~~“Outlet center” means a shopping center which does not contain an anchor retail store and which at least 51 percent of the retail tenants are manufacturer outlet retailers offering manufacturer branded goods. The minimum size of an outlet center shall be 150,000 gross square feet and the maximum size of any single retail tenant shall not exceed 15,000 gross square feet of floor area.~~

Section 13. Chapter 15.130.160 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4804, is hereby amended to read as follows:

15.130.160 P definitions

~~“Personal service” means services rendered to individuals for their personal physical appearance and conditioning needs.~~ a use that provides a service that is nonmedical as a primary use and may include accessory retail sales of products related to the services. Examples would include but not be limited to ~~the following types of services:~~ barber, beautician, masseur, tailors, clothing rental, shoe repair shops, and steam and sauna baths.

Section 14. Chapter 15.130.180 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4803, is hereby amended to read as follows:

15.130.180 R definitions

“Recreation – small scale indoor commercial studios” means a commercial recreation land use conducted entirely within a building, limited to a floor area of no more than 2,000 square feet, including but not limited to, dance, yoga, aerobics, martial arts, and spin classes.

Section 15. Chapter 15.280.040 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4656, is hereby amended to read as follows:

15.280.040 Members, qualifications and terms.

A. The Ellensburg landmarks and design commission shall consist of seven members appointed by a majority of the Ellensburg city council. A majority of members so appointed shall be residents of the city of Ellensburg.

- B. All members of the commission shall have demonstrated an active interest in historic preservation and design review.
- C. The commission shall include at least two owners of property from within the downtown and First Railroad Addition historic districts, as defined in ECC ~~15.300.060(B)~~ 15.300.070(B) and (C) or a property individually listed on the Ellensburg landmarks register. One member shall be a member of the Ellensburg Downtown Association (EDA) for a term of four years. One member shall be a general at-large position. The commission shall include at least three professionals (active or retired) who work or worked among the related fields of history, architecture, construction, landscape design, historic preservation, planning, anthropology, archaeology, cultural geography, American studies, land use law, or real estate.
- D. A commission action that would otherwise be valid shall not be rendered invalid by the temporary vacancy of one or all of the professional positions, unless the commission action is related to meeting certified local government (CLG) responsibilities cited in the certification agreement between the Ellensburg city council and the State Historic Preservation Officer.
- E. Appointment of new members to the commission shall be for a period of four years. Vacancies shall be filled by the Ellensburg city council for any unexpired term in the same manner as the original appointment. [Ord. 4656 § 1 (Exh. O2), 2013.]

Section 16. Chapter 15.280.080 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4807, is hereby amended to read as follows:

15.280.080 Ellensburg landmarks register.

There is hereby created an Ellensburg landmarks register.

A. Criteria for Eligibility to the Register. Any building, structure, site, object, or district may be designated for listing in the Ellensburg landmarks register if it is significantly associated with the settlement, development, architecture, politics, economy, social history, archaeology, or cultural heritage of the community; retains integrity of location, setting, design, materials, workmanship, feeling, and association; is at least 50 years old; and if it meets at least one of the following criteria:

1. Is associated with events that have made a significant contribution to the broad patterns of local, state, or national history;
2. Is closely linked with the life of a person important in the history of the city, state, or nation;
3. Embodies the distinctive visual characteristics of an architectural type, period, style, or method of construction;
4. Is an outstanding work of a designer, builder, or architect;
5. Has yielded, or may be likely to yield, important archaeological information related to history or prehistory; and/or
6. Because of prominent spatial location, contrasts of siting, age, or scale, it is an easily identifiable visual feature of its neighborhood and contributes to the distinctive identity of that neighborhood.

B. Process for Designating Properties to the Landmarks Register (a Type II Review Process Exception).

1. Any person may nominate a building, structure, site, object, or district for inclusion in the Ellensburg landmarks register. Members of the landmarks and design commission or the landmarks and design commission as a whole may generate nominations. In its designation program, the landmarks and design

commission shall consider the Ellensburg historic resource inventory and the Ellensburg comprehensive plan. Owner(s') consent is required before the landmarks and design commission shall consider the nomination.

2. Nominations shall be made on forms provided by the landmarks and design commission. Completed nominations received by the commission will be scheduled for review within 15 working days of receipt.
3. The landmarks and design commission shall consider the merits of the nomination at a public hearing, in accordance with the criteria for eligibility set forth in subsection (A) of this section, and according to the nomination review standards established in rules.
4. Adequate notice shall be given to the general public, the property owner(s), the author of the nomination, and lessees, if any, prior to the public hearing. Such notice shall include publication in a newspaper of general circulation in Ellensburg.
5. Within 10 days of holding the public hearing, the landmarks and design commission shall render a decision on whether a nominated property meets the criteria set forth in subsection (A) of this section. If the finding is that the nominated property meets the criteria set forth in subsection (A) of this section, the property shall be officially listed as a landmark, landmark site, or landmark district or part thereof. Notice of the decision shall be sent to the property owner(s), the author of the nomination, any occupants of the building, the preservation planner, and the Ellensburg city council. If the listed property is adjacent to the boundary of an existing landmark district, said boundary shall be amended accordingly. If the listed property will create a new landmark district, then the listed area shall be designated on the official zoning map with the notation "LR" to indicate the district is on the landmarks register. An isolated property shall be designated on the official zoning map with the notation "LR" to indicate the property is on the landmarks register.
6. For individual landmark designations, the landmarks and design commission shall include in its designation the applicable criteria on which the listing is based, a legal description of the property, and a list of all significant features that contribute to its historic character.
7. For landmark district designations, the landmarks and design commission shall include in its designation recommendation the applicable criteria, a description of the boundaries of the district, and a list of all buildings, structures, sites, and objects which contribute to its historic character.
8. Whenever the landmarks and design commission rejects the nomination of all or any part of a property, the commission shall, within 10 working days, issue a written decision including reasons supporting the determination that the criteria set forth in subsection (A) of this section have not been met. Notice of the decision shall be sent to the property owner(s), author of the nomination, any lessees, the preservation planner, and the Ellensburg city council.
9. The commission's decision on a COA may be appealed to the city council in a closed record appeal hearing.
10. Properties listed in the Ellensburg landmarks register shall be recorded on official zoning records with an "LR" (for landmarks register). This designation shall not change or modify the underlying zone classification.

C. Downtown and Residential Historic Districts.

1. The existing downtown historic district, defined in ECC ~~15.300.060(B)~~ 15.300.070(B) and hereafter known as the "downtown historic district," and the existing residential historic district, defined in ECC ~~15.300.060(C)~~ 15.300.070(C) and hereafter known as the "First Railroad Addition historic district," are hereby designated as Ellensburg landmark districts. The geographic area encompassed by each district is identified on the map attached to the ordinance codified in this chapter and made a part of this chapter by reference.
2. The commission shall compile existing historical data and property records, prepare Ellensburg landmarks register nomination forms, and create complete landmark files for each of the landmark districts.

3. The provisions of ECC 15.280.090 and 15.280.100 shall hereafter apply to the downtown historic district and the First Railroad Addition historic district.

D. Removal of Properties from the Register. In the event that any designated landmark property is no longer deemed eligible for inclusion in the register owing to loss of historic integrity, the landmarks and design commission may initiate removal of such designation by the same procedure as provided for in establishing the designation in subsection (B) of this section. [Ord. 4807 § 40, 2018; Ord. 4656 § 1 (Exh. O2), 2013.]

Section 17. Chapter 15.300 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4656, is hereby amended to read as follows:

CHAPTER 15.300 ZONES MAPS AND DESIGNATIONS

Sections:

15.300.010 Purpose.

15.300.020 Zoning map and boundaries.

15.300.030 Zone and map designation purpose.

15.300.040 Residential zones and map designations.

15.300.050 ~~Nonresidential and mixed use~~ Commercial and Industrial zones.

15.300.060 ~~Special districts.~~ Mixed use zones.

15.300.070 Special districts.

Section 18. Chapter 15.300.040 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4807, is hereby amended to read as follows:

15.300.040 Residential zones and map designations.

A. Residential Suburban Zone (R-S). The R-S zone is intended to provide for a mix of predominantly single-family detached dwelling units in a walkable neighborhood setting. These purposes are accomplished by:

1. Allowing detached single-family dwellings as the predominant use, with options to integrate accessory dwelling units, duplexes, townhomes, and other compatible housing types in a relatively low urban density;
2. Providing standards and guidelines that reinforce Ellensburg's established pattern of attractive and walkable residential neighborhoods;
3. Providing standards and guidelines that promote the integration of usable open space for residential uses;
4. Providing standards and guidelines that encourage parks, trails, open spaces, and natural features to be integrated with the design of new development;
- ~~5. Providing for a minimum density standard to avoid large scale low density sprawl;~~
- ~~5. 6.~~ Providing an opportunity to integrate compatible small-scaled retail and service uses in strategic locations that serve the surrounding neighborhood;
- ~~6. 7.~~ Providing a flexible system of bonus incentives (see ECC 15.330.020) that allows for an increase in density in exchange for:
 - a. Energy efficient building and site design;
 - b. Mix of housing types;
 - c. Off-street trails;

- d. Purchase of transferable development rights (subject to the city adopting a TDR program) that help to preserve valuable resource lands outside of the city;
- e. Preservation of historic buildings; and/or
- f. Affordable housing; and

~~7.8.~~ Use of this zone is appropriate for any of the following or combinations thereof:

- a. Areas designated residential neighborhood in the comprehensive plan; and
- b. Areas characterized predominantly by single-family dwellings.

B. Residential Low Density Zone (R-L). The R-L zone is intended to protect and enhance the character of existing low density residential neighborhoods while allowing for compatible infill development. These purposes are accomplished by:

- 1. Allowing detached single-family dwellings as the predominant use, with options to integrate accessory dwelling units, ~~and duplexes~~, townhomes, and cottage housing ~~on larger lots~~;
- 2. Providing standards and guidelines that reinforce Ellensburg's established pattern of attractive and walkable residential neighborhoods;
- 3. Providing standards and guidelines that promote the integration of usable open space for residential uses;
- 4. Providing standards and guidelines that encourage parks, trails, open spaces, and natural features to be integrated with the design of new development;
- 5. Providing a minimum density standard to avoid large scale low density sprawl;
- 6. Providing a flexible system of bonus incentives (see ECC 15.330.020) that allows for an increase in density in exchange for:
 - a. Energy efficient building and site design;
 - b. Mix of housing types;
 - c. Off-street trails;
 - d. Purchase of transferable development rights (subject to the city adopting a TDR program) that help to preserve valuable resource lands outside of the city;
 - e. Preservation of historic buildings; and/or
 - f. Affordable housing; and
- 7. Use of this zone is appropriate for any of the following, or combinations thereof:
 - a. Areas designated residential in the comprehensive plan;
 - b. Areas characterized by, or immediately adjacent to, areas which are predominantly single-family in character.

C. Residential Medium Density Zone (R-M). The R-M zone is intended to provide for a mixture of housing types in a walkable neighborhood setting. These purposes are accomplished by:

- 1. Allowing a variety of housing types including detached single-family dwellings, cottage housing, townhouses, and multifamily;

2. Providing standards and guidelines to help ensure that new infill development will be compatible in scale and character with existing development;
3. Providing standards and guidelines that reinforce and/or enhance the character and walkability of streets within the zone;
4. Providing standards and guidelines that promote the integration of usable open space for residential uses;
5. Providing standards and guidelines that encourage parks, trails, open spaces, and natural features to be integrated with the design of new development on large sites;
6. Providing a minimum density standard to avoid large scale low density sprawl; and
7. Use of this zone is appropriate for any of the following, or combinations thereof:
 - a. Areas designated residential, neighborhood mixed use, or community mixed use in the comprehensive plan;
 - b. Areas characterized by a mix of single- and multifamily buildings;
 - c. Areas located along designated arterial streets;
 - d. Areas adjacent to commercial zoned property;
 - e. Areas located along corridors served by transit.

D. **Residential High Density Zone (R-H).** The R-H zone is intended to comprise areas for high density multifamily residential development in areas served by transit and within walking distance from commercial services. These purposes are accomplished by:

1. Allowing multifamily dwellings and providing a minimum density limit;
2. Providing standards and guidelines that promote compact and walkable development patterns that are well integrated with surrounding multifamily developments;
3. Providing standards and guidelines that promote the integration of usable open space for residential uses; and
4. Use of this zone is appropriate for any of the following, or combinations thereof:
 - a. Areas designated blended residential neighborhood, urban neighborhood, or community mixed use in the comprehensive plan;
 - b. Areas characterized by multifamily buildings;
 - c. Areas adjacent to commercial zoned property;
 - d. Areas located along corridors served by transit.

E. **Manufactured Home Park Zone (MHP).** The MHP zone comprises areas developed or suitable for development for placement and occupancy of manufactured homes for residential purposes on rented or leased sites in manufactured home parks. These purposes are accomplished by:

1. Establishing regulations to establish, stabilize, and protect the residential character of the zone and to prohibit all incompatible activities;
2. Establishing provisions for common open space; and

3. Establishing standards for a safe and connected circulation system. [Ord. 4807 § 42, 2018; Ord. 4798 § 1, 2018; Ord. 4656 § 1 (Exh. O2), 2013.]

Section 19. Chapter 15.300.050 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4807, is hereby amended to read as follows:

15.300.050 Commercial and Industrial ~~Nonresidential and Mixed-use~~ zones

A. Commercial Neighborhood Zone (C-N). The C-N zone is intended to provide small scale shopping areas to serve the residential neighborhoods in outlying areas of the city. These are intended to be pedestrian-oriented areas in convenient locations and designed compatible with the surrounding neighborhood. These purposes are accomplished by:

1. Allowing small scale retail, personal services and other compatible uses that serve the surrounding residential neighborhood;
2. Providing a minimum separation of neighborhood commercial zones of 2,000 feet to minimize their overuse, while providing the opportunity for such uses to be within reasonable walking distance of all residential uses;
3. Providing a maximum size of five acres for neighborhood commercial zones to maintain a small scale and compact, pedestrian-oriented design;
4. Allowing townhouses and multifamily uses as a secondary use due to their complementary nature and ability to enhance the walkability of these zones;
5. Providing standards and guidelines that enhance the appearance and function of neighborhood center uses and their compatibility with surrounding residential uses; and
6. Use of this zone is appropriate for any of the following, or combination thereof:
 - a. Areas designated residential neighborhood, blended residential neighborhood, or urban neighborhood in the comprehensive plan;
 - b. Areas located adjacent to a collector or arterial roadway;
 - c. Areas centralized to serve existing and/or planned residential neighborhoods within one-quarter mile of the site.

~~B. Commercial Tourist Zone (C-T). The C-T zone is intended to encourage suitable areas for commercial lodging, service stations, eating and amusement places, and other establishments primarily servicing Interstate 90 and U.S. Highway 97 travelers. In addition, specific areas of the C-T zone which are in the regional retail overlay may have regional retail commercial uses if special development criteria in Chapter 15.390 ECC are met. These purposes are accomplished by:~~

- ~~———— 1. Allowing commercial uses that serve the traveling public;~~
- ~~2. Providing the opportunity for regional retail uses in specific areas deemed appropriate for such uses; and~~
- ~~3. Providing standards and guidelines that enhance the appearance and function of commercial tourist uses and their compatibility with surrounding uses;~~

~~4. Use of this zone is appropriate for areas that meet both of the following criteria:~~

~~a. Areas designated general commercial services and community mixed use in the comprehensive plan; and~~

~~b. Areas located within one-half mile radius of the center of Interstate 90 interchange.~~

~~BC. Commercial Highway Zone (C-H). The C-H zone is intended to accommodate diversified commercial establishments and multifamily residential as a conditional use. In addition, specific areas of the C-H zone which are in the regional retail overlay may have regional retail commercial uses if special development criteria in Chapter 15.390 ECC are met.~~ These purposes are accomplished by:

~~1. Allowing a broad range of commercial uses that serve the community including retail, personal and general services, and office uses;~~

~~2. Allowing small to large scale retail uses, but excluding super scale retail (over 60,000 square feet of floor area) unless associated with a regional retail commercial project meeting the provisions of Chapter 15.390 ECC; and~~

~~3. Allowing multifamily residential as a conditional use; and~~

~~34. Providing standards and guidelines that enhance the appearance and function of commercial highway uses and their compatibility with surrounding uses;~~

~~45. Use of this zone is appropriate for any of the following, or combinations thereof:~~

~~a. Areas designated neighborhood commercial, general commercial and services, or community mixed use in the comprehensive plan;~~

~~b. Areas adjacent to, or with good access to, arterial streets and highways.~~

~~D. Residential Office Zone (R-O). The R-O zone is intended to serve as a transition zone separating more intensive uses from single family residential districts. These purposes are accomplished by:~~

~~1. Allowing a variety of housing types including detached single family dwellings, cottage housing, townhouses, and multifamily;~~

~~2. Providing for office uses that are compatible in scale and character with permitted residential uses;~~

~~3. Providing for limited small scale nonresidential uses on street corner sites provided they are integrated with residential or office uses in a mixed-use building;~~

~~4. Providing standards and guidelines to help ensure that new infill development will be compatible in scale and character with existing development;~~

~~5. Providing standards and guidelines that reinforce and/or enhance the character and walkability of streets within the zone;~~

~~6. Providing a minimum density standard to avoid large scale low density sprawl;~~

~~7. Encouraging historic preservation and adaptive reuse of historic properties; and~~

~~8. Use of this zone is appropriate for:~~

- a. ~~Areas designated blended residential neighborhood, urban neighborhood, and neighborhood mixed use in the comprehensive plan as well as;~~
- b. ~~Areas characterized by a mix of single and multifamily buildings and office uses; and/or~~
- c. ~~Areas located generally between commercial and single-family residential zones.~~

~~E. Central Commercial Zone (C-C). The C-C zone is intended to encourage and accommodate the development and redevelopment of a viable central business district serving a broad trade area. The intended physical form of the district is an intensive concentration of compatible business, professional and commercial activities. These purposes are accomplished by:~~

- ~~1. Allowing a range of commercial uses that serve the broad trade area;~~
- ~~2. Promoting office uses, which provide for local employment and complement other commercial uses in the zone;~~
- ~~3. Promoting residential as a secondary use in the zone, including upper floors on storefront-dominated streets;~~
- ~~4. Providing standards and guidelines that preserve and/or enhance the historic character and scale of buildings within the zone; and~~
- ~~5. Providing standards and guidelines that reinforce and/or enhance the character and walkability of streets within the zone;~~
- ~~6. Use of this zone is appropriate for areas designated urban center in the comprehensive plan.~~

~~F. Central Commercial II Zone (C-C II). The C-C II zone is intended to provide for orderly expansion of the downtown commercial core. The zone is not to be used to allow strip commercial development or C-C II zones physically separate from the downtown commercial core. These purposes are accomplished by:~~

- ~~1. Allowing a range of commercial uses that serve the broad trade area;~~
- ~~2. Promoting office uses, which provide for local employment and complement other commercial uses in the zone;~~
- ~~3. Promoting residential as a secondary use in the zone;~~
- ~~4. Providing standards and guidelines that preserve and/or enhance the historic character and scale of buildings within the zone;~~
- ~~5. Providing standards and guidelines that promote compatibility between uses;~~
- ~~6. Providing standards and guidelines that reinforce and/or enhance the character and walkability of streets within the zone; and~~
- ~~7. Use of this zone is appropriate for areas designated urban center in the comprehensive plan.~~

C.G. Light Industrial Zone (I-L). The I-L zone is intended to accommodate certain industrial structures and uses having physical and operational characteristics which might adversely affect the economic welfare of adjoining residential and commercial uses. These purposes are accomplished by:

1. Allowing a range of general service and light industrial uses which can be operated in a relatively clean, quiet and safe manner compatible with adjoining industrial uses and without serious effect, danger or hazard to nearby residential uses;
2. Providing for eating and drinking establishments that serve other permitted uses in the zone;
3. Providing for offices as an accessory use, except where owners have purchased development rights from county properties within defined sending areas (subject to the city's adoption of a TDR program);
4. Providing design standards and guidelines that enhance the appearance and function of uses in the zone and their compatibility with surrounding uses;
5. Promoting mixed-use residential as a secondary use in areas identified as industrial residential in the comprehensive plan; and
6. Use of this zone is appropriate for areas designated light industrial or industrial residential in the comprehensive plan.

D.H. Heavy Industrial Zone (I-H). The I-H zone is intended to accommodate certain industrial structures and uses including large scale or very specialized industrial operations which might have external physical effects of an offensive or hazardous nature. These purposes are accomplished by:

1. Allowing the processing of raw materials and the manufacturing, processing, storing, and compounding of semi-finished or finished durable or nondurable products; and
2. Providing design standards and guidelines that provide for flexibility in the layout of buildings and site features, yet enhance the appearance of I-H zone uses and their compatibility with surrounding uses;
3. Use of this zone is appropriate for areas designated heavy industrial in the comprehensive plan. [Ord. 4807 § 43, 2018; Ord. 4798 § 2, 2018; Ord. 4769 § 12, 2017; Ord. 4656 § 1 (Exh. O2), 2013.]

Section 20. Chapter 15.300.060 of the Land Development Code of the Ellensburg City Code is hereby added as a new Chapter as follows:

15.300.060 ~~Special districts~~ Mixed use zones

A. The general purposes of the mixed use zones are as follows:

1. Fostering a development pattern offering direct, convenient pedestrian, bicycle, and vehicular access between residences and businesses, in order to facilitate pedestrian and bicycle travel and reduce the number and length of automobile trips;
2. Encouraging new development that supports the safe and efficient movement of goods and people;
3. Providing for a compatible mix of multifamily housing and neighborhood commercial businesses and services, with an emphasis on promoting multistory structures with commercial uses on the ground floor and multifamily housing on upper floors;
4. Promoting a compact growth pattern to efficiently use the developable land, and to enable cost-effective extension of utilities, services, and streets; frequent transit service; and to help sustain neighborhood businesses;
5. Fostering the development of mixed use areas that are arranged, scaled, and designed to be compatible with surrounding land uses and which provide transitions between significantly different land use;

6. Ensuring that buildings and other development components are arranged, designed, and oriented to facilitate pedestrian access.

B. The purpose of the specific mixed use zones are as follows:

1. The **Residential-Office (R-O) Zone** is intended to serve as a transition zone separating more intensive uses from single-family residential districts. This purpose is accomplished by:

- a. Avoiding large scale low density sprawl;
- b. Allowing a variety of housing types;
- c. Providing for nonresidential uses that are compatible in scale and character with residential uses;
- d. Reinforcing the character and walkability of streets within the zone;
- e. Encouraging historic preservation and adaptive reuse of historic properties; and
- f. Reinforcing the character and walkability of streets.
- e. Use of this zone is appropriate for:
 - i. Areas designated as residential neighborhood, urban neighborhood, and neighborhood mixed use as well as;
 - ii. Areas characterized by a mix of single- and multifamily and office uses; and/or
 - iii. Areas located generally between commercial and single-family residential zones.

2. The **Central-Commercial (C-C) Zone** is intended to encourage and accommodate the development and redevelopment of a viable central business district serving a broad trade area. The intended physical form of the district is an intensive concentration of compatible business, professional, and commercial, and high density residential activities. This purpose is accomplished by:

- a. Allowing a range of commercial uses that serve the broad trade area;
- b. Promoting office uses, which provide for local employment and complement other commercial uses;
- c. Promoting residential as a secondary use, including upper floors on storefront dominated streets;
- d. Providing standards and guidelines that preserve and/or enhance the historic character and scale of buildings; and
- e. Providing standards and guidelines that reinforce and/or enhance the character and walkability of streets.
- f. Use of this zone is appropriate for areas designated urban center in the comprehensive plan.

3. The **Central-Commercial II (C-C II) Zone** is intended to provide for orderly expansion of the downtown commercial core. The zone is not to be used to allow strip commercial development or C-C II zones physically separate from the downtown commercial core. These purposes are accomplished by:

- a. Allowing a range of commercial uses that serve the broad trade area;
- b. Promoting office uses, which provide for local employment and complement other commercial uses;
- c. Promoting residential as a secondary use;

- d. Providing standards and guidelines that preserve and/or enhance the historic character and scale of buildings;
 - e. Providing standards and guidelines that promote compatibility between uses;
 - f. Providing standards and guidelines that reinforce and/or enhance the character and walkability of streets; and
 - g. Use of this zone is appropriate for areas designated urban center in the comprehensive plan.
4. The **Neighborhood Center Mixed-Use Zone** provides for a compatible mix of neighborhood-scaled commercial and employment uses and medium density multifamily housing. These purposes are accomplished by:
- a. Promoting neighborhood identity; and
 - b. Providing a range of commercial, retail, and service opportunities.
 - c. Use of this zone is appropriate for areas designated Community Mixed Use in the Comprehensive Plan.
5. The **Regional Center Mixed-Use Zone** is intended to provide a broad mix of uses that offer a variety of commercial and employment opportunities and medium to high density multifamily housing. These purposes are accomplished by:
- a. Promoting neighborhood identity; and
 - b. Providing a range of commercial, retail, and service opportunities.
 - c. Use of this zone is appropriate for areas designated Community Mixed Use in the Comprehensive Plan and within a half mile radius of the center of Interstate 90 interchange.

Section 21. Chapter 15.300.060 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4798, is hereby amended to read as follows:

15.300.0670 Special districts.

A. Public Reserve Zone (P-R). The P-R zone is a special use classification established to provide existing and future areas where public uses, such as, but not limited to, governmental, educational, recreational, cultural, and other public uses operated by a public entity may be allowed to develop. It is anticipated that the uses allowed may be unique and may involve a combination of uses not permitted outright in any other zoning districts. These purposes are accomplished by:

- 1. Allowing a full range of public uses including parks, schools, community centers, and governmental facilities;
- 2. Providing viable options for the adaptive reuse of surplus public facilities provided new uses can be integrated with the surrounding communities in a compatible manner; and
- 3. Use of this zone is appropriate for:
 - a. Areas designated public institutional or parks and open space in the comprehensive plan; and
 - b. Other sites planned to accommodate public uses allowed in the zone.

B. Downtown Historic District.

1. Designated. The geographic area identified in Figure 15.300.0670(B) is designated an Ellensburg landmark district, hereafter to be known as the downtown historic district. The requirements of this chapter and Chapter 15.280 ECC shall apply to all existing structures or structures hereafter constructed within this district; and
2. No person, firm or corporation shall construct any new, or reconstruct, alter, remodel, paint, repair or demolish any existing structure within the downtown historic district prior to completing the review process required by the city landmarks and design ordinance (Chapter 15.280 ECC).

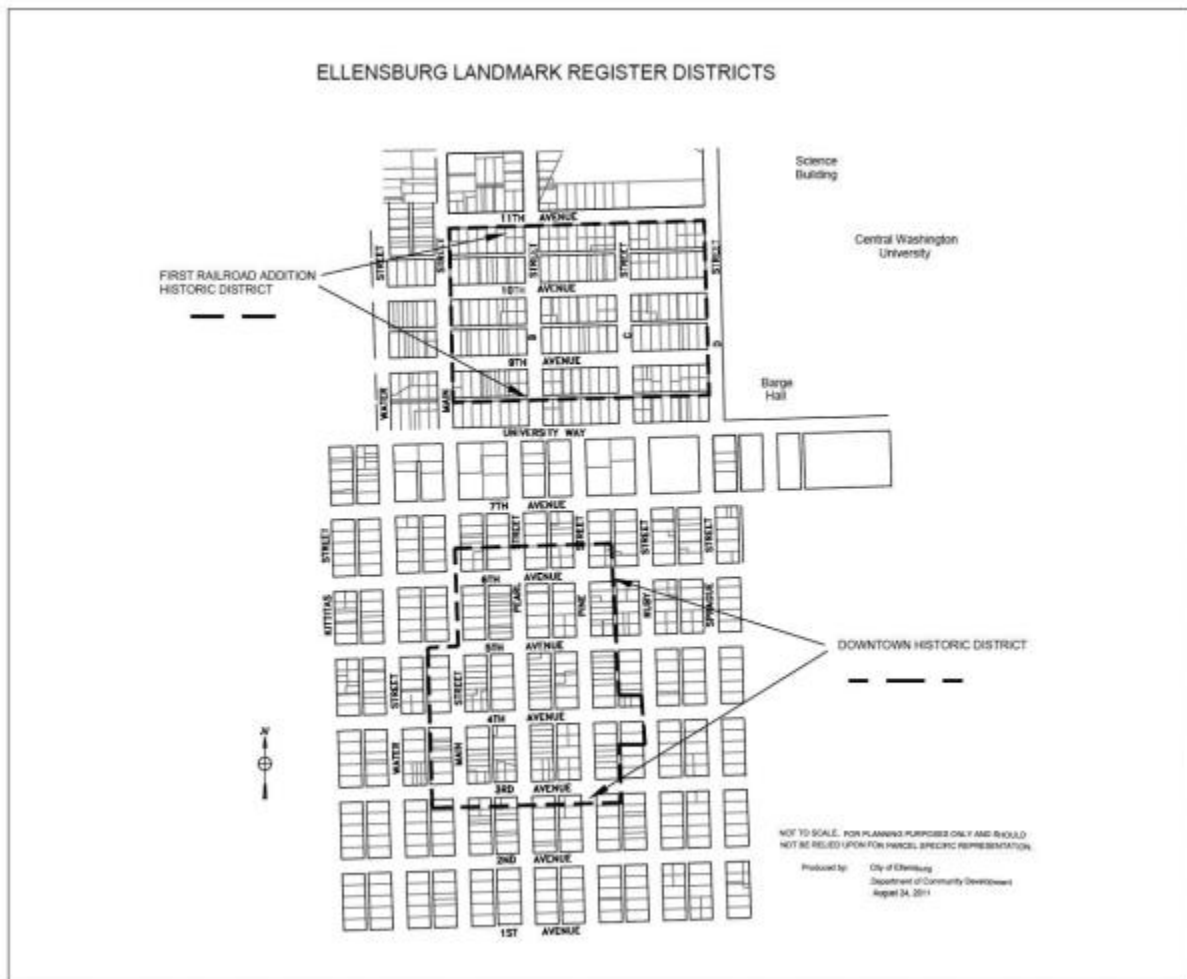


Figure 15.300.0670(B). Downtown and First Railroad Addition historic district boundaries.

C. First Railroad Addition Historic District.

1. Designated. The geographic area identified in Figure 15.300.0670(B) is designated as an Ellensburg landmark district, hereafter to be known as the First Railroad Addition historic district. The requirements of this chapter and Chapter 15.280 ECC shall apply to all existing structures or structures hereafter constructed within this district; and
2. No person, firm or corporation shall construct any new, or reconstruct, alter, remodel, paint, repair or demolish any existing structure within the First Railroad Addition historic district prior to completing the review process required by the city landmarks and design ordinance (Chapter 15.280 ECC).

D. Airport Overlay Zone (A-O). The airport overlay (A-O) zone encompasses properties located on, adjacent to, and in the vicinity of Bowers Field, in order to protect the health, welfare, safety, and quality of life of the general public, property owners, airport operators, and aviation community. The intent is also to ensure compatible land uses in the vicinity of the affected environments of the airport overlay zone.

Properties within the A-O overlay zone (see Figure 15.300.0670(D)) are subject to the standards in Chapter 15.350 ECC, Airport Overlay Zone (A-O) Standards, in addition to the provisions of the underlying zoning district. Where there is a conflict between the provisions of the A-O overlay zone and the underlying zoning district, the provisions of the A-O overlay zone shall apply.

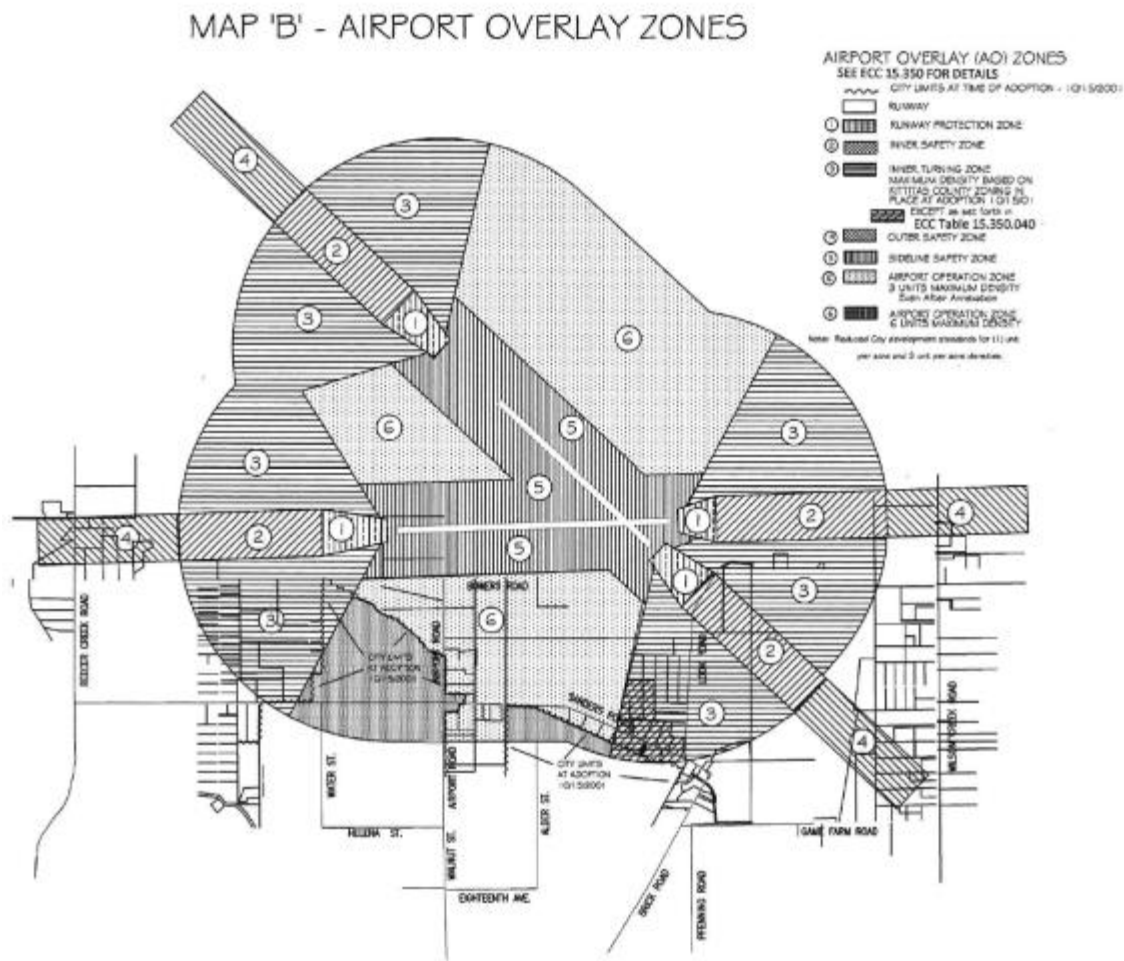


Figure 15.300.0670(D). Airport overlay zone and applicable airport safety zones as described in Chapter 15.350 ECC.

[Ord. 4798 § 3, 2018; Ord. 4656 § 1 (Exh. O2), 2013.]

Section 22. Chapter 15.310.040 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4807, is hereby amended to read as follows:

15.310.040 Use Tables

Table 15.310.040 Residential-based uses

Use	R-S	R-L	R-M	R-H	R-O	C-N	C-T	C-H	C-C	C-C II	I-L	<u>NC-MU</u>	<u>RC-MU</u>	I-H	P-R	MHP
RESIDENTIAL, GENERAL																
Dwelling, single-family* (ECC 15.540.020)	P	P	P		P											P
Dwelling, cottage* (ECC 15.540.050)	P	P	P		P										A ⁶	
Dwelling, duplex* (ECC 15.540.030)	P ^{1,2}	P ^{1,2}	P		P				P ⁷	P ⁷					A ⁶	
Dwelling, townhouse* (ECC 15.540.060)	P ^{1,5,2}	P ^{1,2}	P	P	P	P ³			P ⁷	P ⁷		<u>P</u>	<u>P</u>		A ⁶	
Dwelling, multifamily* (Division V of this title)	P ^{1,5}	<u>P^{1,5}</u>	P	P	P	P ³		<u>C</u>	P ⁷	P ⁷		<u>P</u>	<u>P</u>		A ⁶	
Dwelling, live-work*	P ^{1,4}	<u>P⁴</u>	P ⁴	P ⁴	P ⁴	P			P ⁷	P ⁷		<u>P</u>	<u>P</u>			
Manufactured home park* (ECC 15.340.040)	<u>C</u>	<u>C</u>	C	P	C										A ⁶	P
GROUP RESIDENCES																
Boarding houses, lodging houses, seminaries, fraternities * fraternities*		C	P	P	C				P ⁷	P ⁷		<u>P</u>	<u>P</u>		A ⁶	
Adult family home*	P	P	P	P	P	P			P ⁷	P ⁷		<u>P</u>	<u>P</u>		A ⁶	
Community residential facility*			C	C	C	C			P ⁷	P ⁷		<u>P</u>	<u>P</u>		P/ A ⁶	
Senior citizen assisted housing*			P	P	P	P			P ⁷	P ⁷		<u>P</u>	<u>P</u>		A ⁶	
RESIDENTIAL ACCESSORY USES																
Accessory dwelling unit* (ECC 15.540.040)	P	P	P	P	P				P ⁷	P ⁷						
Home occupations* (ECC 15.340.020)	P	P	P	P	P	P	P	P	P ⁷	P ⁷	P	<u>P</u>	<u>P</u>	P	P ⁶	P
Yard sale use	A ⁸	A ⁸	A ⁸	A ⁸	A ⁸	A ⁸	A ⁸	A ⁸	A ⁸	A ⁸	A ⁸	A ⁸	A ⁸	A ⁸	A ⁸	A ⁸
TEMPORARY LODGING																
Bed and breakfast (ECC 15.340.010)	<u>P</u>	<u>P</u>	P	P	P				P ⁷	P ⁷		<u>P</u>	<u>P</u>			

Development conditions:

- Subject use may be permitted subject to density bonus incentives set forth in Table 15.320.030 and Chapter 15.330 ECC.
- Regardless of maximum density in Table 15.320.030, duplexes and townhomes are permitted in the R-L and R-S zones on lots that have been recorded as of December 31, 2020, per the following conditions:
 - ~~Lots at least 10,890 square feet in area; or~~
 - ~~Corner lots where building entries are provided on separate streets.~~
- Residential uses are permitted in the C-N zone provided nonresidential uses occupy the ground floor of all buildings fronting on the street. For example, residential uses could be on upper levels of buildings fronting on the street or, for deep lots, subject residential uses may occupy any buildings away from the street and behind the buildings that front onto the street.
- Nonresidential uses may be permitted within live-work dwellings subject to the permitted uses in the underlying zoning district, use provisions for the applicable zoning district in Table 15.310.040 below.

5. ~~Townhouses and multifamily~~ Multifamily dwelling units shall not be located adjacent to existing single-family dwellings, except where such uses were approved on an individual plat.
6. All uses permitted in the P-R zone must be either outright permitted and operated as a public use or must be an accessory use to the primary public use (see ECC 15.310.050).
7. Except for lobbies or similar entrances, all permitted residential uses in the C-C and C-C II zones are prohibited within 30 feet of the sidewalk on the ground floor of properties fronting on storefront streets per ECC 15.510.050(E).
8. Yard sales are permitted as an accessory use to a dwelling; provided, that the following conditions are met:
- Only two yard/garage sales per dwelling unit not exceeding three consecutive days in duration are allowed per year;
 - The occupant or tenant of the dwelling unit shall supervise and be responsible for the yard/garage sale activities including ensuring that there is no impediment to the passage of traffic on public roads and sidewalks adjacent to the sale;
 - No goods are to be displayed in public rights-of-way without first obtaining a right-of-way use permit from the public works and utilities department; and
 - Signs advertising the sale shall not be attached to any public structure, sign, sign or utility pole or traffic control devices and shall be removed within 24 hours of the sale completion.

Table 15.310.040 Nonresidential uses

Use	R-S	R-L	R-M	R-H	R-O	C-N	C-T	C-H	C-C	C-C II	<u>NC-MU</u>	<u>RC-MU</u>	I-L	I-H	P-R
RETAIL															
Auto sales, new and used							P ¹	P	P ²	P		<u>P</u>			
<u>Automobile fueling</u>						<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>		
Farmers' markets*						P			P	P	<u>P</u>	<u>P</u>			
Fruit stands*	P	P	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			<u>P</u>		
Heavy retail (ECC 15.130.080)							<u>P</u>	P ¹⁰	P ²	P		<u>P</u>	P	P	
Heavy service (ECC 15.130.080)								P¹⁰	P²	<u>P</u>			<u>P</u>	<u>P</u>	
Nurseries and greenhouses that are ancillary to a retail use*	P						<u>P</u>	P	P ²	P	<u>P</u>	<u>P</u>	P	P	
Restaurants, bars, and brewpubs*	<u>P</u>	<u>P</u>	P ³	P ³	P ³	P	<u>P</u>	P	P	P	<u>P</u>	<u>P</u>	P ¹¹		A ⁹⁶
<u>Bars and brewpubs*</u>						<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>A⁶</u>
Coffee house, espresso bar	P ⁸⁵	<u>P⁵</u>	P ³	P ³	P ³	P	<u>P</u>	P	P	P	<u>P</u>	<u>P</u>	P ¹¹		A ⁹⁶
Retail, small scale (<2,000 sf floor area)	P ⁸⁵	<u>P⁵</u>	P ³	P ³	P ³	P	<u>P</u>	P	P	P	<u>P</u>	<u>P</u>			A ⁹⁶
Retail, medium scale (2,000 – 20,000 sf floor area)						P	<u>P</u>	P	P	P	<u>P</u>	<u>P</u>			A ⁹⁶
Retail, large scale (20,001 – 60,000 sf floor area)						P ⁴³	<u>P</u>	P	P	P	<u>P</u>	<u>P</u>			
Retail, super scale (>60,000 sf floor area)							<u>P</u>	<u>P</u>	C	C		<u>P</u>			
Outlet center								<u>P</u>							

Use	R-S	R-L	R-M	R-H	R-O	C-N	C-T	C-H	C-C	C-C II	<u>NC-MU</u>	<u>RC-MU</u>	I-L	I-H	P-R
Regional retail commercial projects* (subject to the requirements in Chapter 15.390 ECC)	<u>P¹³⁸</u>	<u>P¹³⁸</u>	<u>P¹³⁸</u>	<u>P¹³⁸</u>	<u>P¹³⁸</u>	<u>P¹³⁸</u>	<u>P¹³</u>	<u>P¹³⁸</u>			<u>P⁸</u>	<u>P⁸</u>	<u>P¹³⁸</u>		
Marijuana retailer*						<u>P¹⁴⁹</u>	<u>P¹⁴</u>	<u>P¹⁴⁹</u>	<u>P¹⁴⁹</u>	<u>P¹⁴⁹</u>	<u>P⁹</u>	<u>P⁹</u>			
PERSONAL AND GENERAL SERVICE															
Day care I facilities*	P	P	P	P	P	P		P	P	P	<u>P</u>	<u>P</u>	P		A ⁹⁶
Day care II facilities*	C	C	C	C	P	P		P	P	P	<u>P</u>	<u>P</u>			A ⁹⁶
General service establishments (ECC 15.130.070)						<u>P⁵</u>	<u>P⁶</u>	<u>P</u>	<u>P²</u>	<u>P</u>			<u>P</u>		
Heavy services (see Heavy retail and services definition in ECC 15.130.080)*							<u>P</u>	<u>P¹⁰</u>	<u>P²</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
Hotels/motels*							<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			
Hospitals*	C	C	C		P		<u>C</u>		<u>C</u>	<u>P</u>		<u>C</u>			A ⁹⁶
Offices, medical*	<u>P⁸</u>				P	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			P/ A ⁹⁶
Kennels*							<u>P</u>	<u>P</u>		<u>P</u>			<u>P</u>		
Nursing homes*	C	C	C	P	P				<u>P</u>	<u>P</u>					P/ A ⁹⁶
Marijuana cooperative*	<u>P¹⁵¹⁰</u>	<u>P¹⁵¹⁰</u>	<u>P¹⁵¹⁰</u>	<u>P¹⁵¹⁰</u>	<u>P¹⁵¹⁰</u>	<u>P¹⁵¹⁰</u>	<u>P¹⁵</u>	<u>P¹⁵¹⁰</u>	<u>P¹⁵¹⁰</u>	<u>P¹⁵¹⁰</u>	<u>P¹⁰</u>	<u>P¹⁰</u>	<u>P¹⁵¹⁰</u>	<u>P¹⁵¹⁰</u>	<u>P¹⁵¹⁰</u>
Personal service establishments*	<u>P⁸⁵</u>	<u>P⁵</u>	<u>P³</u>	<u>P³</u>	<u>P³</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			A ⁹⁶
<u>Laundromats and dry cleaners</u>			<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
Places of assembly*	C	C	C	C	P	P	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>C</u>	<u>C</u>	<u>C</u>		A ⁹⁶
Radio station (commercial)		C					<u>P</u>	<u>C^P</u>			<u>P</u>	<u>P</u>	<u>C</u>	<u>C</u>	A ⁹⁶
Veterinary clinic					C	C	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>C</u>		
BUSINESS SERVICE															
Conference center*							<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			A ⁹⁶
Offices, business or professional*, small scale (<2,000 sf floor area)	<u>P⁸⁵</u>	<u>P⁵</u>			<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P⁷⁴</u>		P/ A ⁹⁶
Offices, business or professional*, medium scale (2,000 – 20,000 sf floor area)	<u>P⁸⁵</u>	<u>P⁵</u>					<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		P/ A ⁹⁶
Offices, business or professional*, large scale (20,001 – 60,000 sf floor area)							<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		P/ A ⁹⁶

Use	R-S	R-L	R-M	R-H	R-O	C-N	C-T	C-H	C-C	C-C II	<u>NC-MU</u>	<u>RC-MU</u>	I-L	I-H	P-R
Miniwarehouse facility*			C					€					<u>PC</u>	<u>PC</u>	
INDUSTRIAL															
<u>Light manufacturing*</u>								<u>P</u>	<u>P²</u>	<u>P²</u>	<u>P²</u>	<u>P²</u>	<u>P</u>	<u>P</u>	
Light industry (ECC 15.130.120)									<u>P^{2,11,17}</u>	<u>P^{2,11,17}</u>	<u>P^{2,7}</u>	<u>P^{2,7}</u>	P	P	
Hazardous waste treatment (off-site) (see definition of "off-site" in ECC 15.130.150)													C	C	
Hazardous waste treatment (on-site) (see definition of "on-site" in ECC 15.130.150)							€	C	C	C			C	C	A ⁹⁶
Heavy industry (ECC 15.130.080)														C	
Marijuana processor*													<u>P¹⁴</u>	<u>P¹⁴</u>	
Marijuana producer*													<u>P¹⁴</u>	<u>P¹⁴</u>	
Tow vehicle storage area*													P	P	
Vehicle wrecking yard*														C	

Development conditions:

1. Sales of used vehicles in this zone are limited to uses that include sales of new vehicles as the primary use.
 2. Use must be enclosed entirely within a building.
 - ~~3. Use is permitted if located adjacent to a street corner and within a mixed use building or within a live work dwelling. Such uses shall be subject to secondary street frontage standards as set forth in ECC 15.510.060.~~
 - ~~3.4. Grocery stores shall be the only retail uses permitted with more than 20,000 square feet of gross floor area.~~
 - ~~5. Except for gas service stations, the use must be enclosed entirely within a building.~~
 - ~~6. Includes gas service stations with truck stop facilities only. No other general service uses are permitted.~~
 - ~~4.7. 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.~~
 - ~~5.8. 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, subject to the following conditions:~~
 - ~~a. The location for planned nonresidential uses shall be designated on the plat.~~
 - ~~b. Nonresidential uses may be integrated into subdivisions provided the subdivision encompasses at least five acres in gross land area and the planned uses are at least 1,200 feet from an existing C-N zone or commercial use.~~
 - ~~c. Nonresidential uses shall not be located adjacent to existing single family dwellings, except where such uses were approved on an individual plat.~~
 - ~~d. For the purpose of identifying appropriate site orientation standards for future nonresidential development, the plat shall indicate the street frontage type designation for streets fronting planned nonresidential uses as either storefront, secondary, or landscaped street (see Chapter 15.510 ECC).~~
 - ~~6.9. 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.~~
 - ~~10. Heavy retail and service uses are limited to buildings no larger than 50,000 gross square feet in area.~~
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- ~~7.14.~~ Includes light industrial activities that result in the production of goods placed for on-site retail sale. Special restrictions:
- 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
 - Production or manufacturing activity shall not occur between the hours of 10:00 p.m. and 6:00 a.m.
- ~~12.~~ Subject use is permitted in the district only when accessory to a permitted use (see accessory use definition in ECC 15.130.010).
- ~~8.13.~~ 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 ECC 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.
- ~~9.14.~~ All marijuana retail, production and processing facilities are subject to the requirements of Chapter 15.370 ECC.
- ~~10.15.~~ All marijuana cooperatives are subject to the requirements of ECC 15.370.030, Chapter 314-55 WAC and Chapter 69.51A RCW.

Table 15.310.040 Special uses

Use	R-S	R-L	R-M	R-H	R-O	C-N	C-T	C-H	C-C	C-C II	<u>NC-MU</u>	<u>RC-MU</u>	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	C							P ¹¹
Recreation – outdoor (commercial)*							P	P			<u>P</u>	<u>P</u>	C		A
Recreation – indoor (commercial)*							P	P	P	P	<u>P</u>	<u>P</u>	C		A
Recreation – small-scale indoor studios (commercial)*	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>C</u>		
Recreational vehicle parks (ECC 15.340.050)							P	<u>P</u>							
Parks, playgrounds (public or private)	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹		P ¹	P ¹	P ¹	<u>P¹</u>	<u>P¹</u>	P ¹		P
CULTURAL AND ENTERTAINMENT															
Adult entertainment establishment*							P ²	<u>P²</u>							
Art, performing arts, and recording studios	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>P</u>	<u>P</u>	P	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>		P/A ⁷
Museums	<u>C¹²</u>	<u>C¹²</u>	<u>C¹²</u>	<u>C¹²</u>	<u>P</u>	<u>P</u>	P	<u>P</u>	P	P	<u>P</u>	<u>P</u>	<u>P</u>		P/A ⁷
Theaters					<u>P</u>	<u>P</u>	C	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>C</u>		
EDUCATIONAL															
Schools	C	C	C	C	C			C	C	C					P ⁵
GOVERNMENTAL															
Court								P	P	P					P
Fire facility								P				<u>P</u>			P
Police facility						P ³		P	P ³	P		<u>P</u>	P		P

Use	R-S	R-L	R-M	R-H	R-O	C-N	C-T	C-H	C-C	C-C II	<u>NC-MU</u>	<u>RC-MU</u>	I-L	I-H	P-R
Public agency or utility office*						P	P	P	P	P	<u>P</u>	<u>P</u>	P	P	P/A
Public agency or utility yard	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴	P		P	C ⁴	P			P	P	P/A
Utility facility* ⁸	P	P	P		P	P	P	P	P	P			P	P	P
Fairgrounds															P
Public transportation passenger terminals							P	P	P	P		<u>P</u>	<u>P</u>	<u>P</u>	P
RESOURCE															
Gardening or fruit raising (accessory use or noncommercial)	P	P	P	P	P	P	P	P	P	P	<u>P</u>	<u>P</u>	P	P	P/A ⁷
Agriculture*	P ⁹														
Small wind energy systems (ECC 15.340.060)	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	<u>P¹⁰</u>	<u>P¹⁰</u>	P ¹⁰	P ¹⁰	P ¹⁰ /A ⁷
REGIONAL															
Airport															PC ⁶

Development conditions:

- Lighting for structures and fields shall be directed away from residential areas through the use of exterior full cut-off shields or through optics within the fixture.
- Adult entertainment is regulated pursuant to Chapter 6.72 ECC. Zoning locational standards within the ~~C-T~~C-H zone for adult entertainment establishments are:
 - All such establishments must be at least 1,000 feet from any residential zone, parks, schools, historic district, any dwelling, freeway, highway, interstate, or major arterial (see map on file in the city clerk's office).
- Limited to "storefront" police offices. Such offices shall not have:
 - Holding cells;
 - Suspect interview rooms (except in the C-N zone); or
 - Long-term storage of stolen properties.
- Public agency or utility yard conditions:
 - Utility yards only on sites with utility district offices; or
 - Public agency yards are limited to material storage, vehicle maintenance, and equipment storage for road maintenance, facility maintenance, and parks facilities.
- Excluding private or nonprofit commercial schools, for which the principal course work is business, vocational, or technical.
- A conditional use permit is required for the following uses:
 - Facilities to sell, service and store airplanes, service airport patrons, and those ordinarily incidental and essential to operation of a municipal airport; and
 - Airport landing areas.
- All uses permitted in the P-R zone must be either outright permitted and operated as a public use or must be an accessory use to the primary public use; see ECC 15.310.050. Subject uses must be managed by a public agency.
- Wireless communication facilities, including wireless communication support towers and antenna arrays, are subject to the provisions of ECC 15.340.070 and Chapter 15.395 ECC.
- Agriculture uses are permitted in the subject zone provided the following conditions are met:

- a. The raising of swine, poultry or goats shall be restricted to youth educational projects or limited household consumption occurring on the same lot, or lots of record;
- b. No nuisances, such as noise, odor, air pollution, wastes, vibration, traffic or physical hazards, shall result therefrom; and
- c. Fencing and housing adequate to certain livestock shall be provided where livestock are kept, and all livestock shall be kept and maintained in accordance with applicable laws and regulations.

10. Small wind energy systems on properties listed in the Ellensburg landmarks register are subject to landmarks and design commission certificate of appropriateness.

11. Subject use shall be permitted only if it is a public facility.

~~12. Museums within the R-S, R-L, R-M and R-H zoning districts are permissible only if the building is 2,000 sq ft or less, and through approval of a conditional use permit.~~ [Ord. 4807 § 44, 2018; Ord. 4804 § 3, 2018; Ord. 4769 § 13, 2017; Ord. 4728 § 4, 2016; Ord. 4724 § 4, 2016; Ord. 4696 § 3, 2015; Ord. 4669 § 3, 2014; Ord. 4656 § 1 (Exh. O2), 2013.]

Section 23. Chapter 15.320 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4807, is hereby amended to read as follows:

Chapter 15.320

BUILDING SETBACK AND INTENSITY STANDARDS

Sections:

15.320.010 Purpose.

15.320.020 Interpretation of tables.

15.320.030 Building setback and intensity standards table – Residential zones.

15.320.040 Building setback and intensity standards – ~~Nonresidential~~ Commercial, Industrial, and Public Reserve zones.

15.320.045 Building setback and intensity standards – Mixed use zones

15.320.050 Density calculations.

15.320.060 Height exceptions.

15.320.070 Setback measurements.

15.320.080 Permitted projections into yards.

15.320.090 Setbacks from alleys.

15.320.100 Setback modifications.

15.320.110 Lot or site divided by zone boundary.

15.320.120 Fences, walls, and hedges.

Section 24. Chapter 15.320.030 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4807, is hereby amended to read as follows:

15.320.030 Building setback and intensity standards table – Residential zones.

Table 15.320.030. Building setback and intensity standards table – Residential zones.

Topic	R-S	R-L	R-M	R-H	R-O
DEVELOPMENT INTENSITY AND CONFIGURATION					
Minimum lot area	None ¹	None ¹	None ¹	None ¹	None¹
Minimum frontage	None ^{1,2}	None ^{1,2}	None ^{1,2}	None ^{1,2}	None^{1,2}
Density, minimum (ECC 15.320.050)		6 du/acre ³	8 du/acre ³	15 du/acre	8 du/acre³
Density, maximum (base) ⁸ (ECC 15.320.050)	6 du/acre	8 du/acre	No limit	No limit	No limit
Density, maximum with bonus (see Chapter 15.330 ECC)	12 du/acre ⁴	16 du/acre ⁴	No limit	No limit	No limit

Topic	R-S	R-L	R-M	R-H	R-O
Maximum building height	35 ft	35 ft	35 ft ⁵	45 ft ⁵	35 ft⁵
BUILDING SETBACK (see ECC 15.320.070 through 15.320.130)					
Minimum front yard setback ^{6, 7}	15 ft	15 ft	15 ft	15 ft	15 ft
Garage front yard setback	22 ft	22 ft	22 ft	22 ft	22 ft
Minimum rear yard setback	20 ft	20 ft	20 ft	20 ft	20 ft
Minimum rear yard setback, accessory buildings (including garages)	5 ft ¹⁰	5 ft ¹⁰	5 ft ¹⁰	5 ft ¹⁰	5 ft¹⁰
Minimum rear yard setback, detached accessory dwelling unit (see ECC 15.540.040)	5 ft ¹⁰	5 ft ¹⁰	5 ft ¹⁰	5 ft ¹⁰	5 ft¹⁰
Minimum side yard setback (includes corner lot interior lot line) ⁹	5 ft/10 ft ¹¹	5 ft/10 ft ¹¹	5 ft/10 ft ¹¹	5 ft/10 ft ¹¹	5 ft/10 ft¹¹
Minimum side yard setback (corner lot exterior lot line)	10 ft	10 ft	10 ft	10 ft	10 ft
Minimum garage side yard setback (corner lot exterior lot line)	22 ft	22 ft	22 ft	22 ft	22 ft

Development conditions:

1. Lot sizes may be variable provided they are sized and shaped sufficient to accommodate permitted uses and conform to applicable design and density standards.
2. New lots shall have access directly to a public right-of-way or may obtain access from a courtyard access (ECC 15.420.050(C)) or shared driveway (ECC 15.420.060(A)(2)).
3. The density minimum shall apply only to new subdivisions greater than one acre in size.
4. Exception: Projects complying with Net Zero Energy provisions may exceed the maximum density limits as set forth in ECC 15.330.020(A).
5. For buildings, or portions thereof, with pitched roofs, the maximum height may be increased by five feet. Applicable roof slopes must be at least 4:12 to qualify for this additional height.
6. Porches and covered entries may project up to six feet into the front yard.
7. No front yard is required for buildings adjacent to designated “storefront streets.”
8. Base maximum density refers to the maximum density allowed without utilizing density bonuses. Per Section 15.310.040, regardless of maximum density duplexes and townhomes are permitted in R-S and R-L zones that have been recorded as of December 31, 2020.
9. Townhouses and zero lot line homes are exempt from side yard standards internal to a development. However, such uses shall meet applicable side yard standards for adjacent lots outside of the development.
10. Accessory buildings or accessory dwelling units, where built on top of an existing garage, may be built to a property line abutting an alley, provided sufficient turning movement and emergency vehicle access is provided within the alley.
11. For lots 6,000 square feet or less, the minimum side yard shall be five feet on each side. [Ord. 4807 § 46, 2018; Ord. 4656 § 1 (Exh. O2), 2013.]

Section 25. Chapter 15.320.040 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4807, is hereby amended to read as follows:

15.320.040 Building setback and intensity standards – ~~Nonresidential~~ Commercial, Industrial, and Public Reserve zones

Table 15.320.040. Building setback and intensity standards – ~~Nonresidential~~ Commercial, Industrial, and Public Reserve zones.

Standard	C-N	C-T	C-H	C-C	C-C II	I-L	I-H	P-R
DEVELOPMENT INTENSITY AND CONFIGURATION								
Minimum lot area	None ¹	None¹	None ¹	None¹	None¹	None ¹	None ¹	None ¹
Density, minimum (ECC 15.320.050)	NA	NA	NA	NA	NA	NA	NA	NA
Density, maximum (ECC 15.320.050)	None	None	None	None	None	NA	NA	NA
Maximum building height (see ECC 15.320.060 for height exceptions)	35 ft	35 ft	35 ft	45 ft	70 feet	35 feet ³	None	None ³
BUILDING PLACEMENT (see ECC 15.320.070 through 15.320.130)								
Minimum front yard	10 ft ²	10 ft²	10 ft ²	None²	None³	10 ft ²	10 ft	10 ft ⁴
Garage front yard setback	22 ft	22 ft	22 ft	22 ft	22 ft	22 ft	22 ft	22 ft
Minimum rear yard (see ECC 15.520.020 for supplemental standards)	None ⁵	None⁵	None ⁵	None⁵	None⁵	None ⁵	None ⁵	None ⁴
Minimum side yard (see ECC 15.520.020 for supplemental standards)	None ⁵	None⁵	None ⁵	None⁵	None⁵	None ⁵	None ⁵	None ⁴

Development conditions:

1. Lot sizes may be variable provided they are sized and shaped sufficient to accommodate permitted uses and conform to applicable design and density standards.
2. For exceptions and detailed standards, see Chapter 15.510 ECC, Site Orientation.
3. For areas within 100 feet of a residential zone, the maximum building height shall be 35 feet, except where provided for in ECC 15.310.050(B).
4. For P-R zoned sites adjacent to residential zones, setback standards shall be the same as the adjacent residential zone. Where more than one zone borders the applicable site, setback standards shall be the same as the zone closest to the proposed structures. Where a nonresidential zone is closest to the applicable structure, then there are no side or rear setback requirements.
5. Where the subject property borders a residential zone, the minimum side or rear setbacks shall be the same as the adjacent residential zone.
6. ~~See ECC 15.330.030 for FAR bonus provisions.~~ [Ord. 4807 § 46, 2018; Ord. 4769 § 14, 2017; Ord. 4656 § 1 (Exh. O2), 2013.]

Section 26. Chapter 15.320.045 of the Land Development Code of the Ellensburg City Code is hereby added as a new Chapter to read as follows:

15.320.045 Building setback and intensity standards – Mixed Use Zones

Table 15.320.045. Building setback and intensity standards table – Mixed Use Zones

Standard	R-O	C-C	C-C II	NC-MU	RC-MU
DEVELOPMENT INTENSITY AND CONFIGURATION					
Minimum lot area	None ¹	None ¹	None ¹	None ¹	None ¹
Minimum frontage	None ^{1,2}	None	None	None	None
Density, minimum (ECC 15.320.050)	8 du/acre ³	NA	NA	8 du/acre ¹²	15 du/acre ¹²

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<u>Standard</u>	<u>R-O</u>	<u>C-C</u>	<u>C-C II</u>	<u>NC-MU</u>	<u>RC-MU</u>
Density, maximum (ECC 15.320.050)		<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>
Maximum building height (see ECC 15.320.060 for height exceptions)	<u>35ft⁴</u>	<u>60ft^{7, 11}</u>	<u>60 ft⁷</u>	<u>60 ft⁷</u>	<u>60 ft⁷</u>
BUILDING PLACEMENT (see ECC 15.320.070 through 15.320.130)					
Maximum front yard setback				<u>10 ft¹³</u>	<u>10 ft¹³</u>
Minimum front yard	<u>15 ft</u>	<u>None⁵</u>	<u>None⁵</u>	<u>None⁵</u>	<u>None⁵</u>
Minimum garage front yard setback	<u>22 ft</u>	<u>22 ft</u>	<u>22 ft</u>	<u>22 ft</u>	<u>22 ft</u>
Minimum rear yard (see ECC 15.520.020 for supplemental standards)	<u>20 ft</u>	<u>None⁶</u>	<u>None⁶</u>	<u>None⁶</u>	<u>None⁶</u>
Minimum rear yard setback, accessory buildings (including garages)	<u>5 ft⁸</u>				
Minimum rear yard setback, detached accessory dwelling unit (see ECC 15.540.040)	<u>5 ft⁸</u>				
Minimum side yard, includes corner lot interior lot line (see ECC 15.520.020 for supplemental standards) ¹⁰	<u>5 ft/10 ft⁹</u>	<u>None⁶</u>	<u>None⁶</u>	<u>None⁶</u>	<u>None⁶</u>
Minimum side yard setback (corner lot exterior lot line) ¹⁰	<u>10 ft⁹</u>				
Minimum garage side yard setback (corner lot exterior lot line)	<u>22 ft</u>				

Development conditions:

1. Lot sizes may be variable provided they are sized and shaped sufficient to accommodate permitted uses and conform to applicable design and density standards.
2. New lots shall have access directly to a public right-of-way or may obtain access from a courtyard access (ECC 15.420.050(C)) or shared driveway (ECC 15.420.060(A)(2)).
3. The density minimum shall apply only to new subdivisions greater than one acre in size.
4. For buildings, or portions thereof, with pitched roofs, the maximum height may be increased by five feet. Applicable roof slopes must be at least 4:12 to qualify for this additional height.
5. For exceptions and detailed standards, see Chapter 15.510 ECC, Site Orientation.
6. Where the subject property shares any portion of a border with a residential zone, the minimum side or rear setbacks shall be the same as the adjacent residential zone.
7. Where subject property shares any portion of a border with a residential zone, or lies within 700 feet of the boundaries of the downtown historic district, the maximum building height is 45 feet, see subsection (B)(3) of this section for building height step-backs.
8. Accessory buildings or accessory dwelling units, where built on top of an existing garage, may be built to a property line abutting an alley, provided sufficient turning movement and emergency vehicle access is provided within the alley.
9. For lots 6,000 square feet or less, the minimum side yard shall be five feet on each side.
10. Townhouses and zero lot line homes are exempt from side yard standards internal to a development. However, such uses shall meet applicable side yard standards for adjacent lots outside of the development.
11. The maximum building height in the downtown historic district is 45 feet.
12. There is no minimum residential density for vertical mixed use. Minimum residential density applies to any portion(s) of the development where ground-floor residential uses are proposed with the following standards:

a. The area used to calculate residential density includes all area dedicated to parking and landscaping required for the ground-floor residential uses.

b. Where ground-floor residential uses are part of a mixed use development, area used to calculate the residential density does not include land dedicated to right-of-way.

13. The secondary street standards in ECC 15.510.060 shall apply to all new streets in the Neighborhood-Center and Regional Center Mixed-Use Zones. [Ord. 4807 § 46, 2018; Ord. 4769 § 14, 2017; Ord. 4656 § 1 (Exh. O2), 2013.]

Section 27. Chapter 15.320.060 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4807, is hereby amended to read as follows

15.320.060 Height exceptions.

The following structures may be erected above the height limits set forth in ECC 15.320.030, ~~and 15.320.040~~ and 15.320.045:

- A. An additional two feet in height is allowed for structures with green roofs occupying at least 50 percent of the area of the roof;
- B. Roof structures housing or screening elevators, stairways, tanks, rooftop wind generators, ventilating fans or similar equipment required for building operation and maintenance may exceed the height limit by up to 10 feet in the C-C and C-C II zones. Such structures constructed for nonresidential or multifamily uses are subject to screening standards in ECC 15.520.060;
- C. Fire or parapet walls may exceed the height limit by up to 10 feet in the C-C and C-C II zones; and
- D. Skylights, flagpoles, chimneys, church steeples, crosses, spires, communication transmission and receiving structures, and similar structures. [Ord. 4807 § 46, 2018; Ord. 4656 § 1 (Exh. O2), 2013.]

Section 28. Chapter 15.350.030 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4656, is hereby amended to read as follows:

15.350.030 Airport overlay zone.

In order to carry out the purpose of this chapter there is hereby created an airport overlay zone (A-O) that is composed of the following surface and safety zones. The zones cover a geographic area that is affected by airport activities and are defined on the basis of factors including, but not limited to, aircraft noise, aircraft flight patterns, airport safety zones, local circulation patterns and area development patterns. The boundaries of the airport surface and safety zones are shown on airport overlay zone (A-O) Map “B,” “Safety Zones” (see Figure ~~15.300.060(D)~~ 15.300.070(D)) which shall be on file and open for inspection in the Kittitas County public works department, Kittitas County planning department and city of Ellensburg community development department. The surface and safety zones are overlaid on top of the existing underlying zoning that remains in full force and effect. Where the requirements imposed by the surface and safety zones conflict with the requirements of the underlying zoning, the more restrictive requirement shall be enforced.

A. Surface Zones. In order to carry out the provisions of this chapter, there are created and established certain surface zones which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces as they apply to Kittitas County Airport (Bowers Field). Such zones are shown on Kittitas County Airport (Bowers Field) Overlay Zone Map “A,” “Part 77,” as amended, which is on file and open for inspection in the Kittitas County public works department. Within each of the surface zones there are hereby established certain height restrictions for structures and trees. The surface zones are established and defined as follows:

1. Runways 07, 25, and 11 – Larger Than Utility with a Visibility Minimum Greater Than Three-Fourths-Mile Non-Precision Instrument Approach Zone. The 500-foot inner edge coincides with the width of the

primary surface and slopes 34 feet outward for each one foot upward beginning at the end of and at the same elevation as the primary surface and expands to a horizontal distance of 3,500 feet at a horizontal distance of 10,000 feet along the extended runway centerline. Its centerline is the continuation of the runway centerline as depicted on Map "A." Height restrictions: no object shall penetrate the imaginary line created by a slope 34 feet outward for each one foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.

2. Runway 29 – Larger Than Utility with a Visibility Minimum Lower Than Three-Fourths-Mile Precision Instrument Approach Zone. The 1,000-foot inner edge of this approach zone coincides with the width of the primary surface. The approach zone expands uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway as depicted on Map "A." Height restrictions: no object shall penetrate the imaginary line created by a slope 50 feet outward for each one foot upward for the first 10,000 feet of this zone and 40 feet outward for each one foot upward for the remaining 40,000 feet of this zone.

3. Transitional Zones. This zone is defined by a slope seven feet outward for each one foot upward beginning at the sides of and at the same elevation as the primary surface and the approach surface, and extending to a height of 150 feet above the airport elevation which is 139 feet above mean sea level, as depicted on Map "A." Height restrictions: no object shall penetrate the imaginary line created by a slope seven feet outward for each one foot upward beginning at the sides of and the same elevation as the approach surface, and extending to where they intersect the conical surface. Further, where the precision instrument runway approach zone projects beyond the conical zone, no object shall penetrate the imaginary line created by a slope seven feet outward for each one foot upward beginning at the sides of and the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet measured at 90-degree angles to the extended runway centerline.

4. Horizontal Zone. This zone is established at 150 feet above the airport elevation or at a height of 1,916 feet above mean sea level by swinging arcs of 5,000 feet radial for all runways designated utility or visual and 10,000 feet for all other runways from the centers of the primary surface of each runway and connecting adjacent arcs by drawing lines tangent to those arcs, as depicted on Map "A." The horizontal zone does not include the approach and transitional zones. Height restrictions: no object shall penetrate the imaginary horizontal line created at 150 feet above the airport elevation or at a height above the airport of 1,916 feet above mean sea level.

5. Conical Zone. The conical zone is established as the area that commences at the periphery of the horizontal zone and extends outward there for a horizontal distance of 4,000 feet as depicted in Map "A." Height restrictions: no object shall penetrate the imaginary line created by a slope 20 feet outward for each one foot upward beginning at the periphery of the horizontal zone and at 150 feet above the airport elevation and extending to a height up to 3,500 feet above the surface of the land.

B. Safety Zones. In order to carry out the provisions of this chapter and to promote land use compatibility on lands within and adjacent to and in the vicinity of the Kittitas County Airport (Bowers Field), there are created and established certain safety zones. Such safety zones are shown on Kittitas County Airport (Bowers Field) overlay zone Map "B," "Safety Zones," as amended and shall also be identified on the city of Ellensburg official zoning map by inclusion of the prefix "Airport" attached to the corresponding underlying zone name. Within each of the safety zones certain land use limitations are hereby established and certain development standards are hereby imposed in addition to the land uses and development standards of the underlying zoning district. Where the requirements imposed by these safety zones conflict with the requirements of the underlying zoning, the more restrictive requirement shall be enforced. The safety zones are established and defined as follows:

1. Runway Protection Zone 1. An area extending beyond the centerlines of Runways 11, 29, 07 and 25 as depicted on Map "B" (shaded area No. 1). This zone begins from the outer boundaries of the primary surface,

200 feet from the ends of the runways and extends out 1,700 feet to its widest point, which measures 1,010 feet across, 505 feet on either side of the runway centerline.

2. Inner Safety Zone 2. An area extending beyond the centerlines of Runways 11, 29, 07 and 25 as depicted in Map “B” (shaded area No. 2). This zone begins at the end of the runway protection zone 1 and extends out 2,800 feet. The zone measures 1,010 feet across, 505 feet on either side of the runway centerline.
3. Inner Turning Zone 3. A fan-shaped area extending beyond the centerlines of Runways 11, 29, 07 and 25 as depicted on Map “B” (shaded area No. 3). This zone begins at the primary surface, 200 feet from the end of the runway centerline and extends out with a 60-foot radius arc on either side of the runway centerline to 4,500 feet and connects to the centerline of the inner safety zone with sweeping arcs.
4. Outer Safety Zone 4. An area extending beyond the centerlines of Runways 11, 29, 07 and 25 as depicted on Map “B” (shaded area No. 4). This zone begins at the end of the inner safety zone and extends out 3,000 feet. The zone measures 1,000 feet across, 500 feet on either side of the runway centerline.
5. Sideline Zone 5. An area adjacent to Runways 11, 29, 07, and 25 as depicted on Map “B” (shaded area No. 5). This zone begins from the outer boundaries of the primary surface, and extends out 1,000 feet perpendicular to the primary surface and connects to the 60-degree sector of the inner turning zone.
6. Airport Operations Zone 6. This zone is depicted on Map “B” (shaded area No. 6) and begins from the outer boundaries of the sideline zone and extends out 5,000 feet perpendicular to the primary surface and connects to the 60-degree sector of the inner turning zone. [Ord. 4656 § 1 (Exh. O2), 2013.]

Section 29. Chapter 15.390.030 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4656, is hereby amended to read as follows:

15.390.030 Uses, exceptions and limitations.

A. Uses within a regional retail commercial project must be consistent with its definition in ECC 15.130.180 and with the purpose statement of ECC 15.390.010. Permitted uses include those within the nonresidential commercial and industrial use table (ECC 15.310.040) that fall within the categories of “retail,” “personal and general services,” and “business services.” Under the category of “business services” the use “office, business or professional” (of any size), as defined in ECC 15.130.150, is permitted within regional retail only if the business owner can demonstrate a direct relationship between the services being offered and an on-site retail component ancillary to the services. An example might be an optometrist’s office that not only offers medical services, but also offers a retail component by selling eyeglasses on site.

B. Notwithstanding the foregoing, the following uses within the nonresidential commercial and industrial use table (ECC 15.310.040) are not permitted within a regional retail commercial project: auto sales, farmers’ markets, heavy services, marijuana retailers, hospitals, kennels, nursing homes, places of assembly, and mini warehouse facilities, along with all uses in the category of “industrial.”

C. The maximum height limit for buildings located within an approved regional retail commercial master site plan is 50 feet. [Ord. 4769 § 15, 2017.]

Section 30. Chapter 15.510.060 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4656, is hereby amended to read as follows:

15.510.060 Secondary street standards.

For all designated secondary streets, development frontages may either be storefronts (see subsection (B) of this section), landscaped frontages (see subsection (C) of this section), or a combination of both.

- A. **Applicability.** The standards herein shall apply to all nonresidential and multifamily development on designated secondary streets per ECC 15.510.040.
- B. **Storefront Standards.** All storefront buildings along designated secondary streets shall comply with all building-related storefront street standards set forth in ECC 15.510.050.
- C. **Landscaped Frontage Standards for Secondary Streets.**
1. **Building Setbacks.** Ten feet minimum or consistent with minimum requirements of the applicable zoning district (see ECC 15.320.030, ~~and 15.320.040,~~ and 15.320.045), whichever is greater. Covered entries and other weather protection features may extend into this setback by up to six feet.
 2. **Building Entry.** At least one building entry shall be visible from the sidewalk.
 3. **Weather Protection.** Weather protection at least three feet deep shall be provided over all primary entries.
 4. **Transparency.** Transparent window area shall be provided along at least 15 percent of the facade of the building (all vertical surfaces of the facade). Departures will be considered pursuant to ECC 15.210.060 and 15.510.120.
 5. **Landscaping.** All areas between the sidewalk and the building shall be landscaped, except for walkways, porches, decks, and other areas meeting the definition of pedestrian-oriented space.
- D. **Parking Location.** No more than 50 percent of the street frontage can be occupied by off-street parking and driveways (see Figure 15.510.060(B)). Departures will be considered pursuant to ECC 15.210.060 and 15.510.120.

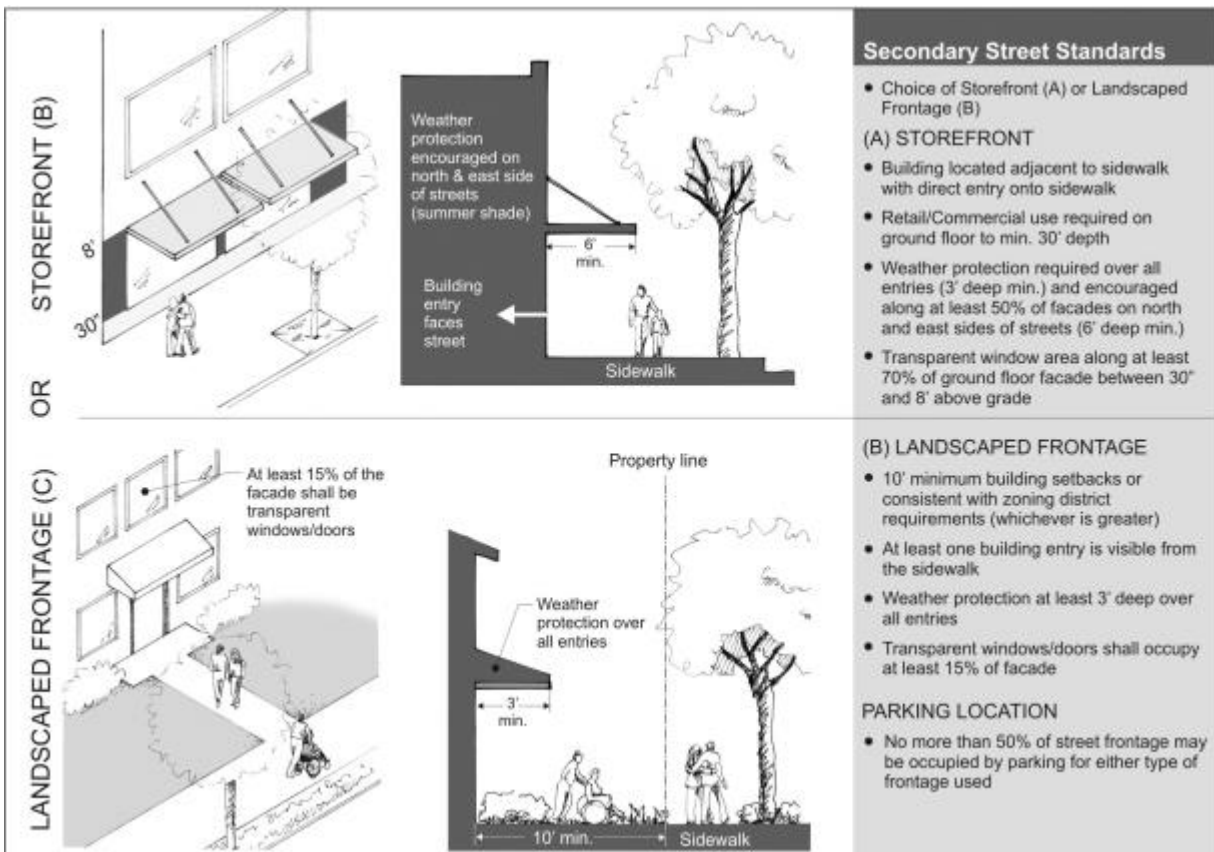


Figure 15.510.060(A). Summary of key secondary street standards.

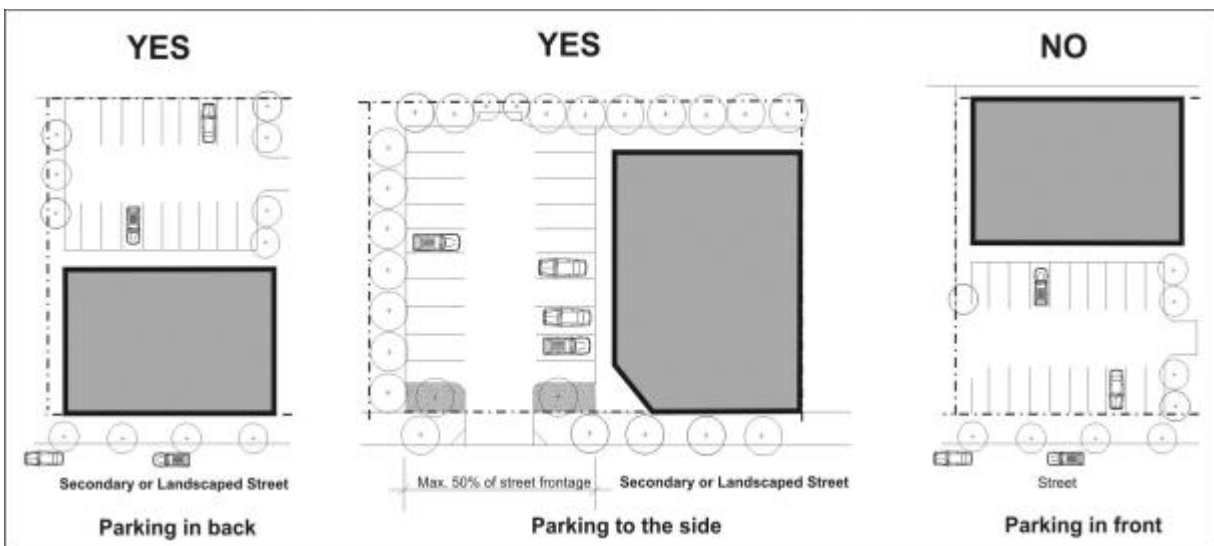


Figure 15.510.060(B). Parking location standards for designated secondary streets.

[Ord. 4656 § 1 (Exh. O2), 2013.]

Section 31. Chapter 15.510.070 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4656, is hereby amended to read as follows:

15.510.070 Gateway street standards.

A. Applicability. The standards herein shall apply to all designated gateway streets per ECC 15.510.040.

- B. **Building Setbacks.** Fifteen feet minimum, or consistent with minimum requirements of the applicable zoning district (see ECC 15.320.040 and 15.320.045), whichever is greater.
- C. **Building Entry.** At least one building entry shall be visible from the sidewalk.
- D. **Weather Protection.** Weather protection at least three feet deep shall be provided over all primary entries.
- E. **Transparency.** Transparent window area shall be provided along at least 15 percent of the facade of the building (all vertical surfaces of the facade). Departures will be considered pursuant to ECC 15.210.060 and 15.510.120.
- F. **Landscaping.** All areas between the sidewalk and the building shall be landscaped, except for walkways, porches, decks, and other areas meeting the definition of pedestrian-oriented space.
- G. **Parking Location.** Parking and driveways shall be located to the side or rear of buildings. Drive-through lanes between the sidewalk and the building are prohibited. Departures will be considered pursuant to ECC 15.210.060 and 15.510.120.

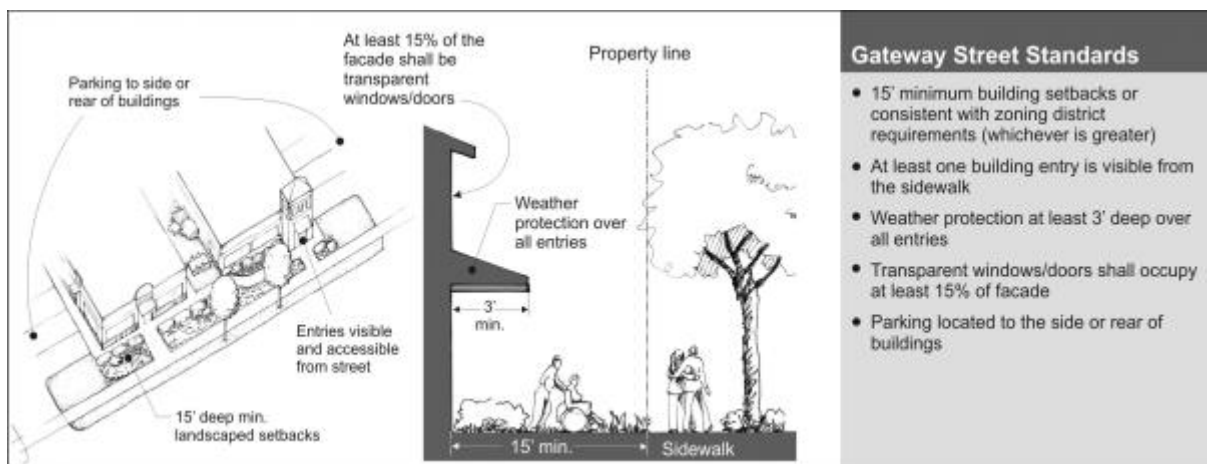


Figure 15.510.070. Summary of key gateway street standards.

[Ord. 4656 § 1 (Exh. O2), 2013.]

Section 32. Chapter 15.510.080 of the Land Development Code of the Ellensburg City Code as last amended by Ordinance 4656, is hereby amended to read as follows:

15.510.080 Landscaped street standards.

- A. **Applicability.** The standards herein shall apply to all nonresidential and multifamily development on designated landscaped streets per ECC 15.510.040.
- B. **Building Setbacks.** Fifteen feet minimum, or consistent with minimum requirements of the applicable zoning district (see ECC 15.320.030, ~~and~~ 15.320.040, and 15.320.045), whichever is greater.
- C. **Building Entry.** At least one building entry shall be visible from the sidewalk.
- D. **Weather Protection.** Weather protection at least three feet deep shall be provided over all primary entries.
- E. **Transparency.** Transparent window area shall be provided along at least 15 percent of the facade of the building (all vertical surfaces of the facade). Departures for nonresidential uses will be considered pursuant to ECC 15.210.060 and 15.510.120.

F. Landscaping. All areas between the sidewalk and the building shall be landscaped, except for walkways, porches, decks, and other areas meeting the definition of pedestrian-oriented space.

G. Parking Location. No more than 50 percent of the street frontage can be occupied by off-street parking and driveways. Departures will be considered pursuant to ECC 15.210.060 and 15.510.120.

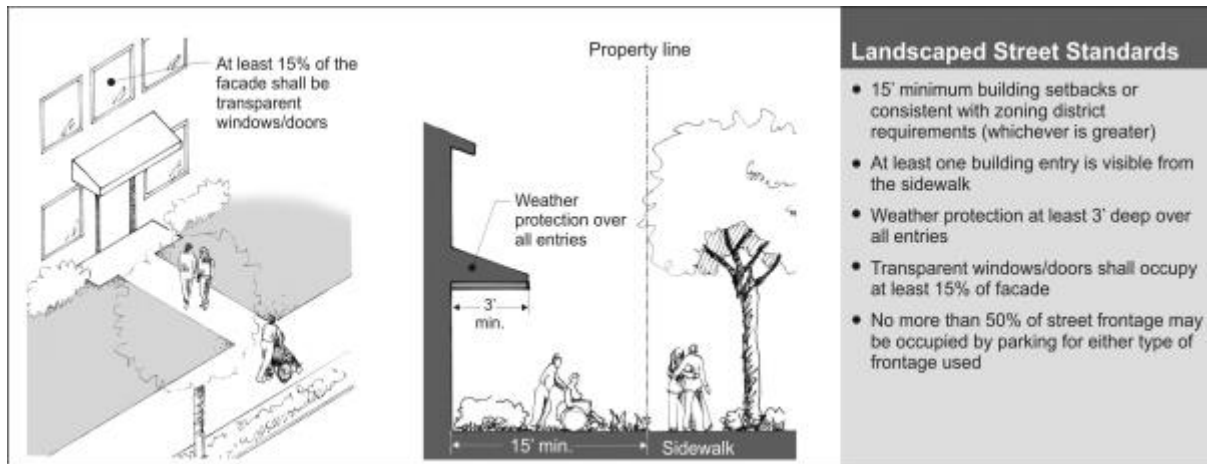


Figure 15.510.080. Summary of key landscaped street standards.

[Ord. 4656 § 1 (Exh. O2), 2013.]

Section 33. Chapter 15.530.040 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4656, is hereby amended to read as follows:

15.530.040 Building elements and details.

A. Purpose. To encourage the incorporation of design details and small-scale elements into building facades that are attractive at a pedestrian scale.

B. Applicability. All nonresidential and mixed-use buildings shall comply with the building elements and details standards herein unless otherwise noted.

C. Facade Details Toolbox. All nonresidential and mixed-use buildings shall be enhanced with appropriate details. All new buildings and additions and buildings associated with Level II and III improvements must employ at least one detail element from each of the three categories below for each facade facing a street, featuring a customer entry, or featuring the primary residential entry for each facade articulation interval (see ECC 15.530.030). For example, a building with 120 feet of street frontage with a facade articulated at 40-foot intervals will need to meet the standards for each of the three facade segments below.

1. Window and/or Entry Treatment.

- Display windows divided into a grid of multiple panes;
- Transom windows;
- Roll-up windows/doors;
- Other distinctive window treatment that meets the purpose of the standards;
- Recessed entry;
- Decorative door;
- Arcade;

- h. Landscaped trellises or other decorative element that incorporates landscaping near the building entry; or
 - i. Other decorative or specially designed entry treatment that meets the purpose of the standards.
2. Building Elements and Facade Details.
- a. Custom-designed weather protection element such as a steel canopy, cloth awning, or retractable awning;
 - b. Decorative, custom hanging sign(s);
 - c. Decorative building-mounted light fixtures;
 - d. Bay windows, trellises, towers, and similar elements; or
 - e. Other details or elements that meet the purpose of these standards.
3. Building Materials and Other Facade Elements.
- a. Use of decorative building materials/use of building materials. Examples include decorative use of brick, tile, or stonework;
 - b. Artwork on building (such as a mural) or bas-relief sculpture;
 - c. Decorative kick-plate, pier, beltcourse, or other similar feature;
 - d. Hand-crafted material, such as special wrought iron or carved wood; or
 - e. Other details that meet the purpose of the standards.

“Custom,” “decorative,” or “hand-crafted” elements referenced above must be distinctive or “one-of-a-kind” elements or unusual designs that require a high level of craftsmanship.

Departures to the standards above will be considered pursuant to ECC 15.210.060 provided the number, quality, and mix of details meet the purpose of the standards in this section.



Figure 15.530.040(C). Facade details examples. The building on the left uses decorative windows and doors, decorative roofline and columns, and decorative materials (brick and wood). The center image uses a decorative entry feature (metal feature over entry), decorative weather protection and lighting, and decorative use of brickwork. The right image uses decorative wood beams over the entry, decorative windows and doors, and stonework.

D. High Visibility Street Corner Buildings. Buildings located at designated high visibility street corners (see subsection (D)(1) of this section) shall provide one or more of the elements listed in subsection (D)(2) of this

section on the building corner. All corner building design elements must be sized to be proportional to the building and the size of the applicable intersection (for example, larger intersections warrant more substantial design treatments).

1. Designated high visibility street corners include all street corners within the downtown historic district (see Figure ~~15.300.060~~15.300.070) and other street corners illustrated in Figure 15.530.040(D)(2).
2. Street Corner Design Element Options.
 - a. A cropped building corner with corner pedestrian entry;
 - b. A bay window or turret;
 - c. A clock or bell tower;
 - d. Balconies above the ground floor;
 - e. Sculpture or artwork element; must be a one-of-a-kind design element;
 - f. Distinctive use of facade materials; and/or
 - g. Other special or unique corner building treatment, other than the use of fabric or vinyl awnings, for pedestrian weather protection at the corner of the building.



Figure 15.530.040(D)(1). Desirable building corner examples.



Figure 15.530.040(D)(2). Designated high visibility street corners. All street corners within the downtown historic district are considered a high visibility street corner.



Figure 15.530.040(D)(2). Designated high visibility street corners (continued).

E. Window Design. Buildings shall employ techniques to recess or project individual windows above the ground floor at least two inches from the facade or incorporate window trim at least four inches in width that features color that contrasts with the base building color. Buildings in the I-H zone and facades of buildings in the I-L zone that do not face a street or contain a customer entrance are exempt from this standard. Departures will be considered pursuant to ECC 15.210.060 where buildings employ other distinctive window or facade treatment that adds a sense of depth to the facade and/or visual interest to the building.



Figure 15.530.040(E). Acceptable and unacceptable (far right image) window design on upper floors. Note that the windows in the brick building on the left are recessed from the facade. The windows in the middle images include trim. The image on the right includes no trim or recess/projection, and thus would not be permitted.

F. Year of Construction Plaque. All new commercial and mixed-use buildings may note the year of construction of the building by the installation of a plaque attached to the building near the main entrance. Numbers etched into stone, brick, or concrete may be used in lieu of a plaque. The year of construction is to be noted by numbers not less than six inches high nor more than 12 inches high. Other information associated with the building that may be of public interest may be included. [Ord. 4656 § 1 (Exh. O2), 2013.]

Section 34. Chapter 15.50.040 of the Land Development Code of the Ellensburg City Code as last amended by Ordinance 4810, is hereby amended to read as follows:

15.550.040 Computation of required off-street parking spaces.

A. Spaces Required. Except as modified in subsections below, off-street parking areas shall contain at a minimum the number of parking spaces as stipulated in the following table. Off-street parking ratios expressed as number of spaces per square feet means the usable or net square footage of floor area, exclusive of nonpublic areas. Nonpublic areas include but are not limited to building maintenance areas, storage areas, closets or restrooms. If the formula for determining the number of off-street parking spaces results in a fraction, the number

of off-street parking spaces shall be rounded to the nearest whole number with fractions of 0.50 or greater rounding up and fractions below 0.50 rounding down.

Table 15.550.040(A). Computation of required off-street parking spaces.

Category of Land Use¹	Minimum Parking Spaces Required
RESIDENTIAL/LODGING	
Dwelling, single-family	2.0 per dwelling unit; for structures containing more than 4 bedrooms, 1 additional space for each bedroom in excess of 4 shall be provided. NOTE: Tandem parking to accommodate 2-car garages is permitted for single-family units.
Accessory dwelling unit	None required
Apartment:	
Duplex	2.0 per dwelling unit; for structures containing more than 4 bedrooms, 1 additional space for each bedroom in excess of 4 shall be provided. NOTE: Tandem parking to accommodate 2-car garages is permitted for duplex dwelling units.
Townhouse	2.0 per dwelling unit; for structures containing more than 4 bedrooms, 1 additional space for each bedroom in excess of 4 shall be provided.
Studio units	1.2 per dwelling unit
Studio and 1-bedroom units in C-C zone outside of the downtown historic district	0.7 per dwelling unit
1-bedroom units	1.5 per dwelling unit
2-bedroom residential units and larger in C-C zone outside of the downtown historic district	0.7 per bedroom
2-bedroom units or larger	1.0 per bedroom
Cottage housing	1.5 per dwelling unit
Senior housing	1.0 per dwelling unit (this may be reduced based on the characteristics of the use)
Adult family home	2.0 per dwelling unit; for structures containing more than 4 bedrooms, 1 additional space for each bedroom in excess of 4 shall be provided. NOTE: Tandem parking to accommodate 2-car garages is permitted.
Senior citizen assisted housing	1.0 per 2 dwelling or sleeping units
Community residential facilities	1.0 per 2 bedrooms
Boarding houses, lodging houses, sororities, fraternities	1.0 per bedroom
Hotel/motels (where restaurants and conference facilities are included, see standards for applicable use)	1.0 per guest room
Bed and breakfast guesthouse	1.0 per guest room, plus 2.0 per facility
GENERAL RETAIL AND SERVICE	
Offices, banks, medical clinics, supermarkets, retail shops, department stores, or similar uses	1.0 per 300 square feet of gross floor area

Category of Land Use ¹	Minimum Parking Spaces Required
General retail or service use with drive-in facility	Same parking for retail and service as provided herein, plus sufficient off-street drive-through stacking area to accommodate 3 vehicles without negatively impacting other required parking areas, ingress and egress into such parking areas, or traffic on public streets
Day care facility	1.0 per employee plus 1.0 temporary loading parking per each 8 full-day equivalent children
FOOD AND BEVERAGE	
Restaurant, taverns, or similar uses where patrons sit down for service	1.0 per 200 square feet of gross floor area for sit-down facilities with a minimum number of 5 spaces required
Drive-in restaurant	Same parking as restaurant plus sufficient off-street drive-through stacking area to accommodate 6 vehicles without negatively impacting other required parking areas, ingress and egress into such parking areas, or traffic on public streets
Drive-in coffee stand	2.0 per facility plus sufficient off-street drive-through stacking area to accommodate 6 vehicles without negatively impacting other required parking areas, ingress and egress into such parking areas, or traffic on public streets
PLACES OF ASSEMBLY	
Churches, funeral homes, mortuaries, clubs, lodges, museums, auditoriums, theaters, conference facilities, public or commercial recreational facilities, or similar uses	0.25 per person of maximum occupancy as established by the fire marshal with a minimum of 5 spaces required
INDUSTRIAL AND LAND CONSUMPTIVE USES	
Wholesale trade, warehousing (including miniwarehouse facilities), processing and manufacturing facilities, heavy equipment repair, lumber yard, car sales, or similar land consumptive but low traffic generation uses	1.0 per 1,500 square feet of gross floor area for structures up to 20,000 square feet in gross size with a minimum of 5 spaces required OR 1.0 per 2,000 square feet of gross floor area for structures greater than 20,000 square feet in gross size. NOTE: For vehicle sales lots, the sales area is not considered to be a parking facility and does not have to comply with the requirements of this chapter. However, all required parking must be designed and reserved for customer parking only.
PUBLIC AND QUASI-PUBLIC USES	
Hospital	1.5 per each 5 beds with a minimum of 5 spaces required
Elementary and junior high schools	1.0 per classroom, plus 1 per 50 students
High schools, college or university, trade school, or business school	1.0 per classroom, plus 1 per 10 students
Governmental office	1.0 per 350 square feet of gross floor area

Notes:

1. In those situations where a particular use is not specifically mentioned in this table, the requirements for off-street parking shall be determined by the director and in accordance with the most comparable use listed.

B. Uses in the C-C Zone. There are no off-street parking requirements for any uses in the C-C zone, except residential uses located outside of the downtown historic district shall provide at least 0.7 parking spaces per bedroom (studio apartments shall be considered a one-bedroom apartment).

C. Shell Building Permit Applications. When the city has received a shell building permit application, off-street parking requirements shall be based on the possible tenant improvements or uses authorized by the zone designation and compatible with the limitations of the shell permit. When the range of possible uses results in different parking requirements, the director shall establish the amount of parking based on a likely range of uses.

For example, an applicant submits a permit for a 5,000-square-foot shell building in the C-H zone. The zone allows for a range of retail, personal, and general service retail uses. Most permitted uses in this zone fall in the category of general retail and service uses in Table 15.550.040(A) which requires one space per 300 square feet of gross floor area. Restaurants require more parking (one space per 200 square feet of gross floor area). While the director might find it unreasonable to require parking for the “worst case scenario” in terms of possible use types, he or she will typically choose a requirement that falls between the possible use scenarios. In this case, the odds are that most possible uses fall in the general retail and service use category with a lower parking requirement, though a slightly higher parking requirement would make sense given the possibility of a use such as a restaurant, which requires greater parking. Thus, a compromise standard, requiring a minimum of one space per 275 square feet of gross floor area, would be reasonable in this instance.

D. Other Provisions of Code. Where other provisions of this code stipulate reduced minimum parking requirements, those provisions shall apply.

E. Bicycle Parking. Multifamily and nonresidential developments shall provide for bicycle parking per the standards below:

1. Amount of Bicycle Parking.

Table 15.550.040(B). Computation of required off-street bicycle parking spaces.

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

2. Parking Location and Design – Nonresidential Uses. Bicycle facilities for patrons shall be located within 100 feet of the building entrance and located in safe, visible areas that do not impede pedestrian or vehicle traffic flow. Proper lighting of area is required per Chapter 15.580 ECC.

3. Parking Location and Design – Residential Uses. Bicycle facilities for residents shall be located within 100 feet of all building or individual unit entrances and located on the ground level in safe, visible areas that do not impede pedestrian or vehicle traffic flow. Proper lighting of area is required per Chapter 15.580 ECC.

4. Bicycle parking hardware shall be installed according to its manufacturer’s instructions, allowing adequate clearance for bicycles and their riders.

5. Projects in the C-C zone may contribute to a bicycle parking fund (subject to establishment by the city) maintained by the city in lieu of required parking set forth in Table 15.550.040(B). Calculation of the required fund contributions will be based on the cost to purchase, install, and maintain bicycle parking and associated improvements. The cost will be adjusted annually by the city. The fund will be used by the city to provide bicycle parking in the C-C zone and in other locations within the city.

F. Primary Use. The minimum number of parking spaces shall be computed based on the primary uses on the property, except as stated in subsection (G) of this section that addresses accessory uses. When there are two or more separate primary uses on a property, the required off-street parking for the property is the sum of the required parking for the individual primary uses.

G. Accessory Use. When more than 20 percent of the gross floor area on a property is in an accessory use, the required off-street parking shall be calculated separately for the accessory use and for the primary use and then added together for the total required off-street parking. When 20 percent or less of the gross floor area on a property is in an accessory use, the required off-street parking shall be calculated on the gross floor area of the building as if it were all under the primary use.

Examples:

1. A 40,000-square-foot building containing a 30,000-square-foot warehouse space (75 percent of total) and a 10,000-square-foot accessory office space (25 percent of total). The minimum parking requirement would be calculated separately for the office use and the warehouse use and then added together.
2. The same 40,000-square-foot building containing a 35,000-square-foot warehouse space (88 percent of total) and a 5,000-square-foot accessory office space (12 percent of total). The required parking would be based solely on the gross floor area of the building as if it were all the primary use (40,000).

H. On-Street Parking. On-street parking immediately adjacent to the property may be counted towards the parking requirement for nonresidential uses.

I. Off-Site Parking. Off-site parking is not permitted for residential uses outside of the C-C zone, except for guest parking provisions associated with local access streets per ECC 15.410.040(B)(2). For nonresidential uses, a maximum of 25 percent of the required off-street parking for a building or use may be located on a separate lot of record. Specifically:

1. The location of the off-site parking shall be within 600 feet of any property line of the property for which the off-site parking is provided;
2. Off-site parking facilities are subject to applicable design provisions in this division, including site orientation standards in Chapter 15.510 ECC, site planning and design elements in Chapter 15.520 ECC, and landscaping standards in Chapter 15.570 ECC;
3. There shall be sidewalks or paved pedestrian paths between the off-site parking site and the use for which the off-site parking is provided;
4. There shall be adequate lighting to provide safe walking between the off-site parking and the use for which the off-site parking is provided;
5. The owner of the off-site parking property shall execute a covenant in a form acceptable to the city attorney that shall clearly:
 - a. Identify the legal description of the property that is to benefit from the off-site parking lot and the legal description of the off-site property that is to be encumbered in whole or in part by the covenant;
 - b. Specify the terms and conditions of such encumbrance; and

c. Clearly state that the terms of the covenant cannot be modified or revoked without the written consent of the city council.

d. The covenant shall be recorded with the Kittitas County auditor's office to run as a deed restriction on both the benefited and encumbered properties as long as the business requiring these off-street parking spaces is in operation. A copy of the recorded covenant shall be provided to the community development department.

J. All required off-street parking must have direct and unobstructed access to ingress and egress from a public street, and stacked or tandem parking shall not be counted toward meeting the required off-street parking requirements in any zoning district except for single-family residential structures and duplex dwelling units as per Table 15.550.040(A).

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.

2. At locations where single-family residential parking is permitted within setback or required open space, provisions shall be made to prevent this parking from encroaching upon adjacent sidewalks. For the purposes of this requirement there shall be a minimum of 22 feet between adjacent structures and sidewalks to allow for parking clearance when required parking for single family residential development is sited on the required building setback(s) or open space.

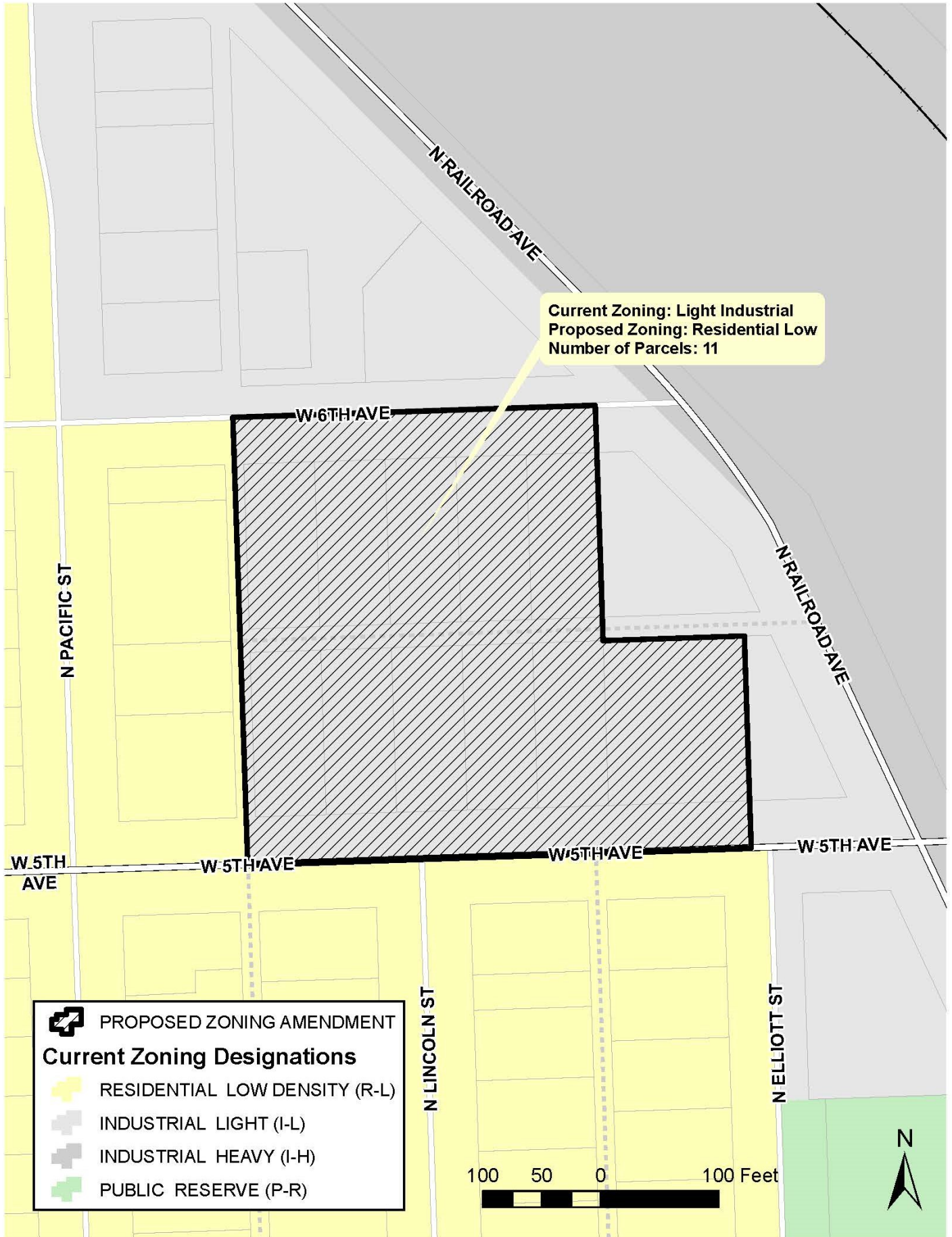
L. Garages. Required off-street parking that is provided in garages or carports shall be credited toward the required off-street parking spaces except that no stacked or tandem parking that blocks off those garages or carport parking spaces from direct or unobstructed access to ingress or egress to a public street shall be credited toward the required parking spaces except for single-family residential structures and duplex structures as set forth in Table 15.550.040(A).

M. Handicapped Parking. Off-street parking and access for the physically handicapped shall be provided in accordance with the Uniform Building Code.

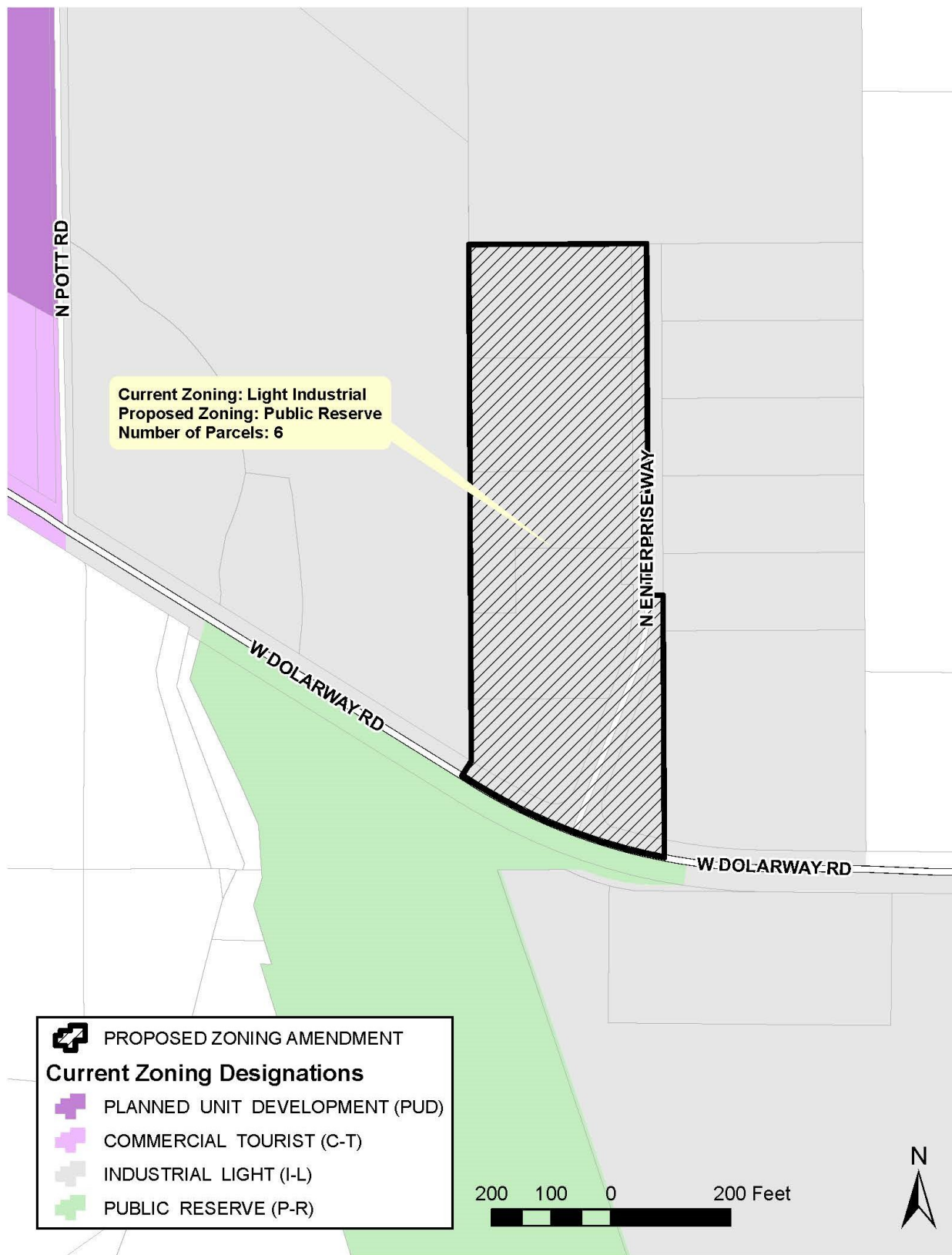
N. Fire Lane Standards. Fire lanes may be required by the fire codes and by Kittitas Valley Fire and Rescue within off-street parking facilities. Such fire lanes, including dimensions, width, location, etc., shall be installed as required by the fire code or Kittitas Valley Fire and Rescue and shall remain in effect throughout the life of the parking facility.

O. Changes in use to a different land use category shall provide the minimum off-street parking for the new general land use category. [Ord. 4810 § 2, 2018; Ord. 4807 § 59, 2018; Ord. 4656 § 1 (Exh. O2), 2013.]

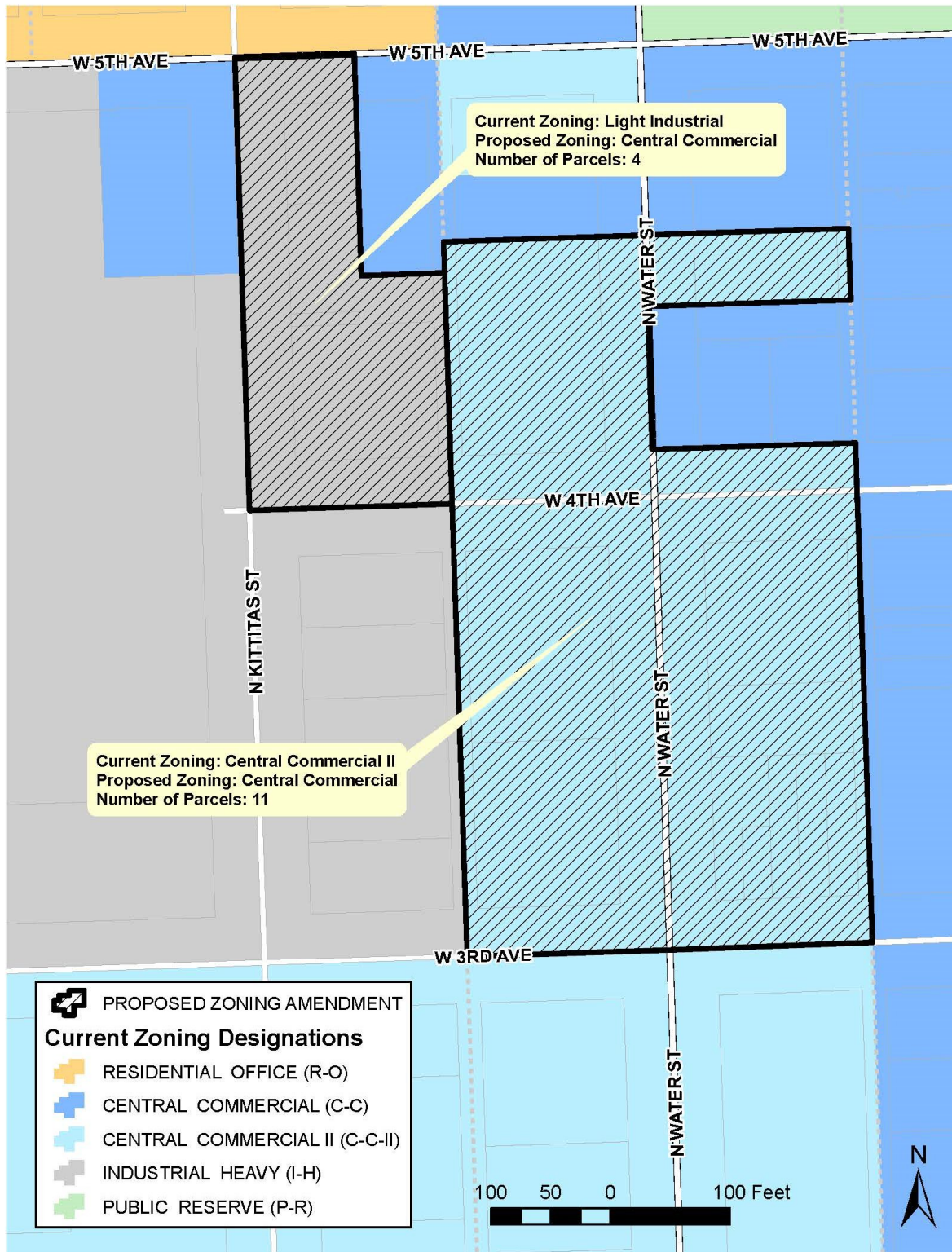
Section 35. The zoning district map of the Land Development Code of the Ellensburg City Code is hereby amended as follows to implement the Residential Neighborhood comprehensive plan future land use designation as confirmed through community outreach to sustain the existing residential neighborhood through expansion of the Residential-Low zone to include properties that are all developed as single family homes and limiting the Light Industrial zone to the properties immediately adjacent to North Railroad Avenue, a minor arterial street:



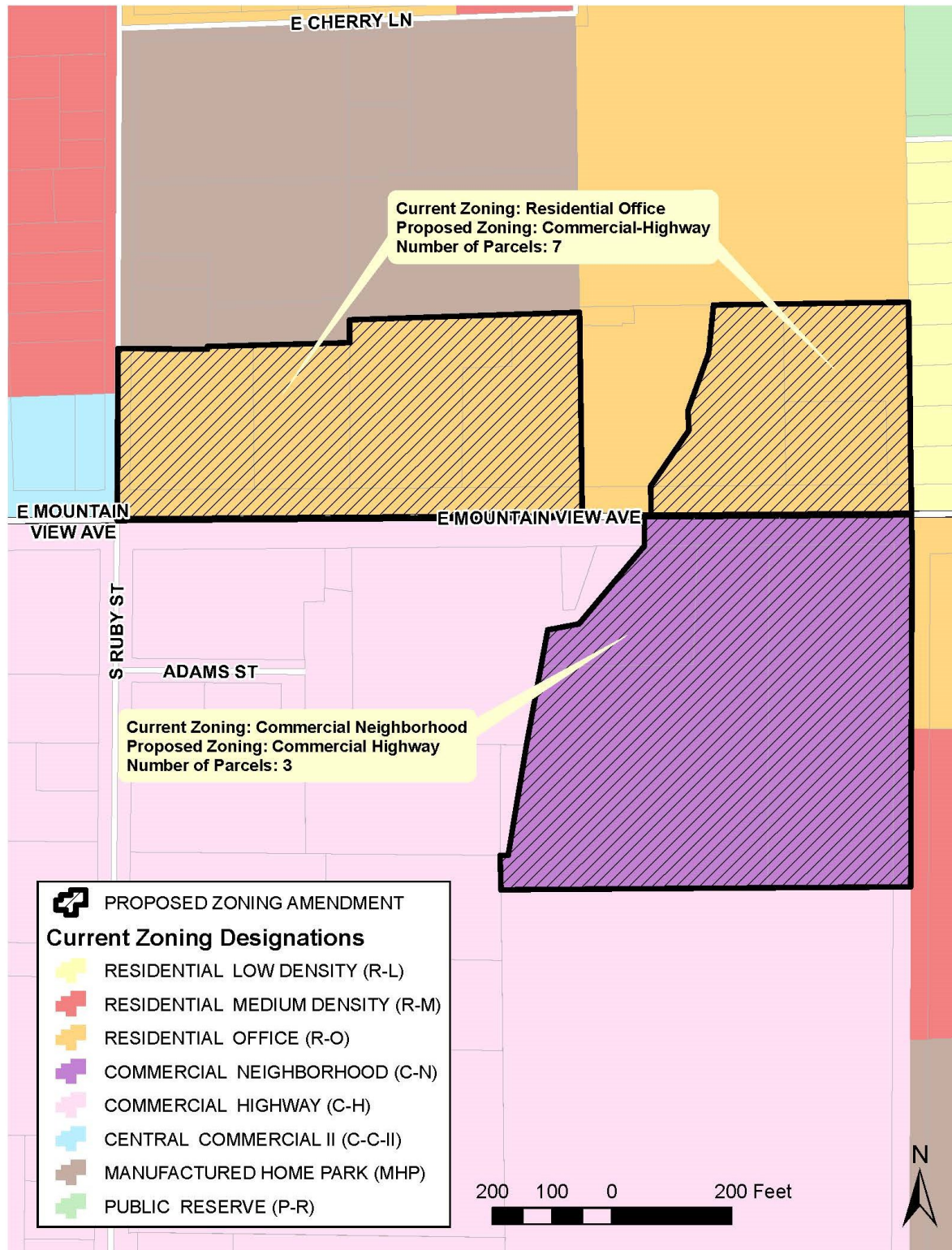
Section 36. The zoning district map of the Land Development Code of the Ellensburg City Code is hereby amended as follows to implement the Parks and Open Space comprehensive plan future land use designation consistent with future floodplain management projects:



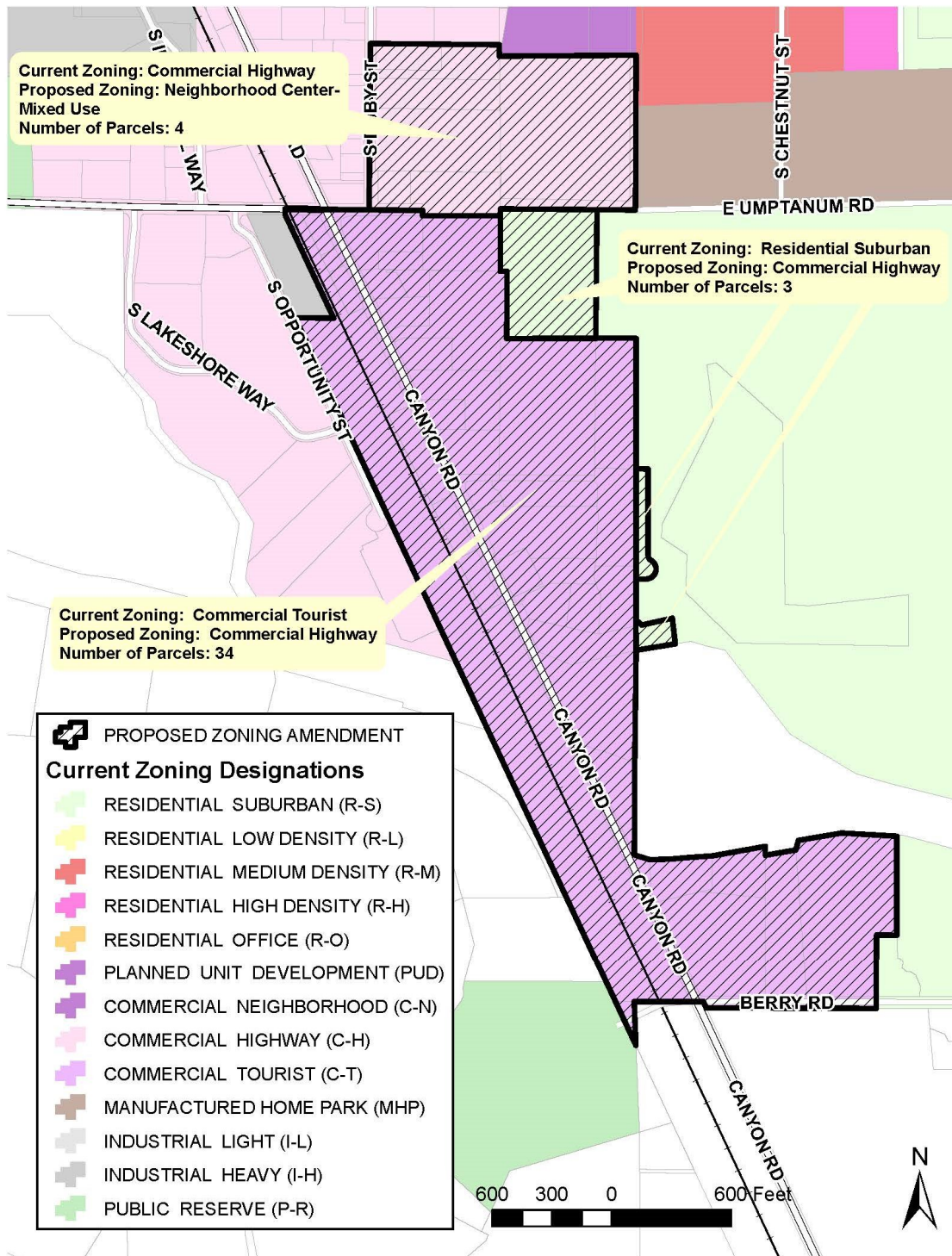
Section 37. The zoning district map of the Land Development Code of the Ellensburg City Code is hereby amended as follows to implement the Urban Center comprehensive plan future land use designation as confirmed through community outreach to provide for expansion of the downtown area that follows development patterns and expands opportunities for multifamily and mixed use development through reduced parking requirements and expansion of the multifamily tax exemption program which implements comprehensive plan goals for a walkable downtown with a diversity of residential and commercial uses:



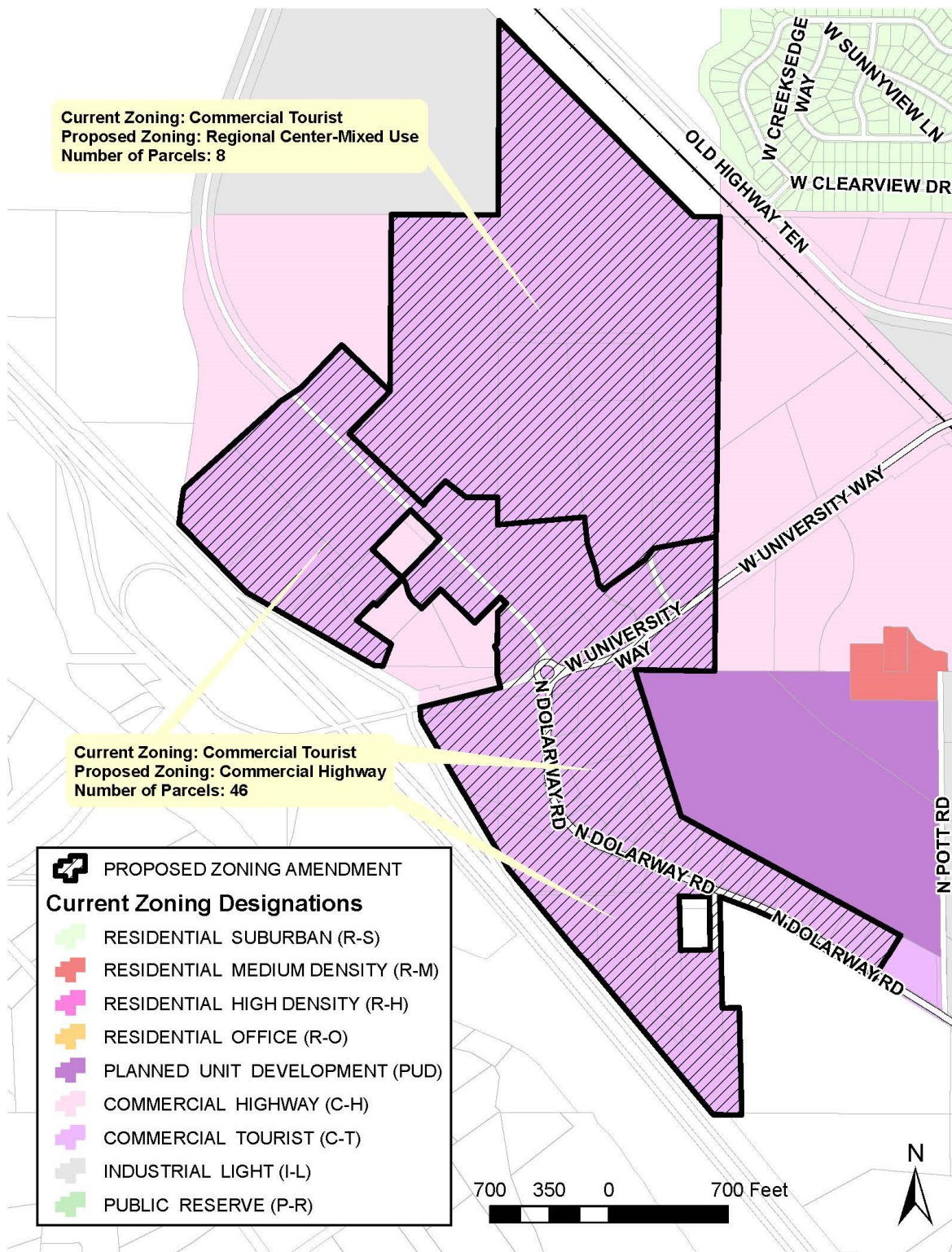
Section 38. The zoning district map of the Land Development Code of the Ellensburg City Code is hereby amended as follows to implement the Community Mixed Use comprehensive plan future land use designation as confirmed through community outreach to provide for more flexibility of commercial uses that follows development patterns of commercial uses on Mountain View Avenue, a minor arterial; implements the purpose of the Commercial Neighborhood zone; and implements comprehensive plan goals for a variety of shopping, entertainment, recreation, and employment uses that are accessible to neighborhoods:



Section 39. The zoning district map of the Land Development Code of the Ellensburg City Code is hereby amended as follows to implement amendments to the Land Development Code provided herein to eliminate the Commercial Tourist zoning district and implement the Community Mixed Use comprehensive plan future land use designations, as confirmed through community outreach to provide for more flexibility of commercial uses that follows development patterns; and implements comprehensive plan goals to create a variety of shopping, entertainment, recreation, and employment uses accessible to residential areas, and support the development of compact, livable, and walkable mixed use centers:



Section 40. The zoning district map of the Land Development Code of the Ellensburg City Code is hereby amended as follows to implement amendments to the Land Development Code provided herein to eliminate the Commercial Tourist zoning district and implement the Community Mixed Use comprehensive plan future land use designations, as confirmed through community outreach to provide for more flexibility of commercial uses, and implement comprehensive plan goals to support development of compact, livable, and walkable mixed use centers:



Section 41. Corrections. Upon the approval of the City Attorney, the City Clerk and codifiers of this ordinance are authorized to make necessary corrections to this Ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 42. Effective Date. This ordinance shall take effect and be in force five (5) days after its passage, approval, and publication.

The foregoing ordinance was passed and adopted at a regular meeting of the City Council on the ____ day of _____, 2021.

MAYOR

ATTEST: _____
City Clerk

Approved as to form:

CITY ATTORNEY

Publish:

I, Beth Leader, City Clerk of said City, do hereby certify that Ordinance No. ***** is a true and correct copy of said Ordinance of like number as the same was passed by said Council, and that Ordinance No. ***** was published as required by law.

BETH LEADER



City of Ellensburg

PROCLAMATION

Friends of Libraries Week

Whereas, Friends of the Ellensburg Public Library raise money that enables our library to move from good to great -- providing the resources for additional programming, much needed equipment, support for children's summer reading, and special events throughout the year;

Whereas, the work of the Friends highlights on an on-going basis the fact that our library is the cornerstone of the community, providing opportunities for all to engage in the joy of life-long learning and connect with the thoughts and ideas of others from ages past to the present;

Whereas, the Friends understand the critical importance of well-funded libraries and advocate to ensure that our library gets the resources it needs to provide a wide variety of services to all ages including access to print and electronic materials, along with expert assistance in research, readers' advisory, and children's services;

Whereas, the Friends' gift of their time and commitment to the library sets an example for all in how volunteerism leads to positive civic engagement and the betterment of our community;

Now, therefore, be it resolved that the Ellensburg City Council proclaims October 17-23, 2021, as Friends of Libraries Week in Ellensburg, Washington and urges everyone to join the Friends of the Library and thank them for all they do to make our library and community so much better.

Dated this 18th day of October, 2021.

Bruce Tabb, Mayor

Attest: _____
Beth Leader, City Clerk



CITY OF ELLENSBURG

Date of Meeting

Time of Meeting

Place of Meeting

Minutes of City Council, Regular Meeting

October 4, 2021

7:00 PM

Council Chambers 501 North Anderson Street

Ellensburg, WA 98926

and remotely via Zoom

Pledge of Allegiance

Councilmember Lamb led the Pledge of Allegiance

1. Call to Order and Roll Call

Roll Call Present: Rich Elliott, Nancy Goodloe, Tristen Lamb, Nancy Lillquist, David Miller, Mary Morgan, Bruce Tabb

Also present in person: City Manager Behrends Cerniwey; City Attorney Weiner; City Clerk Leader; Community Development Director Sackett; Josh Hackney with Central Washington Disability Resources and approximately ten members of the public

Present remotely via Zoom: Executive Assistant Gigstead; Stormwater Manager Morrow; Financial Analyst/Budget Officer Bassett; Planning Manager Ayling; Parks & Recreation Director Case; Christopher King; MacKenzie Carter; Berk Consulting representatives Kevin Ramsey and Lisa Johnson and five members of the public

2. Proclamations

2.A. National Disability Employment Awareness Month Proclamation

Josh Hackney with Central Washington Disability Resources read the proclamation.

Councilmember Rich Elliott moved to Approve the Mayor's signature on the Proclamation. **Motion Approved 7-0.**

3. Awards and Recognitions

4. Approval of Agenda

Councilmember Rich Elliott moved to Approve the Agenda as presented. **Motion Approved 7-0.**

5. Consent Agenda

5.A. Approve Minutes of the September 20, 2021 Regular Meeting

5.B. Approve Minutes of the September 20, 2021 Study Session

5.C. Approve Minutes of the September 24, 2021 Special Council Meeting.

5.D. Acknowledge Minutes of Boards and Commissions

5.E. Collective Bargaining Agreement for 2021-2023 between City and Teamsters Local 760.

5.F. Approve University Way Banner Request for Ware Fair - November 29 - December 5, 2021

5.G. Purchase of Road Deicer

5.H. Accept Resignation of Matt Anderson from the Lodging Tax Advisory Committee.

5.I. Approve Voucher Listing for October 4, 2021

Councilmember Nancy Lillquist moved to Amend item 5C, Minutes of the September 24, 2021 Council Special Meeting to read "The meeting was called to order". **Motion Approved 7-0.**

Councilmember Mary Morgan moved to Approve the Consent Agenda as amended. **Motion Approved 7-0.**

6. Petitions, Protests, and Communications

6.A. Board and Commission Applications.

MacKenzie Carter and Christopher King introduced themselves and spoke about their interest in serving on the Public Transit Advisory Committee.

7. Citizen Comment on Non-agenda Issues

- Paula Hiatt, 1706 N Bluegrass Ln, spoke regarding the new school construction and neighborhood traffic
- Charles Hiatt, 1706 N Bluegrass Ln, spoke regarding traffic and elementary school construction
- Karen Zwick, 1704 N Bluegrass Ln, spoke regarding neighborhood traffic
- Pat Kelleher, 6530 Wilson Creek Rd, spoke regarding Cora Street traffic
- Nancy Kaspari, 1718 N Bluegrass Ln, spoke regarding Bluegrass Lane traffic
- Laurae & David Lygre, 805 N B St, spoke regarding their project, Bike Bells
- Lee R. Bates, 1802 N Bluegrass Ln, spoke regarding the new school and traffic issues
- Jason Pfeiffer, 1713 N Bridgewood Ln, spoke regarding elementary school construction and traffic

8. Business Requiring Public Hearings

8.A. Public Hearing (Legislative) - 2022 Proposed Revenue Sources Including Property Tax

The Mayor opened the public hearing. Financial Analyst/Budget Officer, Keith Bassett, presented information in the staff report.

There were no questions or comments from the public. Council asked questions of staff. The Mayor closed the public hearing.
No action was required.

8.B. Public Hearing (Legislative) for Adoption of the Ellensburg Housing Action Plan

The Mayor opened the public hearing. Community Development Director, Kirsten Sackett, presented information in the staff report. Berk Consulting Project Manager, Kevin Ramsey, presented information to Council.

Community Development Director Sackett reviewed proposed changes distributed to Council at the beginning of the meeting.

There were no questions or comments from the public. Council asked questions of staff and the consultant.

Councilmember Rich Elliott moved to Approve Resolution 2021-30 adopting the 2021 Housing Action Plan, including amendments suggested and submitted by staff. **Motion Approved 7-0.**

8. Introduction and Adoption of Ordinances and Resolutions

9.A. Rezone Application Z13-02, submitted by Stephen Hayden for Friends of the Northern Pacific Depot.

Jamey Ayling, Planning Manager, presented information in the staff report.

Councilmember Mary Morgan moved to Approve conducting first reading of Ordinance 4879 approving the rezone of a portion of Parcel 216833 from I-L (Industrial Light) to CC-II (Central Commercial). **Motion Approved 7-0.**

Councilmember Rich Elliott moved to Approve waiving Council Rule 9.3(b) prohibiting final passage of an ordinance on the same day on which it was introduced. **Motion Approved 7-0.**

Councilmember Rich Elliott moved to Approve conducting second reading and adoption of Ordinance 4879 approving the rezone of a portion of Parcel 216833 from I-L (Industrial Light) to CC-II (Central Commercial). **Motion Approved 7-0.**

10. Unfinished Business

11. New Business

11.A. Council Funded Grant Program - 2022 Park Partnership Awards
Parks and Recreation Director, Brad Case, presented information in the staff report.

Councilmember Rich Elliott moved to Approve the recommendation from the Parks & Recreation Commission to authorize grant funding distributions in the amount of \$15,617.39 to recipients and approve the necessary budget adjustments, as set forth in the report. **Motion Approved 7-0.**

11.B. Professional Services Agreement with Aspect Engineering for Gateway II Design
Jon Morrow, Stormwater Manager, presented information in the staff report.

Councilmember Nancy Lillquist moved to Authorize the City Manager to sign the Agreement with Aspect Engineering and authorize the necessary budget adjustments. **Motion Approved 7-0.**

12. Miscellaneous

12.A. Manager's Report

The City Manager reviewed the report. She requested Council set a study session on October 11, 2021 to continue the discussion on zoning. She also requested Council's support with signatures on a letter to the Washington State Public Works Board for the Kittitas County Rural Broadband Project.

Councilmember Rich Elliott moved to Approve setting a study session on October 11, 2021 from 6pm to 8pm. **Motion Approved 7-0.**

Councilmember Nancy Lillquist moved to Approve authorizing the Mayor and Councilmember Lillquist's signatures in support of the Kittitas County Rural broadband Project. **Motion Approved 7-0.**

12.B. Councilmembers' Reports

- Councilmember Elliott reported on vaccinations, and the one tenth of one percent sales tax for behavioral health to go before County Commissioners and Mayor Tabb spoke regarding Council supporting the County Commissioners taking action on the issue;

Councilmember Tristen Lamb moved to Approve setting a public hearing on October 18, 2021 to consider a resolution in support of the one-tenth of one percent tax levy supporting behavioral health to be considered by Kittitas County. **Motion Approved 7-0.**

- Councilmember Goodloe reported on the DEI commission;
- Councilmember Lamb reported meetings will be held at the federal level concerning pediatric vaccination approval and commented on issues with traffic by the elementary schools;
- Councilmember Miller attended Bite of the Burg and Buskers in the Burg;

- Mayor Tabb attended Bite of the Burg, Buskers in the Burg and Ask the Mayor at the Farmer's Market

12. Executive Session

13. Adjournment

Meeting adjourned at 9:16 pm

Mayor

ATTEST:

City Clerk



CITY OF ELLENSBURG

Date of Meeting

Time of Meeting

Place of Meeting

Minutes of City Council, Study Session

October 11, 2021

6:00 PM

Council Chambers 501 N Anderson Street

Ellensburg, WA 98926

And remotely via zoom

Roll Call Present: Rich Elliott, Nancy Goodloe, Tristen Lamb, Nancy Lillquist, David Miller, Mary Morgan

Present Remotely Via Zoom: Bruce Tabb

Others Present: City Manager Behrends Cerniwey; City Attorney Weiner.

Present Remotely Via Zoom: Deputy City Clerk Davison; Community Development Director Sackett, and Planning Manager Ayling.

Call to Order. The meeting was called to order at 6:00 p.m.

City Manager Behrends Cerniwey gave a brief synopsis of the proposed land development code amendments.

Councilmember Morgan arrived at 6:05 p.m.

Community Development Director Sackett and Planning Manager Ayling presented information in the staff report.

Council discussed and asked questions of staff regarding the proposed land uses and rezones. Council requested further discussion on the Retail, super scale (>60,000 square feet) use, directed staff to add bed and breakfasts to the permitted uses in the two new mixed zones, to research definitions for electric vehicle charging stations and review the proposed changes to the Airport Overlay zone in comparison to Kittitas County's code.

Mayor Tabb left the meeting at 7:20 p.m. Mayor Pro Tempore Goodloe assumed duties as the presiding officer.

Council will revisit the topic in the October 18, 2021, study session.

Adjournment

Meeting adjourned at 8:03 pm.

Mayor

ATTEST: _____
Deputy City Clerk



DIVERSITY, EQUITY & INCLUSION COMMISSION (DEI)
September 14, 2021 Regular Meeting
(3:00 to 4:30 p.m.) Remote Meeting via Zoom

Members Present: Veronica Acevedo, Tylene Carnell, Landis Hanson, Sara Omrani, Daniel Amos and Nancy Goodloe (chair)

Members Absent: Kandee Cleary (excused)

Also present: Nicole Klauss, Public Information Officer (Recording Secretary); Stacey Henderson, Senior Planner; Heidi Behrends Cerniwey, City Manager; and 1 member of the public.

1. CALL TO ORDER / INTRODUCTIONS

Chair Nancy Goodloe called the meeting to order at 3:02 p.m.

Motion: Commissioner Sara Omrani moved to approve an excused absence for Commissioner Kandee Cleary, and Commissioner Landis Hanson seconded. All in favor of the motion; motion passed.

2. APPROVAL OF MINUTES FROM August 24, 2021 MEETING

Motion: Commissioner Veronica Acevedo moved to approve the minutes from the August 24, 2021 DEI Commission Meeting, and Commissioner Tylene Carnell seconded. All in favor of the motion; motion passed.

NEW BUSINESS

3. UPDATE ON DEI CHAPTER OF COMPREHENSIVE PLAN

City senior planner Stacey Henderson said the narrative of the chapter has changed considerably but reflects a good baseline. Henderson is working to clarify one part of the history piece with Kittitas County Historical Museum Director Sadie Thayer.

Commissioner Carnell suggested some changes to the document that encouraged more direct language. Commissioner Hanson said he thought Carnell's edits were thorough and thanked her for her contributions. Chair Goodloe thanked Henderson for her work on the chapter.

Henderson said the draft will go through the SEPA process and the Planning Commission. Feedback from those processes may be brought back to the DEI Commission for one final look.

4. REVIEW NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH

The Commission reviewed the National Disability Employment Awareness Month Proclamation. Chair Goodloe thanked Commissioner Cleary for taking the lead on putting the proclamation together. Chair Goodloe called attention to a duplicate paragraph.

Commissioner Hanson wanted stronger language in the last whereas paragraph, not just to empower people with disabilities but also to encourage businesses to make their place of work more accepting of people with disabilities and recognizing that this is something we all need to be working toward.



Commissioner Carnell suggested something along the lines of therefore we encourage all businesses and physical spaces to take a closer or pay attention to make sure their space is accessible.

Commissioner Amos suggested using the words accessible and welcoming, showing by language and signs that it's accommodating and welcoming people with disabilities. Commissioner Acevedo suggested the language disability friendly.

Commissioner Hanson and Commissioner Omrani will work on adding language to update the proclamation, and will send to Klauss by Friday, September 17.

5. WORK PLAN DISCUSSION

Henderson had previously made a list of items during the comprehensive plan discussion that could be possible action items for this year and could be turned into goal statements for the DEI Commission's work plan. Chair Goodloe asked the commission to review the list. Continuing to write proclamations celebrating heritage months was added to the action item list.

Commissioner Carnell said it's important to make sure we're bringing marginalized voices to the work, empowering community voice into these events, plans or trainings.

Henderson clarified the definition of a DEI toolkit. It could be surveys, questions, or a matrix to evaluate policy. It's a bunch of tools and ways people can think critically about a new policy. Seattle has an example.

Commissioner Omrani said the action items for this year look good and it's important to not bite off more than you can chew when starting something new.

The commission will revisit the list at a future meeting.

6. DISCUSS MEETING FREQUENCY

The commission has been meeting two times a month to meet the Comprehensive Plan DEI Chapter deadlines. Commission members discussed the frequency of meetings and settled on continuing to meet two times a month through October. Then the commission will go back to just one time a month for November and December, the second Tuesday of the month at 3 p.m., due to the holidays.

7. COMMISSIONER REPORTS

Chair Goodloe asked Commissioner Hanson if there were updates on the Old Heat project he reported on last month, and he said no updates.

Commissioner Amos said Commissioner Carnell and himself attended a LGBTQ listening session and asked what's next. Chair Goodloe said all notes should go to Klauss and at some point, when the commission has a good number of those listening tours that have been complete, Klauss can



organize concepts and things that are rising to the top. That would give the commission a way to compare with the first listening tour to see if similar things are coming up. Commissioner Carnell said medical topics seemed to come up more with their recent listening session.

Commissioner Omrani would like to focus on setting up a listening tour for marginalized CWU students because a big opportunity is learning why CWU students don't stay here.

Commissioner Carnell said someone passed along an idea to address the City road paint shortage. If white road paint not available, then potentially look at rainbow reflective paint and paint crosswalks with rainbow LGBTQ Pride flag.

Commissioner Carnell also shared a story from two youth at Helen House. They were walking around West Ellensburg Park and a truck passed with people yelling "We love the gays." The two youths changed direction, and felt if they hadn't changed the direction they were heading, they would have been hit by this truck on a future pass. The second time the truck passed they were yelling hateful comments. Part of the reason Carnell wanted to bring it up was to remind the commission this work needs to be now and with intent because these incidents are still happening in this community.

Commissioner Acevedo said she is looking into an issue of discrimination that was brought to her attention while manning the Century 21 booth and will share additional information when she can.

Carnell said someone shared that when they visited the BookMobile they asked if there were any BIPOC or LGBTQ books in the BookMobile and was told no. Carnell said that's something the commission might look at in terms of encouraging or increasing.

8. STAFF REPORT

Recording secretary Nicole Klauss read an agenda report from Chief Wade about an invitation to the Citizen's Academy.

9. PUBLIC COMMENT

Chair Goodloe called for public comment; there was none.

The meeting adjourned at 4:29 p.m.

Respectfully Submitted by

Nicole Klauss

Recording Secretary

Drafted: 9/15/21

Approved: 9/28/21

ELLENSBURG ENVIRONMENTAL COMMISSION

**June 16, 2021 Regular Meeting
(5:15 p.m. to 5:49 p.m.)
Remote Meeting via Zoom**

Members Present: Laura Busby, Kristine Steinkoenig, Andrea Sledge, Christina Wollman, James Rivard, Daphne Condon

Members Absent: Steve Luten (excused),

Also present: Nancy Lillquist, Council Liaison; and Laura Wilson, Planner

Commissioner Wollman called the meeting to order at 5:21 p.m.

AGENDA

Commissioner Sledge moved to accept the agenda and Commissioner Busby seconded the motion. The motion was passed with all in favor.

MINUTES

Commissioner Sledge moved to approve the May 19, 2021 Environmental Commission regular meeting minutes as presented. Commissioner Wollman seconded the motion. The motion passed with all in favor.

CITIZEN COMMENT

There was no citizen comment.

NEW BUSINESS

P21-069 Iron Horse Brewery Outdoor Beer Garden SEPA

Council Member Lillquist recused herself from the discussion and left the meeting.

Laura Wilson, Planner, presented the Iron Horse Outdoor Beer Garden SEPA. She explained the SEPA was required because Iron Horse Brewery (IHB) was adding 49 parking spaces to accommodate an expansion of the business, which included an outdoor beer garden. Mrs. Wilson explained the project and the layout which would be adjacent to a residential area. She explained that the applicant would be required to have a landscape buffer between the parking lot and the residential area to the north. The landscaping was not depicted on the proposed site plan but was a requirement of the Land Development Code. She also noted that the site plan for the parking lot did not show the stormwater retention area but it would be required to meet the stormwater retention requirements. The project would also need to meet all light trespass requirements.

Commissioner Sledge asked if the area to the north was developed further, what would happen about sound pollution. She also asked about outside events such as live music. Mrs. Wilson stated that if a commercial zone was adjacent to a residential zone, the property in the commercial one would be required to meet the setback of the residential zone. Any structures would be required to meet the setbacks of the adjacent residential zone. The setbacks would help reduce the noise pollution. She also noted that the business would still be required to adhere to the local noise ordinance.

Commissioner Busby asked if there would be an extension to the comment period or if this was the only chance to comment. Mrs. Wilson confirmed there would not be an extension and there would only be one comment period for the project. There was a brief discussion on pervious surfaces and rain and snow melt runoff. Mrs. Wilson explained Public Works would review the parking lot civils and ensure the stormwater retention swale

would be large enough to adequately accommodate the stormwater runoff.

Motion

Commissioner Busby made a motion that the Environmental Commission recommend the applicant use a pervious surface for the parking lot and use native vegetation in the landscaping. Commissioner Steinkoenig seconded the motion. The motion passed with all in favor.

STAFF UPDATE/DISCUSSION ITEMS

Council Member Lillquist updated the Commission on the State Active Transportation Plan. The plan had been forwarded to the Commission prior to the meeting. Council Member Lillquist suggested the commissioners contact her if they had questions or needed to discuss the plan. She also updated the Commission on a draft report on glass secondary markets. Kittitas County Solid Waste, Centerfuse, and CWU received a grant to look at options for recycling glass secondary markets. She wanted to know if the commission were interested in viewing the draft report. She noted three project options for the grant money. The main recommendation was to develop a public/private partnership with Ellensburg Cement Products to develop aggregate. The other recommendations were to develop a resource recovery park or to develop a regional organic processing facility. Lastly Council Member Lillquist requested Environmental Commission input on the four design options for the Helena Street improvements. Mrs. Wilson would forward the design options to the commission members and forward their input to Josh Mattson, Assistant City Engineer.

Daphne Condon, the newest Environmental Commission member, introduced herself.

The meeting adjourned at 5:49 pm.

Respectfully Submitted by
Laura Wilson
Recording Secretary (Drafted 6/17/2021)

ELLENSBURG ENVIRONMENTAL COMMISSION

**July 21, 2021 Regular Meeting
(5:15 p.m. to 6:24 p.m.)
Remote Meeting via Zoom**

Members Present: Laura Busby, Kristine Steinkoenig, Andrea Sledge, Christina Wollman, Steve Luten, Daphne Condon

Members Absent: James Rivard(excused)

Also present: Nancy Lillquist, Council Liaison; Heidi Behrends Cerniway, City Manager; Stacey Henderson Historic Preservation Planner; and Laura Wilson, Planner.

Commissioner Wollman called the meeting to order at 5:15 p.m.

The Environmental Commission members introduced themselves.

AGENDA

Commissioner Luten moved to approve the agenda as presented. Commissioner Condon seconded the motion. The motion was passed with all in favor.

STAFF UPDATE/DISCUSSION ITEMS

Update for Helena Avenue Complete Streets Project

Josh Mattson, Assistant City Engineer, presented the design for the Helena Avenue Complete Streets project. The primary focus would be to finish the north side of Helena Avenue by installing sidewalks, stormwater buffer strips, street trees, and street lighting. The construction may begin late 2021 or early 2022. The project will also include grinding down and repaving street and adding new striping. The goal is to add a dedicated bicycle lane because Helena is on a designated bicycle route on the Active Transportation Plan. The proposal would eliminate street parking on the south side of Helena between Water Street and Walnut/Airport Road and eliminate street parking on the north side of the street from Walnut to the east to the termination of Helena. A letter was sent to the residents who would be impacted in an attempt to reach out to the residents. To help mitigate the removal of street parking, the city has offered to widen the resident's driveway access as well as potentially add a second driveway access to their property. Mr. Mattson had not received replies from all of the residents though, but of the responses, most were questions to clarify what the project was doing and what were the impacts. He noted there was expressed frustration that the parking would be lost but there were also concerns about the current amount of speeding in the area. The project would make the street safer and additional crosswalks would be installed. A transit shelter would be added to the bus stop. He compared this project to the Willow Street improvement. The bike lane would continue to the Palouse to Cascade Trail at the eastern end of Helena Avenue. The project would take between 1.5 to two months to complete.

SEPA Training

Stacey Henderson, Senior Planner, provided a brief explanation of her role reviewing SEPA's. Chairperson Wollman added that the question of what the purpose and responsibilities of the Environmental Commission had come up. After reviewing the history of the commission, it was noted that reviewing SEPA's wasn't a direct duty of the commission, but it did fit in with reviewing environmental projects. Her concern was how can the Environmental Commission's time be most useful to the city and if their comments and recommendations useful. She also asked how city staff has used the Environmental Commission's

recommendations and how can they be of greater use to the city staff.

Mrs. Henderson stated her goal was to clarify the SEPA process and ensure everyone was on the same page. SEPA stands for *State Environmental Policy Act*. She explained that SEPA's were a tool the state uses to help agency decision makers, applicants, and the public understand how an entire proposal or project would affect the environment. SEPA's could be used to modify or deny a proposal in order to avoid, reduce, or compensate for probable impacts. SEPAs are usually the first step in the permitting process. One challenge with the SEPA is that a project may not be completely developed in the planning which often leaves people wanting more information on the project, but the information isn't known at the time of the SEPA review. When proposed projects are submitted to the city, thresholds are used to determine if the project requires a SEPA. If a threshold is met, the city can be the lead agency. The city is tasked to determine if enough information was provided to determine if the project has a significant impact on the environment. The goal was to think about the overall impact of the project. Mrs. Henderson noted that the projects get reviewed for compliance with the other codes such as stormwater, fire code, and public works/street code.

Mrs. Henderson explained the SEPA checklist. The SEPA checklist was divided into different environmental categories such as earth, water, air, plants, animals, environmental health, and other categories. She explained that staff's role is to understand the basics of the impact the project has on all of the different categories and how the project will impact the overall environmental quality of the site. An overarching question she asks is what the proposal is on the parcel and is it a compatible use, zoning, surrounding properties and neighborhood, etc. She suggested the Environmental Commission use this approach when reviewing the categories within the checklist.

The last thing Mrs. Henderson reviewed was how staff processed SEPA checklists once submitted. She explained the 2 different review processes: optional process or standard process. The more basic projects were reviewed under the optional process. When the optional process is used, the proposal typically does not impact critical areas or have significant impact to the area. If the application is deemed to have the required information, a pre-threshold notification is issued and the application is sent to state and local agencies, city departments, a notice in the paper is published, and neighboring property owners of the proposed project site. Pre-threshold notifications state the expected threshold determination to be issued. Threshold determinations are often DNS, Determination of Non-Significance or MDNS, Mitigated Determination of Non-Significance, but a Determination of Significance is possible and could trigger further environmental studies. It is during this 21-day comment period the application receives comments on the project. Once the 21-day comment period is over, the applicant is sent all the comments and is required to respond to city staff regarding the comments. The applicant may agree, disagree, or provide further explanation regarding the project depending on what the comment was. Mrs. Henderson offered to provide the Environmental Commission with the applicant's response for future SEPAs. The second type of process was the Standard Process. This process was similar to the Optional process but has an additional comment period. The Standard Process is typically used when there are critical areas impacted by the proposal or there may be significant impacts to the area. The Standard Process has two different comment periods. Once the application is deemed to have the required information, a pre-threshold notification is issued first to agencies with jurisdiction. Some of the agencies are Fish and Wildlife, Department of Ecology, State Historic Preservation Office, city departments, and the Yakima Nation. Those agencies have 14 days to comment on the proposal. Examples of the comments may be requests for a cultural resource study, a wetland study, or a traffic impact analysis. After the 14-day comment period, the applicant is sent the comments and is required to respond. After the applicant's response has been received, the preliminary threshold determination is issued, a notice in the paper is published, neighboring property owners are notified, and the Environmental Commission can review and comment. The second comment period lasts 21 days.

Chairperson Wollman asked how staff decided what to require as mitigation. Her reasoning was because often the Environmental Commission has made recommendations that were beneficial to the environment but may not be mitigating specific environmental concerns. Mrs. Henderson noted that most of the conditions deal with mitigating the impact of the project. She said, in general, the point of the SEPA was to ask the question 'Does

this negatively impact the environment and how do they know?'. Staff can only require things in the determination that help them stay in compliance with the environmental code. Commissioner Luten agreed they should ensure the commission was serving the process and city council. He compared their involvement to a focus group that tested the idea of the project by asking the right questions to ensure things were not getting overlooked. He clarified that city staff was not asking the Environmental Commission for a professional opinion. Mrs. Henderson assuaged concerns that projects could still be vague at the SEPA review process, and the commission may not have questions or recommendations on some projects. Some Environmental Commission and public comments have been included in the threshold determination and at times the comments have triggered staff to ask the applicant for more information before the determination was issued. Chairperson Wollman relayed her own experience processing SEPAs. She agreed that it could be compared to a focus group. She noted that what the Environmental Commission does could also easily be done on their own. Instead, they come together as a group with their various knowledge and interests and look at the projects from an environmental perspective. Sometimes there aren't comments and sometimes there are long discussions, but there hasn't been much follow up after their recommendations are made. Mrs. Henderson and Mrs. Wilson offered to relay the applicant's response to comments and the SEPA determination to the Environmental Commission on future SEPAs.

There was a brief discussion on city code requirements and areas where recommendations could exceed those code requirements. An example was the recommendation of requiring a wetland mitigation plan on the Foster Subdivision off of Dry Creek Road. Chairperson Wollman noted that often the commission is looking at the SEPA but they are also reviewing the project in general and comments on that could also be appropriate. Commissioner Busby asked for feedback to see what has been incorporated into the determinations. She expressed interest in knowing the mitigation points that would assist her in knowing what comments are of value. Commissioner Busby also asked if there were any reference materials to review. Mrs. Henderson said she would try to provide suggestions or items for the commission to consider when reviewing future SEPA's.

The meeting adjourned at 6:24 pm.

Respectfully Submitted by
Laura Wilson
Recording Secretary (Drafted 7/22/2021)

ELLENSBURG ENVIRONMENTAL COMMISSION

**August 18, 2021 Regular Meeting
(5:20 p.m. to 6:45 p.m.)
Hybrid Meeting In-Person and Zoom**

Members Present: Laura Busby, Kristine Steinkoenig, Andrea Sledge, Christina Wollman, James Rivard, Steve Luten and Daphne Condon

Members Absent:

Also present: Nancy Lillquist, Council Liaison; and Laura Wilson, Planner

Commissioner Wollman called the meeting to order at 5:20 p.m.

AGENDA

Commissioner Luten moved to accept the agenda and Commissioner Condon seconded. The agenda was approved will all in favor.

MINUTES

There were no minutes for approval.

CITIZEN COMMENT

There was no citizen comment.

NEW BUSINESS

P21-086 Continental Cold Storage SEPA

Council Member Lillquist recused herself from the discussion and left the meeting.

Laura Wilson, Planner, presented the Continental Cold Storage SEPA, submitted by KGI NW Logistics. She briefed the commission on the project and the site. The project would be for a multiple building, multiple phase development of cold storage buildings in the light industrial zone. The applicant would like to begin building construction late summer of 2021 to be completed the following summer. The second building did not have a construction scheduled as it would be market dependent when that would begin. The use is allowed in the light industrial zone. Mrs. Wilson also described the property. The property was in floodplain; however, the constructed levee was designed to mitigate flooding in West Ellensburg, including the property of the proposed project. The proposed buildings and site are still subject to all floodplain requirements. The wetland inventory also showed a wetland on the property. A previous wetland report was submitted when the property was subdivided. The report stated there were no jurisdictional wetlands on site. Mrs. Wilson explained items the Environmental Commission could consider such as impact to adjacent properties, wildlife, and vegetation. It was not known what comments had been submitted at the time of the Environmental Commission meeting.

The Commission questioned whether Dolarway was built to standards that would handle additional truck traffic. Mrs. Wilson explained the road was an existing arterial and built for that traffic. Commissioner Wollman also explained the City of Ellensburg Public Work's road improvements when the road was annexed. The Commission also discussed potential impacts of the truck entrance and exit related to the location of the single-family residences across the street. It was discussed that the headlights from trucks existing the project site would have the least amount of impact on the residences with the current site layout. The Commission questioned if the adjacent properties had to do a cultural resource survey. Commissioner Wollman suggested a study was likely done with the construction of the levee which could contain good source of information. There was a brief discussion on the potential impact to the bike lane on Dolarway. Commissioner Luten said the bike

lanes on Dolarway were well development and has ridden his bike on Dolarway frequently. He didn't anticipate an adverse impact to bike traffic.

Motion

Commissioner Condon moved the Environmental Commission recommend the applicant specify the vegetation plan for the site and clarify the conflicting information found under items 4b and 5d on the checklist. Commissioner Sledge seconded the motion. There was no discussion and the motion passed with all in favor.

Motion

Commissioner Sledge moved the Environmental Commission recommend the applicant use native vegetation, preferably drought resistant, in the landscape plan. Commissioner Condon seconded the motion. There was no discussion and the motion passed with all in favor.

Motion

Commissioner Condon moved the Environmental Commission recommend the applicant ensure the proposal is clear and consistent throughout the entire document. Commissioner Busby amended motion that the applicant ensure the SEPA checklist is consistent with the consultant's finding for the site as noted in their report. Commissioner Sledge seconded the amended motion. There was no discussion and the motion passed with all in favor.

BICYCLE ADVISORY

Lillquist updated the Commission on the traffic impact fee report that went before City Council. The impact fees will include provisions bike and pedestrian infrastructure. Projects eligible for the impact fees need to be related to growth and not existing deficiencies. Council Member Lillquist list seven projects that would be eligible for construction using the impact fees.

Council Member Lillquist also updated the Commission on the Helena Street bike lane project. City Staff were still in conversation with neighboring property owners, but staff anticipates project development, including bike lanes, in the spring of 2022.

STAFF UPDATE/DISCUSSION ITEMS

Council Liaison Lillquist shared two comprehensive plan amendment proposals. The first proposal was to encourage the City to build solar facilities and take advantage of state grants. The other proposal was to reevaluate existing policies that encouraged switching from electric to natural gas. Their proposal requested the city no longer encourage natural gas. City Council did not docket either items for the comp plan amendments. Mrs. Lillquist stated the comp plan currently has language that encourages the use of renewable energy. The two items were forwarded to the Utility Advisory Commission. She will bring a report from the UAC meeting to the next Environmental Commission meeting.

There was a brief discussion on the installation of residential solar units and installation of a solar facility designed for a municipality.

P21-096 Flood Ordinance Update 2021

Laura Wilson, Planner, share P21-096 Flood Ordinance Update 2021 SEPA. She explained the SEPA was a non-project SEPA which typically does not get shared with the Commission. This SEPA was updating the Frequently Flooded Area section of the Critical Area chapter of the city code. She stated that some of the updates were encouraged by FEMA and some of the updates were required by FEMA. The meeting adjourned at 6:45 pm.

Respectfully Submitted by
Laura Wilson
Recording Secretary (Drafted 8/30/2021)



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

MINUTES OF THE LANDMARKS & DESIGN COMMISSION REGULAR MEETING

Date and Time: Tuesday, April 6, 2021, 5:49 p.m.
Place of Meeting: Remote Meeting via Zoom
Present: Members: Mollie Edson, Dorothy Stanley, Marty Blackson, Lathan Wedin, Zane Kanyer, Amy McCoy and Megan West
Absent:
Others Present: Stacey Henderson, Senior Planner – Historic Preservation; Kirsten Sackett, Community Development Director; Alicia Winbauer, Community Development Secretary; Brad Case, Parks & Recreation Director; David Miller, City Council Liaison; Applicants Andrew and Jodi Pollack; Dana Hunter; Jeannie Bayles; Steve Weidenbach; and Blake Collins, Owner Pearl Bar & Grill, Member of the Public

Note: These are **Summary** Minutes *not* Verbatim Minutes

1. Call to order and roll call of members

Meeting called to order by Chairwoman Edson at 5:49 pm.

All in favor, motion passed.

2. Approval of the agenda

Commissioners discussed changing the order of the agenda but kept the agenda the same. No motion was made to approve the agenda as submitted.

3. Approval of the minutes of the Meeting of March 16, 2021.

Commissioner Edson proposed an amendment to the minutes of March 16, 2021, for Item D on page 4. The minutes state that Commission Blackson made a motion to move forward with the public hearing for the demolition of the bank drive at the next available meeting. Edson proposed to strike the phrase "at the next available meeting".

Commissioner Stanley made a motion to approve the minutes of March 16, 2021 as amended. Commissioner McCoy seconded.

All in favor, motion passed.

4. New Business

- A. (P21-026) Public Hearing for Consideration of a Certificate of Appropriateness (COA) for the proposed decorative stucco design and painting of the awning, at the McCormack Building, addressed as 200 E 4th Ave., Parcel ID # 557033.

Chairwoman Edson opened the public hearing and explained the procedures of the hearing. In response to the appearance of fairness questions no issues were raised and no one in the audience objected to the participation of any of the Commissioners.

Senior Planner Henderson presented the Staff report and shared her screen to display the application exhibits and describe the project. This project was originally for a three-dimensional lit decorative element and it is now just two-dimensional, and not illuminated in any way. The applicant had no additions to add to the report but wanted to thank Senior Planner Henderson for her help in researching the building and helping them find suitable colors.

Commissioner Kanyer asked about the height of the element above the roof line. Mr. Weidenback reported it would be between 4 and 6 inches. There was discussion about the doors not matching and the applicant expects to be replacing those when they have all of the spaces rented.

Commissioner McCoy read the Findings of Fact as outlined within the Staff report and made a motion that the Certificate of Appropriateness (COA) be **granted** by the Commission for painting the awning over the entrance and applying a decorative stucco design above the awning, located at 200 E. 4th St., as proposed, with **no conditions**:

Commissioner West seconded. No discussion.

All in favor; motion passed.

The commissioners noted that they approve of all the work the applicant has been doing on this building and look forward to seeing the progress.

B. (P21-023) Public Hearing for Consideration of a Certificate of Appropriateness (COA) for the proposed repainting of the storefront at 107 W Third Ave., Parcel ID #87033.

Chairwoman Edson opened the public hearing and explained the procedures of the hearing. No issues were raised, and no one in the audience objected to the participation of any of the Commissioners.

Senior Planner Henderson presented the Staff report and shared her screen to display the application exhibits. The applicant is making the changes to help define their space from the neighbors. This one-part commercial block building, known as the Valley Cafe once had one business using both sides of the building and it made sense for the exterior to match. The applicant is moving their business, Food for the Skin, into the west side of the building. The proposal is to paint a portion of the storefront with Sherwin Williams color "Whitetail". They would paint over the red stucco finish, but not over any of the exposed brick masonry. Planner Henderson noted the applicant will be returning to the commission to get approval for the awning when they have figured out a design. The agent for the applicant, Dana Hunter, described the reason for the color choice.

Commissioner West read the Findings of Fact as outlined within the Staff report and made a motion that the Certificate of Approval be **granted** by the Commission for the proposed paint color, with **one condition**:

1. The applicant shall only paint the red stucco as proposed, and take all necessary precautions to protect the exposed masonry throughout the painting process.

Commissioner McCoy seconded. No discussion.

All in favor; motion passed.

- C. (P21-020) Public Hearing for Consideration of a Certificate of Appropriateness (COA) for the proposed new signs and repainting at 412 N. Main St, Parcel ID #286933.

Chairwoman Edson opened the public hearing and explained the procedures of the hearing. No issues were raised, and no one in the audience objected to the participation of any of the Commissioners.

Senior Planner Henderson presented the Staff report and shared her screen to display the application exhibits related to this project. The Early Bird Café is proposing to make several improvements to the exterior of the building including a repaint of the exterior, attaching a new sign on the exterior of the building, and putting new signage in the existing mounted sign. Henderson explained that there had been a little confusion on the projecting sign, and it was already installed. The applicant and building department thought because it was already there it was okay to just change out the sign. That new sign face is still under consideration for approval by the commission even though it is already installed.

Henderson said that the metal sign to go on the front of the building will use the same brackets that are already on the front of the building from the previous tenant.

In response to questions from the Commission, the applicant noted that the shades that were covering the windows at the top of the building will go back up with the new paint color and trim. The applicant tried it without the shades for a few weeks but it really heats up the building too much without them.

Commissioner Wedin asked about the exposed conduit that is attached to the illuminated sign and spotlights, and asked if there was a way to get rid of the conduit. The applicant explained the challenges with doing so. Commissioner Edson asked if the main metal sign will be illuminated, and the applicant said that it would be by the spotlights already in place. In response to another questions, the applicant said that the side of the building will also be the same color as the main façade.

Commissioner McCoy read the Findings of Fact as outlined within the Staff report and made a motion that the Certificate of Appropriateness (COA) be **granted** by the LDC for the proposed new signs and repainting at 412 N. Main St. with **no conditions**.

Commissioner Wedin seconded. No discussion.

All in favor; motion passed.

The commission thanked the applicant for her time.

- D. (P21-028) Public hearing for consideration of a Certificate of Appropriateness (COA) to remove the handrail and decorative brick barrier lining the pedestrian ramp along Main Street, and install a black metal railing, at the Lindeman building (Butterfield Garage) at 425 N Main Street, Ellensburg WA 98926.

Chairwoman Edson opened the public hearing and explained the procedures of the hearing. No issues were raised, and no one in the audience objected to the participation of any of the Commissioners.

Senior Planner Henderson presented the Staff report and shared her screen to display the application exhibits. This COA is a little difficult to present as it is difficult to envision without standing in front of the space. She said that the applicants want to cover the handicap accessible ramp with reinforced metal plates and remove the existing railing up the ramp and the decorative brick side walls. They will then close off the entrance of the ramp with another piece of metal and add a railing to match the railing around the courtyard of the other business.

The covering of the ramp will allow for a much more usable space for the new tenant to utilize for outdoor dining. The rail is necessary to be able to serve alcohol in the space. The ramp is not the only accessible entrance to the building. There is an entrance in the back alley way that is accessible to all of the businesses on the 1st floor and there is a ramp on the north side of the building into the new tenant space. The applicants noted that the planned covering can be removed if, at any time, they decide the ramp is needed in the future.

Commissioner Blackson asked why not brick the front where the ramp was, to make it more uniform. The applicant responded that it wouldn't be as removable as the metal covering and they might either put a bench in front of it or a planter to cover it up. There were further questions and discussion about the visual of the railing and its placement.

Commissioner McCoy wanted clarification that the commission is only voting on the changes to the space, not the accessibility issue. Planner Henderson advised that the Building Official has said there is an ADA accessible entrance on the other side of the building, so this change is permissible in terms of ADA access. As such, the Commission is only looking at the changes to the space in relation to the requirements of the historic district. Commissioner McCoy asked the applicants what they thought of the condition to add a sign advertising the ADA accessible location. The applicants felt that the signage would be a good thing so that people know there is an alternate accessible access.

Commissioner Blackson read the Findings of Fact as outlined within the Staff report and made a motion that the Certificate of Appropriateness (COA) be **granted** by the Commission for the proposed removal of the handrail and decorative brick barrier, and installation of railing, as proposed, with **one condition**:

1. The applicant shall place signage on the proposed new railing to notify customers of the accessible entrance in the back of the building.

Commissioner West seconded.

In discussion, Commissioner McCoy feels the sign is very important for patrons that will be confused by the removal of the ramp and wondered how far it is to the back door. All of the commissioners were pleased by the removability of the ramp. There was discussion on whether it would need to come back to the LDC if a change is proposed, and they stated that it would need to come back.

All in favor; motion passed.

The commission thanked the applicants for their work.

- E. (P21-025) Public hearing for consideration of a Certificate of Appropriateness (COA) to demolish the drive through portion of the Old Wells Fargo Bank building on the northwest corner of 4th Ave and Pearl St., Parcel ID #146933.

Before opening the hearing on this matter Chairwoman Edson asked staff for clarification of the options available to the commission to either postpone, or continue, the hearing to a later date so that more information could be obtained before a decision is made. She asked if it was in the purview of the commission to ask for more info, or for clarified info. Director Sackett said that it could come back, but there would need to be a rationale for the delay and a notice in the paper for a continued public hearing. If that were to occur, the Commission could request more information to be presented at the next meeting, but as it is a quasi-judicial matter the Commissioners would not be able to speak to others about the matter. Commissioner Blackson was surprised the matter came so soon to the commission. Commissioner Edson agreed. Commissioner McCoy asked for clarification regarding whether this was an informational notice, or if this was the actual COA meeting. Planner Henderson responded that this is the public hearing for the COA. Director Sackett suggested that the commission open the hearing and start the discussion. Commissioner Edson just wanted to be sure that it could be postponed if the commission wanted.

Chairwoman Edson opened the public hearing and explained the procedures of the hearing. No issues were raised, and no one in the audience objected to the participation of any of the Commissioners.

Senior Planner Henderson presented the Staff report regarding the proposed demolition of the drive-thru portion of the Wells Fargo bank building located at the corner of 4th and Pearl. She shared her screen to display the application exhibits. She described the demolition approval process that is in the City code, and referred back to the report and discussion at the last meeting. With the initial meeting concluded, it is now coming back to the commission. She noted that this was the public hearing to decide if the commission would approve the Certificate of Approval for the demolition of the drive through portion only. She stated that the building itself is not eligible to be listed individually, or as a historic contributing building, for another ten years.

The applicant Brad Case gave the commission the background on the purchase of the property and the process they pursued to get public input on the plans for the space. The city met with a landscape architect, and invited stakeholders, business owners, and public event groups, to meet with the landscape architects. The City had a social media campaign to get feedback from the public, and hosted an open house at the pavilion. The City worked to get feedback from the community for over a year. Common threads that came up through the process included: Open and flexible use of the space, inviting, and safe. There was no consensus about keeping the bank building itself (which isn't part of this COA) but there was not much concern regarding getting rid of the bank drive through. Other things that will change is the pavilion will be demolished, and the bull statue will be moved to a different location on the property, depending on the final concept of the park. The idea to demolish the drive through went to the Parks and Recreation Commission; they decided it should be demolished based on the feedback received from the public and stakeholders.

The member of the public, Blake Collins, asked the applicant about the impact and timing of the demolition. The applicant expected the actual demo to take about 30 days to complete, and for not much else to be changed in the short term until more decisions are made regarding what the park will look like. There would only be short-term affects for the public while the demo happened but it would be back to normal for the public for the long term. Eventually, the pavilion will be removed and the bank building will be reevaluated. Mr. Collins asked if there was a complete timeline or if this is the only thing being contemplated at this time. Director Case responded that this demolition is the only phase at this time because the money for this phase was awarded as a grant through the County. The whole park project is expected to cost \$1.25-1.5 million.

Commissioner McCoy appreciated the explanation the applicant provided to the commission to clarify what the project entailed.

Commission Wedin asked if there was ever discussion about the space being enclosed instead of demolished. The response was that there was discussion, but the feedback was that the community wanted more openness. Wedin asked if there was a programming checklist for the park space. Case responded that the checklist identified by the public input would include: Open spaces for events and vendors, elements of play, an element of water, openness and being able to see into the park area, safety, and good sightlines.

Commissioner Kanyer wanted to know what the area would look like after the demolition took place. The response was that it would be kept as open space. Kanyer said he wants to make sure the demolition area is not a blight until the new park is completely built out. He asked how the City will make sure that it is attractive until the new park is complete. The response was that the plan is to keep the area under the previous drive through space as hard space, and they will try to save the existing plants. Kanyer then wanted to know what conditions that the commission could add to the approval. Planner Henderson clarified that conditions could be added, and that there are already several conditions on the approval. It would need to be a specific item the commission could discuss and add to the approval.

Commissioner West asked about the lights that are in the drive through at this time, and wanted to know if there was a plan to add more lights. Case said that this hasn't been addressed, but they believe there might be more ambient light without the structure that will get into the park.

Commissioner Edson commented that the commission has been updating the demolition ordinance and finding what is needed in the new ordinance by having this come before the commission at this time. She feels that the allowing of the demolition before there is a solid plan means more disruption for downtown. She asked if the downtown businesses were notified about this proposal. Planner Henderson said that they were not individually told about this hearing, noting that this review is a Type II review which requires a notice in the newspaper about the hearing. Director Sackett also noted that if this is approved the information officer can make an announcement to the public.

Commissioner McCoy wanted to know if other entities were notified of the possible disruption, like the farmer's market or other events. Mr. Case noted that the Farmers Market group was part of the planning of the park and the market wasn't interested in the space for the market at this time or in the future.

Commissioner Edson asked about the timing for the demo if it is approved. Case said that there are no events scheduled at this time for the rest of the year. There will be a bidding process with the scope of the work, but it is expected that the demolition would be able to start pretty quickly.

Blake Collins, commented that he feels the span and scope of the project will be important to many of the different people in the downtown area, and any advance notice will help for planning accordingly for those people. He also thinks the renovation will be good for the downtown.

Commissioner Edson closed the public portion of the hearing.

Commissioner McCoy read the Findings of Fact as outlined within the Staff report and made a motion that the Certificate of Appropriateness (COA) be **granted** by the Commission for the demolition of the drive through portion of the old Wells Fargo Mini-Bank building, with **three conditions**:

1. Photo documentation of the edifice shall be completed prior to the demolition, and such records shall be provided to the City of Ellensburg and the Kittitas County Historic Museum
2. Any architectural reusable or recyclable materials shall be harvested as part of the demolition process to minimize adverse impacts to the environment.
3. The west wall of the building shall be repaired post demolition to a clean and appealing appearance that does not detract from the character of the building or the surrounding neighborhood.

Commissioner West seconded.

Commissioner McCoy asked if there are any issues to be worried about with the demolition, regarding vibrations for the surrounding downtown buildings. Commissioner Kanyer responded that he doesn't feel that is an issue to be worried about.

Commissioner Kanyer asked if now is the time to add conditions to the approval. Commissioner Edson said that he would need to make a motion to amend the original motion. Commissioner Kanyer thinks that at a minimum there should be some conditions that provide what the interim park area will look. He would like to make sure the plants are preserved and the hardscape is replaced.

Commissioner Edson commented that there should be more public notification of this demolition. The citizens have not been made aware that this is happening, as the first notice that the commission is voting on it tonight was in the paper.

Commissioner Wedin commented that he feels that this demolition as a first step is a good one. Wedin stated the reasons to approve are that 1) it has no historical value, and 2) it is impeding to the space rather than bringing value to the future park. He also understands the potential that the project might take a long time, and we need to make sure the demo area is kept as a usable space and not an eyesore. He appreciates Commissioner Kanyer's amendments.

Commissioner West wants an amendment that the surrounding business owners will be notified of the impending demolition and about future steps. Maybe the announcement of the demolition could be a celebration of the first step towards a new park.

Commissioner Stanley commented that she agrees with protecting the vegetation.

Discussion ensued on how the amendments would be worded by the commission. After much input the motion was amended to read as follows:

The Certificate of Appropriateness (COA) be **granted** by the Commission for the demolition of the drive through portion of the old Wells Fargo Mini-Bank building, with **six conditions**:

1. Photo documentation of the edifice shall be completed prior to the demolition, and such records shall be provided to the City of Ellensburg and the Kittitas County Historic Museum
2. Any architectural reusable or recyclable materials shall be harvested as part of the demolition process to minimize adverse impacts to the environment.
3. The west wall of the building shall be repaired post demolition to a clean and appealing appearance that does not detract from the character of the building or the surrounding neighborhood.

4. The existing surrounding vegetation shall be protected in the best manner possible during the demolition process.
5. After removal of the drive through structure and associated infrastructure, the exposed land must be restored with new hardscape and vegetation.
6. The applicant shall make communication a priority, and shall notify the residents and business owners in the downtown district prior to progression of the demolition activities.

Edson called the question by each commissioner individually. Commissioners Kanyer, Wedin, McCoy, and West, voted aye. Commissioners Edson, Stanley, and Blackson voted nay. Motion passed 4-3.

Commissioner Edson commented that the commission heard over and over from the applicants how great staff is to work with. She thanked Senior Planner Henderson, and also noted that the commission also appreciates working with her. All of the commissioners agreed.

5) B. Historic Preservation Grant Update

Planner Henderson noted that she had sent a link with information about a grant opportunity that she would like the commission to spread the word to historic building owners. There are not many grants that makes money available for brick and mortar preservation and the amount could be up to \$75,000.00. This grant does so she wants to spread the word.

6) Commission Update:

Commissioner Kanyer advised the commission that the Main Street Now conference is next week. It's all on-line so encouraged everyone to check it out. He will send info to the rest of the commission.

7) Adjournment

Commissioner Wedin made a motion to adjourn the meeting. Commissioner Blackson seconded. All in favor, motion passed. Chair Edson adjourned the meeting at 8:22 pm.



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

MINUTES OF THE LANDMARKS & DESIGN COMMISSION REGULAR MEETING

Date and Time: Tuesday, May 4, 2021, 5:45 p.m.
Place of Meeting: Remote Meeting via Zoom
Present: Members: Mollie Edson, Dorothy Stanley, Marty Blackson, Lathan Wedin, Amy McCoy and Zane Kanyer
Absent: Megan West
Others Present: Stacey Henderson, Senior Planner – Historic Preservation; Kirsten Sackett, Community Development Director, Sadie Thayer, Director Kittitas County Historical Museum

Note: These are **Summary** Minutes *not* Verbatim Minutes

1. Call to order and roll call of members

Meeting called to order by Chairwoman Edson at 5:45 pm.

All in favor, motion passed.

2. Approval of the agenda

Commissioner McCoy made a motion to approve the agenda as submitted. Commissioner Wedin seconded.

3. Approval of the minutes of the Meeting of April 6, 2021.

Commissioner Wedin made a motion to approve the minutes of April 6, 2021. Commissioner McCoy seconded.

All in favor, motion passed.

4. New Business

a. Historic Preservation Month – Project Recognition Discussion

Chairwoman Edson introduced the topic of recognizing some of the historic structures that have been rehabilitated over the past year. She said the idea was to read a letter during the next City Council meeting to acknowledge specific property owners for their work.

Senior Planner Henderson said that the subcommittee decided to recognize three commercial and three residential projects. She shared her screen to display photos of the Geddis Building, McCormack Building and the New York Café.

The residential buildings included the Redmon House, the Ames House and the Anderson House.

Edson noted that there were a couple of additional homes that should be recognized, and some additional photos were displayed. Henderson noted that there should be some rationale for including the buildings. She said the subcommittee had talked about only including buildings that have been completed. Edson said that the group talked about acknowledging buildings that had been completed this year, and that the Commission should start doing this on an annual basis.

Edson asked Sadie Thayer if she had any additional recommendations, and Thayer responded that she felt that all of the properties discussed were wonderful examples of exemplary restoration.

Commissioner Blackson said that he believes this is great to acknowledge this important work that was done.

Edson thought that in future years it would be a nice idea to put a sign in the yards of the residential homes that were acknowledged. Henderson read through the letter that had been included in the packet. Edson thought it would be nice to include the historical museum as co-sponsors in the letter. Thayer said that the museum's board of directors was in full support of the LDC's plan to honor the work completed on these historic structures.

Commissioner McCoy offered to be the commissioner presenting on behalf of the LDC at the Council meeting. Henderson would create a PowerPoint with before and after photos of all of the buildings. She would provide additional details about the actual work that was completed on each structure during the presentation.

5. Old Business

None.

6. Citizen Comment

Commissioner Kanyer advised the commission that the Main Street Now conference is next week. It's all on-line so he encouraged everyone to check it out. He will send info to the rest of the commission.

7. Staff Update/Discussion Items

Henderson shared a rendering of a temporary art installation approved by City Council during their meeting last night. It is art work that will go on the inside of the windows of the old bank building in the downtown park. This would not be going before review of the LDC, but she wanted to make the Commissioner's aware.

Council liaison Miller said that during the approval process, City Council suggested that the artist be put in touch with Sadie Thayer to capture themes and photos that were authentic and representative of the Ellensburg area.

Henderson noted that the demolition ordinance has been sent to a land use attorney for review, in addition to our new CLG coordinator at the state. She offered to provide her own feedback on the proposed changes as well.

8. Commission Representative Update

Chairwoman Edson said she is concerned about the downtown park and what role the LDC will play in developing the design and look of the park in the historic downtown area. She would like to be kept more in the loop with what is going on in the park. She asked staff how they could make their desire known. Director Sackett responded that she would forward their request on to

P&R Director Brad Case. She noted that there would likely not be any work done on the park this year beyond the demolition of the drive-thru portion of the building. She said that Case was aware of the need to come before the LDC to receive final approval of the design, but she was certain he had every intention of being as transparent as possible in how the final design was developed. A great deal of community input would be solicited and that would certainly include feedback from the LDC.

Thayer said that the Historical Museum has the historic columns from the Olympic Block Building. These columns were part of the original building built in 1889 that was destroyed in 1979. The museum has offered those columns up for inclusion in the park, and Director Case has taken them up on the offer. She doesn't yet know what those plans will look like, but she is excited to see the columns incorporated into the final design.

9. Adjournment

McCoy made a motion adjourn the meeting. Blackson seconded. All in favor. Meeting adjourned at 6:24 pm.



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

MINUTES OF THE LANDMARKS & DESIGN COMMISSION REGULAR MEETING

Date and Time: Tuesday, May 18, 2021, 5:45 p.m.
Place of Meeting: Remote Meeting via Zoom
Present: Members: Mollie Edson, Dorothy Stanley, Lathan Wedin, Amy McCoy, Megan West
Absent: Marty Blackson, Zane Kanyer
Others Present: Stacey Henderson, Senior Planner – Historic Preservation; Kirsten Sackett, Community Development Director; Members of the public – April Rohrbach, Darren Nelson, John Graf

Note: These are **Summary** Minutes *not* Verbatim Minutes

1. Call to order and roll call of members

Meeting called to order by Chairwoman Edson at 5:45 pm.

All in favor, motion passed.

2. Approval of the agenda

Commissioner Stanley made a motion to approve the agenda as submitted. Commissioner West seconded.

3. Approval of the minutes of the Meeting of May 4, 2021.

Commissioner West made a motion to approve the minutes of May 4, 2021 with one correction. Commissioner Stanley seconded.

All in favor, motion passed.

4. New Business

a. Public Hearing for Consideration of a Certificate of Appropriateness for the proposed repainting of The Botany Shop storefront, and replacement of the storefront door, at 209 W. 3rd Ave., Parcel ID # 247033

Chairwoman Edson opened the public hearing and explained the procedures of the hearing. No issues were raised, and no one in the audience objected to the participation of any of the Commissioners.

Senior Planner Henderson stated that the applicant is proposing to repaint the storefront located at 209 W. 3rd Ave. The proposal is to repaint the front of the Botany Shop storefront and to replace the front door. The building is on the corner of Main and 3rd, the Shoudy Cadwell building. She displayed a photo of the existing storefront. It was built around 1889, in Italianate style and was built of brick masonry construction. The proposal is to paint it the color Lemon

Meringue – intended to match as close as possible to the trim and accent on the upper windows. For the record she added a different paint color as a new Exhibit to the record as D.1. This differs from the color that was included in the packet. She also displayed a rendering of the proposed replacement door. Henderson also displayed the other exhibits provided by the applicant, including other storefronts in the vicinity with similar design.

Edson asked if the applicant had anything to add. She did not. Edson opened the floor to testimony from the public, but there were no members of the public in attendance.

Chair Edson asked if the Commissioners had any questions. Commissioner Wedin asked for Henderson to again display the rendering of Exhibit B.4. Wedin wanted to know if the applicant was planning to paint the inside of the jams on the existing column. The applicant said that she was not actually intending to paint that specific portion, and it was a mistake on the rendering. She was only going to paint the actual trim around the windows. Wedin then asked if there was a width on the door. Henderson said there was not, but if the applicant received COA approval, they would then have to apply for a building permit. That permitting process would ensure the proper size on the door. There were no further questions. Edson closed the public hearing.

Commissioner West made a motion to accept the proposal with the Findings of Fact presented by staff, and to approve the Certificate of Appropriateness with no conditions as recommended by Staff.

McCoy seconded. No discussion. **All in favor; motion passed.**

b. Public Hearing for Consideration of a Certificate of Appropriateness (COA) for the proposed reconstruction of a dormer and restoration of original dormer side walls, at 109 E. 10th Ave., (Parcel ID #08343)

Chairwoman Edson opened the public hearing and explained the procedures of the hearing. No issues were raised, and no one in the audience objected to the participation of any of the Commissioners.

Senior Planner Henderson stated that the applicant is proposing to make exterior modifications to the house located at 109 E. 10th Ave, which is located within the First Railroad Addition National Register and Local Landmark Districts. She displayed her screen to share the exhibits. The house was built in 1908 and has suffered some “remuddling” over the years through unfortunate renovations. She displayed some historic photos, along with photos of the current look. She then shared that the applicants are trying to restore the house back to its original design. The dormers were altered, porches were removed, the windows are not original and the siding is not original. In 2018, the applicants were approved to begin restoration and reconstruction, including adding an ADU and remodeling a barn. In this application today they are revising their original proposal to incorporate two changes.

They are proposing to remove the dormer on the front east corner, which is not original to the house, and which is not structurally sound. They would replace it with a more accurate dormer to the original plans. As they have been working they have been uncovering original elements. Henderson displayed the proposed drawings for the east and south elevations.

The second proposal is to remove the side beams off of the dormers, then reconstruct the original, more vertical side walls on the dormers. They will put period molding and siding on the house. They also found some original 1908 siding that they intend to put back on the house.

The applicant John Graf said that he is excited about the project, and that the house was actually built in 1903, it was built in 1903 by Rick Rollinger who farmed everything behind the house. He did say that the dormer on the east side was not original, and explained some of the features that indicated that it was not original. He also has evidence that the side walls were also not original.

Chair Edson asked if the Commissioners had any questions. Commissioner Wedin asked if they knew anything about original paint colors or roofing. Graf said they have been working with historian David Wheeler, who gave them some paint chips to work off of. They went to Sherwin Williams to match up the color. They plan to use some classical contrasting colors. Regarding the roofing, they are going back to a cedar shake for some portions and charcoal gray heavy shingle roof for others. They also intend to put the swoop back into the roof. Wedin then asked more about the style of the home. Graf said it is technically French Mansard, which is a subcategory of Victorian.

Chair Edson had a question about where the wood shingles would be used. Graf said that the swoop sections would be wood. And the top portions of the roof would be shingle. Edson asked if there would be any other modifications that would require them to come back to the LDC. Graf said there should be no more changes.

Commissioner McCoy asked if we ever found out the original name of the house. Henderson responded that she had not yet found it. There were no more questions; Edson closed the public hearing.

Commissioner West made a motion to accept the proposal with the Findings of Fact presented by staff, and to approve the Certificate of Appropriateness with no conditions as recommended by Staff:

Commissioner Wedin seconded. No discussion. **All in favor; motion passed.**

c. Public Hearing for Consideration of a Certificate of Appropriateness (COA) to install a vinyl mural and construct a courtyard roof, behind the building at 416 N. Main St., (Parcel ID #286933)

Chairwoman Edson opened the public hearing and explained the procedures of the hearing. No issues were raised, and no one in the audience objected to the participation of any of the Commissioners.

Senior Planner Henderson stated that the applicant is proposing to construct a courtyard roof and install a vinyl mural on the building located at 416 N. Main Street. Planner Henderson described the location of this building and showed the location of the back courtyard. She displayed a photo of the brick wall where the mural would be located. She showed a rendering of the proposed courtyard roof, at 20 x 27 x 12. It would be a free-standing structure not connected to the building in any way. She displayed other exhibits provided by the applicant to depict the types of materials and look of the structure.

Regarding the mural, Stacey added Exhibit B.5. for the record, which displayed the actual artwork proposed as a mural. She did explain that murals have a different approval process as found in ECC 15.720. Murals have to first be reviewed by the Arts Commission which took place at the Arts Commission meeting of May 13. A recommendation of approval for either of two potential designs was approved, and the next steps is to obtain a COA from the LDC. Henderson read through more of the requirements specific to the approval process for murals.

Henderson explained that the mural is essentially a vinyl adhesive sticker. The applicant worked with City Staff to determine the best location for the mural. The vinyl is not very breathable, so the portion of the wall selected was the wall that has already been exposed on all sides and painted over. The mural is applied with heat and rollers and is repositionable and removable.

Henderson said that staff is recommending approval with conditions as outline in the staff report.

Chair Edson asked if the applicant had anything to add. Mr. Nelson said he is trying to enhance the back patio and create an experience that is memorable and comfortable year round. With the discussion of the mural, there was a lot of thought put into where to locate the mural. He asked if he could seek approval for either of the two murals to be used depending on which fits better in the space. Chair Edson noted that the Arts Commission had approved both and we can add it to our conditions.

Chair Edson asked if the Commissioners had any questions. Commissioner Wedin had questions about what the Commission is supposed to be looking at in approving a mural, is it just the vinyl or the content of the art? Henderson and Sackett provided more description on the steps of the approval process for murals. Wedin then asked about the membrane roof. He said he had concerns about the flashing, and Mr. Nelson said he was trying to give the appearance of black metal around the roof. The idea is to give the edge a metal cap to the roofing.

Commissioner West asked the applicant if he had experience with the removal of the adhesive mural. If it is added with heat, she wanted to know how to remove it. He has witnessed the application of a mural but not the removal. He assumes that heating it makes it pliable again so that it can come off again. It is designed for exterior use and it is rated for up to 7 years. Henderson said she did some research on this product, and it is her understanding is that is removed with heat. Chair Edson asked if they could include a condition that the maintenance plan include provisions for removal. Planner Henderson said that could be included.

Chair Edson then asked about Exhibit B.4, displaying a rendering of the patio cover. She wanted to know the difference in height of the existing structure and the proposed patio cover. The applicant said there is a one-foot difference. It's designed to allow some daylight to pass through, but not intended to be drastically higher and change the look of the surroundings.

There were no more questions; Edson closed the public hearing.

Commissioner West made a motion to accept the proposal with the Findings of Fact presented by staff, and to approve the Certificate of Appropriateness for either of two potential mural designs with three conditions as recommended by Staff:

1. The applicant shall only apply the mural to the gray concrete brick wall in the courtyard, avoiding disruption or damage to the red brick of the actual building.
2. The mural shall be installed per the guidelines of ECC 15.720.040(C), "Installation and Maintenance of All Approved Murals."
3. The applicant or building owner shall submit a maintenance plan for the mural, per ECC 15.720.040(B)(6), to the Community Development Dept. of the City of Ellensburg before the building permit is completed for the Courtyard Roof.

McCoy seconded. No discussion. **All in favor; motion passed.**

5. Old Business

None.

6. Citizen Comment

No one in the audience.

7. Staff Update/Discussion Items

Henderson said that the historic preservation recognition went well at City Council the previous night. City Council was impressed by it as well. Chair Edson said she was also really pleased with the presentation made.

There is a meeting scheduled for June 1, with two COA's on the agenda.

Henderson said that Mayor Tabb has been in discussion with her about historic murals. There are members of the community wanting to restore historic murals. Tabb had asked if there was money to fund this restoration efforts wondered about the idea of changing the existing historic preservation grants to be turned into a historic mural grant. She said she would bring the idea to the Commission for discussion. Henderson said they could also consider just incorporating the murals into the existing grant, as an option. Chair Edson said she knows that there is a lot of outcry to restore some of the murals. She wondered if the Arts Commission might also be able to provide funding towards murals. McCoy said she would not want to allocate all of the funding to just murals. She also knows that some of the historic murals have some interesting history themselves.

Director Sackett noted that this is an appropriate time of year to review the grant application. It was agreed that the next agenda would include discussion on the grant application, and at that time the Commission could also have further discussion on the concept of providing grants for historic murals.

Henderson also let the LDC know that she had submitted an application for a CLG grant from DAHP for the purpose of updating the First Railroad District. She hadn't brought the concept to the Commission prior to submittal, because she was under a deadline to get it submitted. In response to a question, she said that it has already been submitted, but presentations will take place in mid-June. Chair Edson asked if the Commission could view the application electronically. Planner Henderson will send a copy to the commission to review.

Director Sackett provided an update on the design of the downtown park. She said that in discussion with Parks & Recreation Director Brad Case, the soonest that the City would be able to hire a landscape architect (LA) would be September of 2022. He will include in the Scope of Work that the LA come before the LDC to gather input and answer questions about design. If they develop a working group we could also ensure that there is representation from the LDC. In addition, the members of the LDC could provide feedback through the community engagement process. And finally, staff would work with the Commission to determine the appropriate timing for bringing the design before the LDC for a COA.

8. Commission Representative Update

a. Ellensburg Downtown Association Update.

They had a successful planter watering day. The EDA bought the plants if the business owners would just take care of them through the summer. Last year they only got half of the planters taken care. This year they had all 65 planters adopted.

This year's Girls Night Out brought in \$25,000.00 in one night in a 4 hour period. They EDA has also brought on 3 new board members and they are planning a board member retreat for next month. With the change in leadership they are behind on budgeting and strategic planning, so they are looking to be more prepared for 2022. The new director Karen Green has been a great addition with a lot of outreach conducted out in the community.

b. Other updates

Edson asked that at a future meeting we add a discussion on the historic train depot. Wedin also said that Amy and Stacey did a great job at the Council meeting last night. The Commissioners are also pleased with all of the press in the newspaper during this historic preservation month.

9. Adjournment

Commissioner Wedin made a motion adjourn the meeting. Commissioner McCoy seconded. All in favor. Meeting adjourned at 6:24 pm.

LODGING TAX ADVISORY COMMITTEE

September 1, 2021 (2:07 p.m. to 2:23 p.m.)

Members Present: Matt Anderson, Steve Townsend, Monica Miller, and Jim Nale.

Members Absent: Mary Morgan, Marie Smith and Lacie Dawson

Others Present: Laurie Gigstead, Executive Assistant, Amy McGuffin, Executive Director – Chamber of Commerce, Drew Houck and Ben Faubion, IT Department.

1. **Call to Order.** Matt Anderson called the meeting to order at 2:07 p.m.
2. **Minutes of the August 4, 2021 meeting.** Moved and seconded (Townsend/Nale) to approve minutes as written. Motion approved.
3. **Correspondence and Public Comment Period.** None.
4. **Unfinished Business.**
 - A. **IT Department Presentation on Lodging Tax Advisory Committee City Email Addresses.** Drew Houck gave an overview of the city email information. Drew and Ben answered questions of the members. The IT Department will email out the instructions and assist as needed in getting the new accounts set up.
 - B. **Budget/Financials Review.** Laurie advised that the August revenues were \$55,965 – 71.86% over August 2020. Reviewed and acknowledged.
 - C. **Tourism Report.** Amy reviewed the July data and gave a general overview of tourism data for the year.
5. **New Business.** None.

Next meeting will be **October 6, 2021 at 2:00 p.m.** in the Council Conference Room at City Hall.

With no further business, the meeting was adjourned at 2:23 p.m.

Respectfully submitted,
Laurie Gigstead
Recording Secretary

Drafted: 09/02/2021

Approved: 10/06/2021



**COMMUNITY DEVELOPMENT DEPARTMENT
501 North Anderson Street, Ellensburg WA 98926**

MINUTES OF ELLENSBURG CITY PLANNING COMMISSION

Date and Time: Planning Commission Meeting of August 5, 2021 at 5:45 p.m.

Place of Meeting: Hybrid - In Person and Virtual Zoom Meeting

Present (in Person): Beverly Heckart, Fred Padjen, Ed Harrell, Sathy Rajendran, Sigrid Davison, Geraldine O'Mahony (arrived in person 17 minutes after originally joining via zoom).

Present (Virtual): George Bottcher

Absent:

Others Present: Community Development Director Kirsten Sackett; Planning Manager Jamey Ayling.

1. CALL TO ORDER

Chair Padjen called the meeting to order at 5:46 pm.

2. APPROVAL OF AGENDA

Commissioner Heckart approved the agenda as submitted. Commissioner Rajendran seconded. All in favor, motion passed.

3. APPROVAL OF MINUTES

Commissioner Heckart moved to approve the minutes of the July 15, 2021 Planning Commission meeting with corrections. Commissioner Bottcher seconded. Motion passed with all in favor.

At this point in the meeting, new commissioner Sigrid Davison was introduced.

4. NEW BUSINESS

5. OLD BUSINESS

None.

6. CITIZEN COMMENT

No members of the public in attendance.

7. STAFF UPDATE

a. Housing Action Plan Update

Planning Manager Ayling said that the Commission would be discussing the Policy Review section of the draft Housing Action Plan (HAP). He said that the strategies for addressing the housing challenges had been discussed with several different groups to date. He shared his screen and said that this meeting could be an open forum for discussion on the strategies.

Commissioner Heckart asked if this was the final draft, and Director Sackett responded that it is a preliminary draft of the policy review, which is just a piece of the entire Housing Action Plan. Director Sackett then gave a review of the process to date, what the goals are, and what the next steps will be. She explained that the policy review is a required element of the HAP, but that Staff made a specific request to the consultant to review only certain parts of the code that City Staff has found to be problematic. She noted that the townhouse and cottage housing standards have never been used, and neither have the existing Density Bonus Standards. Staff also requested a review of the density standards in ECC 15.320, as they are also sometimes restrictive.

She said that the HAP will not solve all of our development challenges, but that the document can be viewed similar to the Comp Plan which provides overarching direction. City Council will set the priorities for which strategies should be implemented first, but it is the commission's role to make recommendations to Council. Once the priorities are set, the Commission will dive into the deeper work of analyzing and amending the land development code.

The commissioners noted some concerns about the document. Commissioner Heckart felt that the document was simply a review of the development code, and did not address the problem of affordable housing. Chairman Padjen suggested that the Commission review the document page by page and make suggestions for changes or additions. Commissioner Davison asked about the restrictions in place for cottage housing developments. Ayling shared the code standards for the cottage housing standards on the overhead screen. Discussion ensued about this section, what it includes and how it was adopted, after which the Commission recommended that the cottage housing not be included as a strategy in the HAP.

Commissioner O'Mahony brought up discussion about the impacts of climate change on housing and felt that there should be some mention of this in the HAP. Director Sackett noted that the State would likely be requiring a chapter on climate change be included in the Comp Plan within the next couple of years, at which time the City will do additional studies on this topic.

Discussion continued with the Townhome code section and how the city can encourage this type of housing, in addition to other types of missing middle. Sackett said that the point of this is to increase the overall housing stock in the City, which will help to level out the market prices. Commissioners noted concerns with the affordability of housing.

There was some discussion on the data found on the existing affordable housing dashboard. Staff noted that the information would be updated after the Housing Needs Assessment and HAP were adopted.

Chair Padjen said that the commissioners could review the housing action plan document and forward any feedback to staff. Discussion ensued about the next steps and timing, and Sackett reminded the Commission that the HAP needed to be submitted to Commerce by October 7. After that the City would begin working on implementing the strategies in the HAP.

The Commission then reviewed the existing 12 strategies in the HAP, and staff asked for any additions or revisions to the strategies. Sackett said that the HAP would be a guide for the Commission to make more detailed changes to the code at a later date.

In discussing next steps, Sackett said that a public hearing needed to be held at the next meeting to consider an ordinance that would revise the regulations for development in the floodplains. As such there would be limited time for further discussion the Housing Action Plan at future meetings. She encouraged the Commissioners to also spend time outside of the meeting reviewing the document and sending any revisions to Staff.

Sackett said that the list of strategies would be revised soon based on recent conversations with City management, the Affordable Housing Commission and the Stakeholder Advisory Group. When updated it will be shared with the Commission. There was also discussion on some zoning code amendments that were discussed by the Commission a couple of years ago, which would be coming before them in a public hearing within the next couple of months.

One suggestion from the Commission was that the City research how they can be in the business of constructing affordable housing units. In response to questions, Ayling explained the functions of the Affordable Housing Commission and their administration of the affordable housing sales tax funds, and their recommendations for use of city surplus property.

Additional strategies were discussed by the Commission which would be included in the next version of the HAP to be reviewed at the next meeting.

8. ADJOURNMENT

Chair Padjen adjourned the meeting at 7:53 pm.



**COMMUNITY DEVELOPMENT DEPARTMENT
501 North Anderson Street, Ellensburg WA 98926**

MINUTES OF ELLENSBURG CITY PLANNING COMMISSION

Date and Time: Planning Commission Meeting of August 26, 2021 at 5:45 p.m.
Place of Meeting: Hybrid - In Person at City Hall, 501 N. Anderson Street, and Virtual Zoom Meeting
Present (in Person): Fred Padjen, Ed Harrell, Sathy Rajendran
Present (Virtual): George Bottcher, Sigrid Davison
Absent: Beverly Heckart, Geraldine O'Mahony
Others Present: Community Development Director Kirsten Sackett

1. CALL TO ORDER

Chair Padjen called the meeting to order at 5:46 pm.

2. APPROVAL OF AGENDA

Commissioner Padjen asked for approval of the the agenda as submitted. Commissioner Bottcher seconded. All in favor, motion passed.

3. NEW BUSINESS

4. OLD BUSINESS

5. CITIZEN COMMENT

No members of the public in attendance.

6. STAFF UPDATE

a. Housing Action Plan Update

Director Sackett updated the commission on the HAP and the steps taken so far, and the availability of future grant monies to implement the plan in the future. She stated that originally there were 12 strategies and now we are up to 17 strategies after conversations with the various groups. Tonight we will discuss those strategies and work on finalizing them to be able to take them to Council. Director Sackett shared her screen to share the pages to be worked on.

She reiterated that the goals were 1) Produce more housing, 2) Add more variety of housing, and 3) Create and preserve affordable housing stock. She said that the strategies were connected to achieving the goals and that they were developed to provide actions we can take to work toward the goals.

Sackett reviewed the context of each strategy and when it reached the encouragement of ADU's, Commissioner Padjen noted concerns about the County regulations regarding

ADUs not in the UGA. Staff responded that they would look into the difference in the requirements.

There was other discussion about streetscape and garage use for storage instead of parking, in addition to discussion about street or alley access available in our neighborhoods. Several commissioners feel that alleys should be encouraged in the new developments. Maybe an incentive for alleys could be considered for the developers. If not alleys, is there any off-site parking options?

Commissioner Davison asked about the possibility of collaboration between developers and builders to come up with mixed projects. Director Sackett suggested that maybe we could do some outreach to the builders and developers to get them talking amongst themselves and with the city to come up with more collaboration options.

There was some discussion about annexations coming into the City, and the automatic assignment of R-S zoning. Sackett responded that upon annexation, a different zoning district can be assigned, but it also needs to match the Future Land Use Designation in the Comprehensive Plan. It also depends on the developer and what they request for zoning. There was also some discussion of the need for additional Industrial zones, as the City has almost run out of property that allows for industrial uses.

Continuing with the strategy review, Chairman Padjen stated that he really liked the Zero Lot Line Development Site Plan. Commissioner Bottcher asked about the ability to have windows on the lot lines and Sackett said it was permissible.

There was some discussion on which projects that can be done without SEPA, and how the process could be further streamlined for approval for new projects.

Discussion then ensued on ways to keep housing affordable: The question was asked if there are programs to help the landlord/owner to keep their properties affordable to tenants. Sackett responded that they could come to the Affordable Housing Commission and make a request for funds with a proposal of that nature.

Director Sackett shared the MFTE program and how it could work for the future development in the CC-II zone.

There was discussion on the strategy of Manufactured Home Park Relocation options. It was suggested that the language could be made stronger to allow for more protections for the affordable housing that is provided by manufactured home parks. This led into discussion about Tiny Home park options. More discussion is needed to figure out how to incorporate standards for tiny homes into the code – as either home ownership, or tiny home park regulations. It can be but most ADU's have additional uses (like a garage). There was a question about whether the city-owned property be used for a tiny house neighborhood. Sackett noted that tiny homes are allowed, but that our codes don't allow them to be on wheels and they need to be on foundations and meet the IBC.

Discussion then moved on to the outreach efforts, and Commissioner Davison commented that the BeHeard requirement of registration was not of interest to people so they didn't participate.

The Commission then held discussion on the Minimizing Displacement strategy. Commissioner Davison asked if there is a program to help homeowners in addition to renters to provide emergency financial assistance.

Commissioner Davison suggested another strategy that partnerships between the hiring entities in our community that could come together and work together. Commissioner Padjen wanted to encourage the alley access during project development.

Sackett asked if there was any further discussion, and then reminded the commission of the upcoming public hearing for the floodplain regulations. In response to a question she explained what will happen during the public hearing.

There was a brief discussion on the Commission's role in issuing conditional use permits and how they are not always followed as recommended by the commission. Discussion of the Ida Nason Aronica school and what is going on with the project and the roads to and from the school. This led into discussion about how the city often utilizes grant money to construct missing sidewalks in the City.

7. ADJOURNMENT

Chair Padjen adjourned the meeting at 7:23 pm.

**Parks & Recreation Advisory Commission
Meeting Minutes – August 11, 2021**

DATE OF MEETING: August 11, 2021
MEMBERS PRESENT: Laci Harrison, Dan Witkowski, Ali Brown, Fiona Corner
OTHERS PRESENT: Parks & Recreation Director Case
LOCATION: Meeting was held via Zoom

CALL TO ORDER – Commission Chair Harrison called the meeting to order at 5:30pm.

MEETING MINUTES - The meeting minutes from the July 14, 2021 meeting were approved as written. *All in favor.*

OLD BUSINESS – Update of 6 Year Capital Improvement Project (CIP) Schedule – The Commission reviewed the 6 Year CIP and made the following recommended changes:

- Reducing the budgeted amount of the Wipple Park Improvements (project #23) from \$105,000.00 to \$21,000.00.
- Adding the Rotary Park fieldhouse building at \$3,000,000.00 as project #13.
- The Commission requested moving all unfinished projects back one year to reflect the new six-year planning horizon.

ITEMS FOR SEPTEMBER 8, 2021 MEETING

Park Partnership Program – the Commission discussed the due August 31st due date for the park partnership proposals and decided to push back the meeting from September 8th to September 15th to allow the Commission ample time to review the applications. The Commission also decided that if more than 6 applications were submitted, then a second September meeting would be added, and presentations would be split up over the course of two meetings.

COMMISSION MEMBER REPORTS

Commission Chair Harrison gave an overview of the commissioner interview process she participated in with the Mayor for the three commission vacancies. A total of 14 people interviewed, with the top three applicants being recommended for appointment at the August 16, 2021 Council meeting.

STAFF REPORT – 1. The West Ellensburg Park baseball field backstop fencing, and dugouts were removed to make way for turf improvements planned as a part of creating a multi-use turf area that can be used for rugby, soccer, and flag football. 2. Waiting on guidance from the WIAA on high school sports to determine if we can offer programs at school district facilities, specifically youth and adult sports programs. 3. Due to staffing issues the Stan Bassett Youth Center is currently closed. Staff is recruiting for AmeriCorps members and part time staff. The goal is to open the facility back up in time for the start of the school year. 4. Staff provided an update on the Reed Park and Unity Park master planning process, as well provided some information about the comprehensive plan amendment submitted by the Ellensburg Downtown Association to change Pearl Street, between 4th & 5th Avenue into a pedestrian only area. 5. Concerts in the park are taking place Thursday nights, 6:30pm-8pm, at North Alder Street Park through 8/26.

ADJOURNMENT - The meeting was adjourned at 6:38pm.

Laurie Gigstead

From: Katelyn Clavette
Sent: Wednesday, September 29, 2021 3:32 PM
To: Laurie Gigstead
Subject: FW: [Ext] Resignation from AAC Senior Advisory Commission

Hi Laurie,

Marcella Gauthier is resigning from the Senior Advisory Commission.

Thanks,

Katelyn Clavette

Adult Activity Center, Coordinator
506 S. Pine Street, Ellensburg, WA 98926
Phone: 509.962.7242

From: Marcella <marcella.gauthier@gmail.com>
Sent: Wednesday, September 29, 2021 3:03 PM
To: Katelyn Clavette <clavettek@ci.ellensburg.wa.us>
Subject: [Ext] Resignation from AAC Senior Advisory Commission

CAUTION - EXTERNAL EMAIL: The email below is from an external source. Please exercise caution before opening attachments, clicking links, fulfilling requests, or following guidance.

Katelyn,

I have been on the AAC Senior Advisory Commission for an extended period of time over the last few years. But it is time for me to step down now and let new members help grow the AAC for the future.

After the slowdown caused by the pandemic of the last year, the Commission will have a chance to grow the AAC into an active and inviting organization. I wish the AAC the best for the job ahead.

It has been an enjoyable tenure on the Commission for me.

Marcella Gauthier

Sent from [Mail](#) for Windows

Central Washington University

University Way Banner Request Form

Please fill out form and return to Schedule@cwu.edu. The Scheduling Center will submit your form to the City.

Name of Event/Program: Operation Harvest

Contact Person: Jerry Lael Phone Number: 509 899 1851

Banner Hang Dates (Monday-Sunday): Nov 1 - Nov 8 2021

glacelofarmersagent.com

☒ CWU Scheduling Center has reserved the banner dates.
Phone: 509-963-1321 or 509-963-1641, Email: schedule@cwu.edu

☒ This Banner is a maximum of 30' x 52" and a minimum of 24' x 48" with 3" turnback at the top and bottom of the banner that will allow steel cable to be strung through it. No grommets.
• We recommend that wind flaps be cut into the banner to prevent wind damage



• Example of a correctly made banner.

Provide an Example of Your Banner in the Box Below (Please fill in writing and logos)

OPERATION HARVEST

Ellensburg Rotary 

Important Notes:

Banners affiliated with University business have priority. Therefore, banners from non-University groups requesting dates that conflict with a University banner may be rescheduled

If your banner does not meet manufacturing specifications, we will be unable to process your request and the banner will not be hung

The CWU Scheduling Center will not be held responsible for any weather-related damage that occurs to your banner

For more information please contact CWU Student Union Operations & Scheduling Center at 509-963-1321 or 509-963-1641.

City of Ellensburg approved by: _____ Date: _____

Disapproval/Reasons: _____

Central Washington University

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For more information please contact CWU Student Union Operations & Scheduling Center at 509-963-1321 or 509-963-1641.

City of Ellensburg approved by: _____ Date: _____

Disapproval/Reasons: _____

VOUCHER APPROVAL

I, THE UNDERSIGNED, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED, OR THAT ANY ADVANCE PAYMENT IS DUE AND PAYABLE PURSUANT TO A CONTRACT OR IS AVAILABLE AS AN OPTION FOR FULL OR PARTIAL FULFILLMENT OF A CONTRACTUAL OBLIGATION, AND THAT THE CLAIM IS A JUST, DUE AND UNPAID OBLIGATION AGAINST THE CITY OF ELLENSBURG, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND CERTIFY TO SAID CLAIM.


AUDITING OFFICER 10/12/21
DATE

CLAIMS VOUCHERS AUDITED AND CERTIFIED BY THE AUDITING OFFICER HAVE BEEN RECORDED ON THE ATTACHED LISTING, WHICH HAS BEEN MADE AVAILABLE TO THE COUNCIL AS OF THIS **18TH DAY OF OCTOBER 2021**. THE COUNCIL, BY A VOTE, HAS APPROVED FOR PAYMENT THE VOUCHERS INCLUDED IN THE ABOVE LIST AND FURTHER DESCRIBED AS FOLLOWS:

Claims Fund				Total Amounts
Check #'s	154804	TO	154998	\$ 312,121.98
EFT #'s	5082	TO	5109	\$ 1,285,757.94

Payroll Fund				Total Amounts
Check #'s	95389	TO	95397	\$ 6,431.66
Direct Deposits	63892	TO	64110	\$ 400,920.51

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

ATTEST: _____
CITY CLERK



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: October 18, 2021

Item Title/Agenda Subject: I-90 Expansion Project Update

Submitted by: Heidi Behrends Cerniwey City Manager Department

Recommended Action or Motion: This item is for information only.

Background/Summary: Kittitas County Commissioner Osiadacz and team will update the Council on a long-term project to expand I-90 between Easton and Cle Elum.

Previous Council Action: None.

Analysis: This item is for information purposes only.

Financial Impact: None.



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: October 18, 2021

Item Title/Agenda Subject: Board and Commission Appointments

Submitted by: Laurie Gigstead City Manager Department

Recommended Action or Motion: Consider appointment to the Public Transit Advisory Committee.

Background/Summary: Three people have recently applied to serve on the Public Transit Advisory Committee. As directed by Council, applications are presented to Council for consideration. The attached chart shows the current vacancies and applicants. Copies of the Applications for Appointment are included with the agenda report.

Previous Council Action: MacKenzie Carter and Christopher King introduced themselves and spoke regarding their interest in serving on the Public Transit Advisory Committee at the October 4, 2021 Council meeting.

Analysis: There is currently one vacancy on the Public Transit Advisory Committee.

Financial Impact: N/A

Attachments:

[B and C Agenda Report Chart 10-18-21](#)
[Applications for Appointment](#)

Boards and Commissions	Affordable Housing Commission	Arts Commission	Building Appeals Board	Civil Service Commission	Diversity, Equity & Inclusion Commission	Ellensburg Business Development Authority Board	Environmental Commission	Landmarks and Design Commission	Library Board	Lodging Tax Advisory Committee	Parks and Recreation Commission	Planning Commission	Public Transit Advisory Committee	Senior Citizens Advisory Commission	Utility Advisory Committee
MEMBERS	7	7	5	3	7	9	7	7	7	7	7	7	7	7	7
Residency Requirements	Y	N	N	Y	Y	N	Y	Y	Y	N	Y	Y	N	N	Y
Current Members within City Limits	6	2	0	3	6	3	6	6	5	3	5	7	6	3	7
Current Members Outside City Limits	1	5	3	0	1	5	1	1	2	3	2	0	0	4	0
Current Members Outside but in UGA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
VACANCIES	0	0	2	0	0	1	0	0	0	1	0	0	1	0	0
APPLICANTS															
MacKenzie Carter													1 st		
Christopher King													1 st		
Sawyer Stearns													1 st		

Laurie Gigstead

From: noreply@civicplus.com
Sent: Thursday, July 29, 2021 10:18 AM
To: Laurie Gigstead
Subject: [Ext] Online Form Submittal: Application for Appointment

CAUTION - EXTERNAL EMAIL: The email below is from an external source. Please exercise caution before opening attachments, clicking links, fulfilling requests, or following guidance.

Application for Appointment

Application for Appointment

For volunteering to serve on a Board or Commission

Boards & Commissions Parks and Recreation Commission

Name of Applicant: MacKenzie Carter

Address

Mailing Address (If Different) *Field not completed.*

City Ellensburg

State WA

Zip 98926

Email Address

Phone Number

Length of Residence in Ellensburg 9 years

Do you live within the city limits? Yes

If applying for the Sr. Citizens' Advisory Board, are you at least 55 years of age? No

Occupation Status and Background: Health Promotion Project Specialist with the Kittitas County Public Health Department. Previously worked at Central Washington University as a Program Coordinator. Current

Master of Public Health candidate through CWU, alumni of CWU 2008-2012.

Organization Affiliations: Kittitas County Public Health Department, Kittitas County Breastfeeding Coalition, CWU Public Health department

Why are you seeking appointment? One of the components of my work with the LSPAN grant (Local Strategies for Physical Activity and Nutrition) is to collaborate with local partners to increase activity-friendly environments, such as in parks and recreation spaces throughout the city of Ellensburg. Additionally, through my work with the Kittitas County Breastfeeding Coalition, I am working on developing a space for nursing parents and families to rest and feed, and want that perspective included in current and future projects.

Will you be able to attend meetings regularly if appointed? Yes

If your first choice, as listed above, is not available, which other boards or commissions would you be interested in serving on?

Boards & Commissions Public Transit Advisory Committee

Boards & Commissions Ellensburg Business Development Authority

Email not displaying correctly? [View it in your browser.](#)

Laurie Gigstead

From: noreply@civicplus.com
Sent: Wednesday, September 29, 2021 4:07 PM
To: Laurie Gigstead
Subject: [Ext] Online Form Submittal: Application for Appointment

CAUTION - EXTERNAL EMAIL: The email below is from an external source. Please exercise caution before opening attachments, clicking links, fulfilling requests, or following guidance.

Application for Appointment

Application for Appointment
For volunteering to serve on a Board or Commission

Boards & Commissions Public Transit Advisory Committee

Have you attended a meeting for the board or commission you are applying to? Yes

Name of Applicant: Christopher King

Address

Mailing Address (If Different) *Field not completed.*

City Ellensburg

State Washington

Zip 98926

Email Address

Phone Number

Length of Residence in Ellensburg 3 years

Do you live within the city limits? Yes

If applying for the Sr. Citizens' Advisory Board, are *Field not completed.*

you at least 55 years of age?

Occupation Status and Background:

I am currently a student at Central Washington University studying Aviation and Spanish. I am currently working on my Certified Flight Instructor Certificate and spend a lot of time in and around the Bowers Field Airport. I am originally from Seattle and have fully enjoyed my time here in Ellensburg and the greater Kittitas Valley.

Organization Affiliations:

In addition to working on my pilot certificates and ratings I am an aircraft dispatcher at Bowers Field and am also a Tour Guide for Central Washington University. This has allowed me to interact with future students and their families and show them the CWU experience and what Ellensburg has to offer! I enjoy volunteering on campus as well through the CWU Election Commission and CWU Student Conduct Council.

Why are you seeking appointment?

From a very young age, I have always been interested in sustainable transportation, and living in Seattle allowed me to see how it connects people all through the city and surrounding areas. I truly love what Ellensburg and the surrounding area has to offer for both community members and students and I would like to continue to make sustainable transit accessible for all in and out of Ellensburg. There is already a great transit system in place, and I am looking forward to finding ways for it to expand and better serve the public!

Will you be able to attend meetings regularly if appointed?

Yes

If your first choice, as listed above, is not available, which other boards or commissions would you be interested in serving on?

Boards & Commissions

Planning Commission

Boards & Commissions

Landmarks and Design Commission

Email not displaying correctly? [View it in your browser.](#)

Laurie Gigstead

From: noreply@civicplus.com
Sent: Tuesday, July 6, 2021 3:06 PM
To: Laurie Gigstead
Subject: [Ext] Online Form Submittal: Application for Appointment

CAUTION - EXTERNAL EMAIL: The email below is from an external source. Please exercise caution before opening attachments, clicking links, fulfilling requests, or following guidance

Application for Appointment

Application for Appointment
For volunteering to serve on a Board or Commission

Boards & Commissions Planning Commission

Name of Applicant: Sawyer Stearns

Address

Mailing Address (If
Different) *Field not completed.*

City Ellensburg

State WA

Zip 98926

Email Address

Phone Number

Length of Residence in
Ellensburg 3

Do you live within the city
limits? Yes

If applying for the Sr.
Citizens' Advisory Board, are
you at least 55 years of
age? *Field not completed.*

Occupation Status and
Background: Central Washington Disability Resources as a Disability
Specialist. Recent graduate from CWU in Family and Child
Life.

Organization Affiliations: Kittitas Public Health Department, Emergency management team and ACLP

Why are you seeking appointment? I want to be a part of this commission to be a voice for the disability community to make Kittitas more inclusive in our recreational activities and parks.

Will you be able to attend meetings regularly if appointed? Yes

If your first choice, as listed above, is not available, which other boards or commissions would you be interested in serving on?

Boards & Commissions Affordable Housing Commission

Boards & Commissions Public Transit Advisory Committee

Email not displaying correctly? [View it in your browser.](#)



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: October 18, 2021

Item Title/Agenda Subject: Resolution supporting the Board of County Commissioners for Kittitas County adopting an ordinance implementing a sales and use tax for increasing access to mental health and chemical dependency treatment and support services as authorized by RCW 82.14.460.

Submitted by: Heidi Behrends Cerniwey City Manager Department

Recommended Action or Motion: Consider adoption of proposed resolution.

Background/Summary: In 2020, the Kittitas County Board of County Commissioners (BOCC) discussed and considered acting to implement a 1/10th of 1% increase in the County's sales and use tax to address on-going and emergent behavioral health and chemical dependency issues in the County. Pandemic-related issues pushed the discussion into 2021. On April 14, 2021, the BOCC held a public hearing to consider implementing the sales and use tax, and public testimony was strongly supportive of implementing the tax. The BOCC, however, adopted Ordinance 2021-005, which instead directed that the issue be placed on the ballot in the next general election for an advisory vote, and that the proposition also, if passed, sunset in five years.

Previous Council Action: None.

Analysis: RCW 82.14.460 allows a county legislative authority to adopt an ordinance imposing a 1/10th of 1% sales and use tax "for the purpose of providing for the operation or delivery of chemical dependency or mental health treatment programs and services and for the operation or delivery of therapeutic court programs and services." Testimony at the April 14 BOCC hearing established a significant need for additional funding to address mental health and chemical dependency issues. First responders have reported increased calls related to drug and alcohol issues for the past several years. Drug overdose deaths in the County are at their highest recorded level.

Additionally, mental health services available for adolescents and young adults are reduced even as pandemic-related anxiety and insecurity has increased. The resolution to be considered encourages the BOCC to re-open the public process, recognizing the immediacy of the need and, therefore, the need for expedient action.

The increase in the sales and use tax is projected to generate upwards of \$1 million annually. Any revenue generated by the tax must be expended as outlined above, and the BOCC will direct where the revenue will be invested. The County has an established Behavioral Health Advisory Board which could assist in recommending expenditures. A number of professionals in the field, in conjunction with community members, have examined the County's mental health needs and identified services and programs which could be addressed with the locally generated sales and use tax.

Financial Impact: N/A.

Attachments:

[Resolution - mental health treatment tax support](#)

RESOLUTION NO. 2021-__

A Resolution of the City Council for the City of Ellensburg supporting the Board of County Commissioners for Kittitas County adopting an ordinance implementing a sales and use tax for increasing access to mental health and substance use disorder treatment and support services as authorized by RCW 82.14.460.

WHEREAS, Revised Code of Washington (RCW) 82.14.460 allows for the imposition of a sales and use tax ("Mental Health Treatment Tax") to provide for new or expanded mental health and substance use disorder support services and treatment programs; and

WHEREAS, these programs and services may support screening and intervention for mental health and substance use in public schools, expanding substance use disorder and mental health crisis services in the Kittitas Valley Healthcare Emergency Department, connecting people leaving the Emergency Department or Kittitas County Corrections Center to treatment services, expanding the delivery of onsite mental health and substance use treatment at the Corrections Center, and promoting recovery for persons with disabling mental illness and substance use disorders; and

WHEREAS, Kittitas County would be able to use the Mental Health Tax to: promote adequate, stable funding for mental health and substance use disorder services in the county; to ensure timely, affordable access to mental health and substance use disorder services focusing on wellness, prevention, early intervention and treatment; to provide crisis management and recovery and re-entry programming; and to improve continuity of care and services and ensure system improvements; and

WHEREAS, there is a significant shortage of mental healthcare providers in Kittitas County compared to Washington state as a whole; and

WHEREAS, Kittitas Valley Fire and Rescue experienced a 90% increase in mental health-related calls from 2017 to 2020; and

WHEREAS, the Ellensburg Police Department experienced a 147% increase in mental health calls from 2015 to 2020, along with a 167% increase in suicide calls for the current year through August; and

WHEREAS, the Kittitas Valley Healthcare Emergency Department received an average of 65 patients per month seen for mental health or substance use disorder issues as of April 2021; and

WHEREAS, according to a 2018 Healthy Youth survey, 24% of 10th graders in Kittitas County reported having an existing suicide plan, and 14% of 10th graders reported having attempted suicide at least once; and

WHEREAS, the issues created by persons suffering from mental health and/or substance use disorder issues negatively impacts their lives, their families and friends, local law enforcement and fire/emergency services, mental healthcare services, hospital services, our communities, and all citizens of Kittitas County; and

WHEREAS, the Board of County Commissioners for Kittitas County (“BOCC”) held a hearing on April 14, 2021, to consider an ordinance implementing the Mental Health Treatment Tax, during which several members of the mental health, healthcare, law enforcement, and emergency services professions, along with members of the public, testified in overwhelming support of the tax;

NOW, THEREFORE, the City Council for the City of Ellensburg do resolve as follows:

Section 1. The “Whereas” provisions set forth above are hereby incorporated in this Resolution as findings in support of the actions authorized in this Resolution.

Section 2. The City Council finds that there are substantial and significant needs for the treatment and support services that would be funded by the Mental Health Treatment Tax, and encourages and supports adoption of the tax by the Board of County Commissioners for Kittitas County.

ADOPTED by the City Council of Ellensburg this 18th day of October, 2021.

Bruce Tabb, Mayor

ATTEST:

Beth Leader, City Clerk



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: October 18, 2021

Item Title/Agenda Subject: Public Hearing (Legislative) to Consider Resolution to Declare City Property, Parcels 617033 and 937033 as Surplus for the Public Benefit of Affordable Housing

Submitted by: Jamey Ayling Community Development

Recommended Action or Motion: Adopt the proposed resolution declaring two "1st and Pine Street" parcels as surplus for the purpose of being developed as affordable housing

Background/Summary: In 2020, the estimated population of the City with its urban growth area (UGA) was 22,879, representing a 1.9% annual growth rate since 2015. The City's 2017 comprehensive plan anticipates a growth of 2 percent each year through 2037. To accommodate this level of growth 281 new housing units will need to be built each year. The 2021 Housing Needs Assessment found that 59% of rental households are considered cost-burdened or severely cost-burdened, with 4,425 renter households at qualifying incomes levels for income-restricted units. With overall rental vacancy rates of less than 1 percent, the City is severely lacking in housing stock to meet current demands.

The City of Ellensburg recognizes the importance of attainable housing in fostering a healthy and livable community. In order to help address the local housing needs, and consistent with the Revised Code of Washington (RCW) 39.33.015, the City previously identified two City-owned sites for surplus declaration for the development of affordable housing. The first parcel located at Bender and Water was declared surplus in 2020, and the city property located at 1st & Pine is now under consideration for surplus. The Affordable Housing Commission (AHC) previously issued a Request for Proposal (RFP) for affordable housing development on both properties on August 13, 2019. The AHC did not originally receive any proposals on the 1st & Pine property through the RFP Process; however, the AHC later opened up an open call process for affordable housing proposals and received an application from Stalder

Interests for the development of an affordable housing complex.

Previous Council Action: On September 7, 2021, City Council authorized the Mayor's signature on an award letter to Stalder Interests and directed staff to initiate contract negotiations for development of an affordable housing project on the 1st & Pine property. At that same meeting Council also directed staff to prepare a resolution to surplus the two properties needed for contribution to the Stalder Interests' project.

Analysis: The 1st & Pine property consists of two parcels 937033 and 617033, totaling approximately 0.50 acres, located between Pine and Ruby Streets, north of 1st Avenue. The parcels are legally described as follows:

Parcel 937033: Lots 3 and 4, Block 21, Ellensburg, in the County of Kittitas, State of Washington, as per plat thereof recorded in Book 1 of Plats, Page 1, Records of said County.

Parcel 617033: Lot 5, Block 21, Ellensburg, in the County of Kittitas, State of Washington, as per plat thereof recorded in Book 1 of Plats, Page 1, Records of said County.

The City purchased the 1st & Pine property along with another parcel on the southeast corner of 2nd Avenue and Pine Street for \$532,000 in 2003 with bond proceeds. The northernmost parcel is used for Hal Holmes Community Center parking and the two southern parcels (1st & Pine property) are currently in use as a community garden. In November 2019, the City conducted a valuation of the 1st & Pine property by comparing the property to two undeveloped parcels (15733 and 337433) within a few blocks of the subject parcels. Based on that comparison, the valuation for the City's 0.50 acre property is \$158,188.73 (Exhibit 4).

Upon surplus declaration of the 1st and Pine property, the parcel will be transferred for the public benefit purpose of providing affordable housing. The surplus of the subject parcel will facilitate the development of a 57-unit apartment complex for households earning no more than 60 percent of Area Median Income. As part of the contractual agreement and transfer of land ownership, a restrictive covenant will be

required to help ensure the property will be retained as affordable housing consistent with RCW 39.33.015.

Financial Impact:

The total estimated value is \$158,188.73.

Attachments:

[Resolution - Surplus 1st and Pine](#)

RESOLUTION NO. 2021-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG declaring as surplus to the City of Ellensburg's needs the real estate consisting of two parcels described below in more detail that together total approximately 0.5 acres, known as the "1st and Pine Parcels," for the purpose of being developed as affordable housing.

WHEREAS, the subject properties commonly known as the 1st and Pine parcels are located between Pine and Ruby Streets, and north of 1st Avenue, in Ellensburg, Washington, and are described as:

Lots 3 And 4 (Parcel 3A), Block 21, Ellensburg, in the County of Kittitas, State of Washington, as per plat thereof recorded in Book 1 of Plats, Page 1, Records of said County.

AND

Lot 5, Block 21, Ellensburg, in the County of Kittitas, State of Washington, as per plat thereof recorded in Book 1 of Plats, Page 1, Records of said County;

and

WHEREAS, there is a significant need for affordable housing in the City for those households with incomes under 80 percent of area median income (AMI); and

WHEREAS, RCW 39.33.015 authorizes state or local governments to dispose of surplus property at no cost to the grantee for the development of affordable housing; and

WHEREAS, public notice of the hearing was first published in accordance with the provisions of ECC 2.07.060(A)(2), and City Council held a public hearing for the purpose of considering whether to surplus the 1st and Pine lot on October 18, 2021; and

WHEREAS, the City Council hereby finds the 1st and Pine lots to be surplus to the City's needs and no longer required for municipal purposes, and that disposition of each lot shall be through a process to be administered by the City Manager and consistent with Chapter 2.06 ECC and will best serve the common public benefit;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ellensburg, Washington, as follows:

Section 1. The real property commonly known as the 1st and Pine parcels, except property and easements reserved for utilities, is hereby declared surplus to the City of Ellensburg's needs and is no longer required for providing municipal services.

Section 2. The means of disposal for all surplus property identified in this Resolution shall be by a no cost transfer to grantees conditioned upon an agreement with the City for development as affordable housing for the public benefit in conformance with RCW 39.33.015.

Section 3. The Mayor and/or City Manager are hereby authorized to execute any and all documents necessary to effectuate the property exchange described in Section 2 above.

ADOPTED by the City Council of the City of Ellensburg this 18th day of October, 2021.

Mayor

Attest: _____
City Clerk



MANAGER'S REPORT

DATE: October 18, 2021

TO: Ellensburg City Council

FROM: Heidi Behrends Cerniwey, City Manager

1. Public Hearing Set – Rolling Meadows Plat.

Staff would like to advise Council that a public hearing has been set for November 1, 2021 to consider application #P21-088, a Type IV Preliminary Plat submitted by Douglas Stalder, agent for the owner, for the Rolling Meadows Plat addressed as Bender Road, in the City of Ellensburg, Washington, Kittitas County Assessor's Parcel Numbers: 20998, 20999, and 322733.

2. Public Hearing Set – 2022 Property Tax Levy.

Staff would like to advise Council that a public hearing has been set for November 1, 2021, to consider the 2022 Property Tax Levy.