

AGENDA

PLANNING COMMISSION

May 28, 2026

Hybrid Meeting In-person and via Zoom



Webinar Meeting Link:

<https://us02web.zoom.us/j/84838570964?pwd=WnQ2vPW9971YwayUKT7NTUe3ag2jDx.1>

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2. Use of intimidating, threatening, or abusive language;
3. disobedience of an order to be seated or to discontinue further comments;
4. and/or engaging in violent behavior,

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will be deemed out of order and may be removed from the meeting and/or have his or her virtual microphone muted.

**CITY OF ELLENSBURG
PLANNING COMMISSION AGENDA
Council Chambers
501 North Anderson Street
Ellensburg, WA 98926
And remotely via Zoom
Thursday, May 28, 2026
5:45 AM - Regular Meeting**

- 1. Call to Order and Roll Call**
- 2. Approval of Agenda** (No Public Comment)
- 3. Approval of Minutes**
 - 3.A Review of April 9, 2026 Planning Commission Meeting Minutes
 - 3.B Review of May 14, 2026 Planning Commission Meeting Minutes
- 4. Public Comment**
- 5. New Business**
 - 5.A Review and discussion of Transportation Element Draft Goals (Public Comment Opportunity)
 - 5.B Public Hearing to Consider June 2026 Development Regulations Amendments
- 6. Unfinished Business**
 - 6.A Land Use Comp Plan Element Follow Up- and Future Land Use (Public Comment Opportunity)
- 7. Staff Update/Discussion Items**
- 8. Commission Representative Update**
- 9. Adjournment**



For more information on the Ellensburg Planning Commission, contact Planning Manager, Stacey Henderson, at 509-962-7232.

The Contents of this agenda have been photocopied on recycled paper.



CITY OF ELLENSBURG

Date of Meeting

Time of Meeting

Place of Meeting

Minutes of Planning Commission, Regular Meeting

April 9, 2026

5:45 PM

Council Chambers

501 North Anderson Street

Ellensburg, WA 98926

And remotely via Zoom

1. Call to Order and Roll Call

Chair O'Mahony called the meeting to order at 5:45pm

Present In Person: Geraldine O'Mahony, Skylar Bisom-Rapp, Joe Sheeran, Ed Harrell, Michael Buehn

Present on Zoom: George Botcher

Others Present: Stacey Henderson, Planning Manager; Lily Frey, Affordable Housing Manager, David Miller, Council Liason

2. Approval of Agenda

Commissioner Buehn moved to approve the agenda.

Motion passed 6-0

3. Approval of Minutes

3.A Review of March 26, 2026 Planning Commission Meeting minutes.

Commissioner Harrell Moved to approve Minutes.

Motion passed 6-0

4. Public Comment

5. New Business

5.A Housing Element draft review (Public Comment Opportunity)

Frey presented the Housing element to commissioners. This information includes population trends, demographic results, housing types with corresponding square footage, and the current status of the housing market. Frey then discussed the Goals, Policies, & Programs, requesting feedback from the group. The commissioners discussed the needs of the elderly population, the relation of student housing and housing market trends like vacancy lots, availability, and housing styles.

Commissioners also discussed the verbiage used and potential issues with vagueness and the presence of unmeasurable goals. They emphasized the need for specific, actionable goals. Frey noted that the items marked for

removal have been crossed out because they are not directly related to affordable housing. Commissioners then conversed about the city's involvement in affordable housing. Focusing on housing authority roles, development opportunities, public housing options, multi-family exemption, and other potential solutions for existing barriers. The conversation then shifted to public comments regarding Central Washington University's impact on housing needs and future growth opportunities.

5.B Land Use Element Draft Review (Public Comment Opportunity)

Henderson presented the draft of the Land Use Element, providing an overview of the background, context, and formatting. Henderson highlights the shift towards open spaces, the future planning for housing and open areas, the transition between single family & multifamily housing, and the infill exemption for vacant lots. The land use goals were revised to directly support public health, explore transportation options, address pedestrian-scale zones, and provide effective parking. Goals were revised to encourage the preparation of future/developing corridors. One goal was eliminated because it was completed and is no longer applicable to the new draft.

The commissioners discussed several topics, including the effects of remote work and artificial intelligence, the city's goals for total open spaces, ongoing infrastructure development, and the current standards for private parking. One commissioner addressed the importance of site development and improving connectivity around the train depot. Commissioner Bisom-Rapp concurred with public comments emphasizing the need for collaboration between the Planning Commission and the AA/EE Commission to enhance street accessibility, possibly with the support of dedicated programs. Commissioner O'Mahony acknowledged the partnership between the city and county in managing land use through the Urban Growth Area (UGA). Commissioners discussed the need for clarity on the following: Mixed-Use Business Park Zones, the variables used in the parking study, potential opportunities to organize design charrettes, and a Future Land Use Map update with follow-up discussion.

Henderson will provide an Updated Draft with a redline version to ensure all changes to the draft are understood.

6. Unfinished Business

7. Staff Update/Discussion Items

New attendee, Denise Tlatelpa, with the Community Development department, will be attending for clerical support. Tlatelpa made a short introduction.

Henderson announced that an email newsflash containing updates on the progress of the new Climate Element, task force, and story map, will be issued shortly.

Henderson discussed the interview being conducted on 04/10. Commissioners O'Mahony and Bisom-Rapp will attend.

8. Commission Representative Update

9. Adjournment

Chair O'Mahony adjourned the meeting at 8:03pm.



CITY OF ELLENSBURG

Date of Meeting

Time of Meeting

Place of Meeting

Minutes of Planning Commission, Regular Meeting

May 14, 2026

5:45 PM

Council Chambers

501 North Anderson Street

Ellensburg, WA 98926

And remotely via Zoom

1. Call to Order and Roll Call

Chair O'Mahony called the meeting to order at 5:47pm

Present: Geraldine O'Mahony, Joe Sheeran, Ed Harrell, Michael Buehn, George Botcher, Matthew Stalder

Absent: Skylar Bisom-Rapp

Present on Zoom: Andrew Oliver, Leland Consulting

Others Present: Stacey Henderson, Planning Manager; Lily Frey, Affordable Housing Manager, Kelle Vandenberg, Arts and Economic Development Manager, Heidi Behrends Cerniwey, City Manager

2. Approval of Agenda

Commissioner Harrell moved to approve the agenda, Commissioner Sheeran seconded (6-0)

3. Approval of Minutes

3.A Review of April 9, 2026 Meeting Minutes

Commissioner Harrell mentioned several name errors in the meeting minutes. Henderson suggested waiting to approve the April 9, 2026 meeting minutes to the May 28 meeting.

Geraldine denied the meeting minutes, to be approved May 28.

4. Public Comment

No Comments

5. Unfinished Business

5.A Review of revised DRAFT Housing Element (Public Comment Opportunity)

Frey presented updates and revisions to the Housing Comprehensive Plan Element based on feedback received at the April 9, 2026 Planning Commission meeting. Additional discussions included affordable housing as it relates to worker and workforce housing, technical assistance, multifamily exemptions, and downtown opportunity for housing.

Frey also presented some new information that was considered with regards to

the Element updates. This included discussion on cost burden, variables that come up when discussing housing, data sources, and margin of error.

6. New Business

6.A Review of DRAFT Comprehensive Plan Element 6: Economic Development (Public Comment Opportunity)

Vandenberg presented the current draft version of the updated Economic Development Comprehensive Plan element. General overview included the transition from narrative to plan approach when drafting chapter content, focusing on infrastructure, business expansion, quality of life, and the strategic planning happening in the County. This element is designed to be action oriented, with measurable outcomes, a proactive strategy, and realistic goals.

6.B Review of DRAFT Racially Disparate Impact (RDI) Report (Public Comment Opportunity)

Frey presented the RDI report that incorporated AAEE feedback. Frey discussed outreach and key findings included, as well as what the RDI covered, and Commerce requirements.

7. Staff Update/Discussion Items

Next meeting is May 28, 2026, with hearing regarding development code updates, and additional comp plan updates.

8. Commission Representative Update

9. Adjournment

Meeting adjourned, 7:37.



Meeting Date: May 28, 2026

**City of Ellensburg
Planning Commission Agenda Report**

Agenda Subject: Public Hearing to Consider June 2026 Development Regulations Amendments

Submitted by:
Department: Community Development

Suggested Motion/Action:

Move to recommend adoption of the proposed amendments to Ellensburg City Code as found in the attached draft ordinance.

Background/Summary:

The City of Ellensburg is initiating an amendment cycle to Ellensburg City Code (ECC) development regulations, primarily those in Title 15, the Land Development Code (LDC). Amendments to the LDC are reviewed under a Type V permit procedures, which include a recommendation from the Planning Commission to City Council on proposed amendments. This update contains several focus areas, with the general intention of compliance with pending and future state law preemptions and requirements for local development regulations including a new SEPA exemption; revisions to landmarks designations and murals; clarifying existing process provisions including those applicable by statute; and several staff-initiated elements intended to implement adopted housing policies.

All have been proposed by Community Development Department staff. All amendments are incorporated into a single draft ordinance attached to this report. Summaries are provided below.

RCW 35A.21.312 Manufactured Housing

This existing statute last amended in 2019 contains narrow provisions that preempt compliance with setback and building separation standards for newly sited manufactured homes in certain circumstances, and which the City has not incorporated by reference. In reviewing this Section and existing ECC regulations, Planning recognized that terminology used in the ECC are unclear as to what sub-types of manufactured homes are permitted in Ellensburg. Changes are proposed to incorporate the narrow preemptions, and to revise local code that in substance would result in a more expansive allowance for HUD-approved manufactured homes both in manufactured home parks or as single-family homes where allowed by zone.

RCW 35A.21.440 "Housing in Existing Buildings" Requirements

In 2025, the Washington State Legislature passed HB 1757, which amended recently codified RCW 35A.21.440 adopting narrow code city preemptions for development regulations, specifically regarding the addition of housing units within existing buildings. Provisions are required to be adopted into local development regulations by June 30, 2026.

The narrow preemptions effectively require that code cities permit residential density up to 50% beyond the maximum allowed in an underlying zone that permits multifamily housing if the project is constructed within an existing building. For such projects, it also restricts the authority of code cities to impose parking restrictions; require permits, impose design standard requirements, or impose exterior design or architectural requirements beyond those generally applicable to all residential development within the building's zone; prohibit ground floor residential except where ground floor commercial or retail spaces are required along "major pedestrian corridors" as defined by the code city; enforce Washington State Energy Code requirements in specific circumstances; deny building permit applications due to certain existing nonconformities; or require a transportation concurrency study. City Planners consulted with staff from the WA Department of Ecology's SEPA Division and WA Department of Commerce's Planning Division regarding the second clause of subsection 2(i) of this statute; in both Departments' interpretation, this subsection exempts such projects from review under the State Environmental Policy Act (SEPA).

RCW 35A.21.443 Exterior Building Cladding Materials

In 2025, the Washington State Legislature passed SB 5571, later codified in RCW 35A.21.443. This section preempts code cities from either requiring or excluding specific exterior cladding materials on buildings that comply with building codes, except on registered landmarks or in historic districts.

RCW 35A.21.450 Landmarks Designations

In 2025, the Washington State Legislature passed SHB 1576, which revised requirements for designating historic landmarks later codified in RCW 35A.21.450. While the City's existing provisions had already incorporated key standards - namely, property owner's consent - the legislation also newly provided exceptions to owner's consent for new designations in certain circumstances: where the proposed property is within a local landmarks district; or, where the property is at least 125 years old and the local commission considering the designation verifies the age in its findings.

RCW 35A.21.460 Child Care Centers

In 2025, the Washington State Legislature passed ESSB 5509 later codified as RCW 35A.21.460, which obligates code cities to allow child care centers as an outright permitted use in all zones except industrial, light industrial, or open space zones. Day Care II Facilities are currently a conditional use in the R-S, R-L, R-M and R-H zones. These changes must be adopted no later than July 27, 2027.

RCW 36.70A.540 Affordable Housing Requirement

This section of the Growth Management Act (GMA) last amended in 2022 requires that where affordable housing units are developed under an affordable housing incentive program, the units must be committed to continuing affordability for a period of at least 50 years. Ellensburg's density bonus provisions for affordable housing currently state a minimum of 25 years.

RCW 36.70A.810, 36.70A.812 & 36.70A.813 – Height and Setback Exceedances

In 2025, the Washington State Legislature passed SSHB 1183. This directed codification of two nearly similar sections of the GMA that restrict local governments planning under the Act from prohibiting exterior insulation that exceeds maximum height restrictions and minimum

setback requirements by 8 inches when used to retrofit existing building for residential use (.810) or meet passive house requirements (.812); in effect, the City must allow height and setback encroachments for such insulation. It also directed codification of a new GMA section (.813), to restrict local governments planning under the Act from prohibiting roof-mounted solar panels that exceed maximum building heights by 48 inches; in effect, the City must allow for such solar panel height encroachments.

RCW 36.70B Permit Fees

In reviewing provisions applicable to the City of Ellensburg under the Local Project Review Act, staff recognized that owing to several previous actions by the City, and in adopting exceptions to preapplications for certain residential projects within this ordinance, all as identified under RCW 36.70B.160(1), that pursuant to RCW 36.70B.080(1)(I)(ii) the City is authorized to collect the full amount of permit fees at the time a project permit is deemed procedurally complete.

RCW 36.70B Reporting Requirements Inapplicable

In reviewing provisions applicable to the City of Ellensburg under the Local Project Review Act and GMA, staff recognized that the City is not required to provide certain reports pursuant to RCW 36.70A.215(5) and 36.70B.080(2).

RCW 43.21C Statutory SEPA Exemptions

In reviewing other general guidance from the WA Department of Ecology's SEPA Division, staff noted several SEPA Exemptions that are adopted by statute, but have not been incorporated into Categorical Exemptions codified by rule in WAC 197-11-800. As such, said projects are not specifically referenced as exempt from SEPA review under Chapter 15.270 ECC. In tandem with the exemption for new housing in existing buildings (above), new subsections are adopted to specifically cite likely projects identified in RCW 43.21C.260 (solar energy generation panels, equipment or supporting structures up to 1,000 square feet), 43.21C.0382 (watershed restoration and fish habitat enhancement projects), and 43.21C.410 (installation of one or more battery charging stations or battery exchange stations).

Murals and Landmarks

Staff-initiated amendments revise certain existing provisions for murals and landmarks review. The intent of these is to remove from landmarks design review any new mural proposed on an existing painted surface, except for changes to or the restoration of historic murals. Amendments would also exempt the changing of sign-faces in existing sign structures/cabinets from landmarks design review; these are currently subject to a Certificate of Appropriateness requiring public notice.

Housing Amendments

Staff-initiated amendments revise certain provisions for housing. The ordinance would also revise to clarify the allowance to site any "designated manufactured home" (HUD-approved structures) for use as a single-family home or within manufactured home parks. Design requirements of detached accessory dwelling units (DADUs) are revised to permit more flexible placement in rear yards abutting an alley, provided fire safety provisions are met. Alley setback standards are relaxed by removing reference to emergency vehicles.

Code Clean Up

Proposed code cleanup items amend existing elements of the LDC that contain internal contradictions, redundancy or duplication of effort, particularly regarding review procedures, timelines, and noticing. Staff has noted gaps in the code that lack clarity, contradict itself, or need process improvement. It is important to ensure that the LDC is clear and understandable, to ensure smooth development and permit review for staff and the community.

Previous Reviews

On April 1, 2026, the Ellensburg Affordable Housing Commission reviewed proposed changes for conformance with RCW 36.70.540(2)(e) (50-year affordability period), 35A.21.440 (housing in existing buildings), 36.70A.810 and .812 (permitted height and setback exceedances to insulate building exteriors residential retrofits and meet passive house requirements), and the relaxation of DADU separation standards. The Commission endorsed adopting these amendments, which were reviewed prior to staff drafting manufactured home amendments.

Washington State Department of Commerce Review, SEPA Review, and Notice of Public Hearing

The proposal was sent to WA Dept. of Commerce on April 10, 2026, and its 60-day review period concludes June 9, 2026. The City issued a SEPA Determination of Non-Significance on May 7, 2026, with the public comment period ending May 21, 2026; this notice was published to the SEPA Register and distributed to the City's interested parties email list. No written SEPA comments were received within the comment window. The DNS was consolidated with public notice of the May 28 Planning Commission Public Hearing and published in the Ellensburg *Daily Record* on May 7, 2026 in accordance with ECC requirements.

Previous Council Action:

None

Analysis:

RCW 35A.21.312 Manufactured Housing Preemptions

Several recommended changes to the following sections are required for compliance with this statute. Others would relax from the fullest extent of authorities that are granted to code cities by statute as adopted in current code: specifically, by permitting any HUD-approved manufactured home to be sited as a single-family home where permitted by ECC 15.310.040. The intent of these changes is to create greater opportunities for HUD-approved manufactured housing units to be established on lots within the City of Ellensburg; existing provisions prohibit placement of some units in some circumstances. Therefore, staff recommends approval of the proposed amendments regarding manufactured housing, as found in the following ECC Sections:

- 15.240.060 - Nonconforming lots;

- 15.340.030 - Manufactured homes.

RCW 35A.21.440 “Housing in Existing Buildings” Requirements

Recommended changes to the following sections are required for compliance by the end of June 2026; if appropriate changes are not adopted, RCW requirements will preempt City code provisions. The proposed updates are required, and do not go beyond the required language but seek to integrate the specific preemptions for this specific type of residential project. Therefore, staff recommends approval of the proposed amendments regarding “housing in existing buildings”, as found in the following ECC Sections:

- 3.01.080 - Adoption—Codes Designated [Building Code];
- 15.130.190 - S definitions;
- 15.240.040 - Nonconforming use;
- 15.270.110 - Categorical exemptions—Adoption by reference;
- Table 15.310.040-1 - Residential uses;
- 15.510.050 - Storefront street standards; and
- 15.550.020 - Authority and application [Off-Street Parking]

RCW 35A.21.443 Exterior Building Cladding Materials

Recommended changes are required for compliance with this law. The proposed updates are intended to meet compliance with this section by only striking specific ECC provisions that require or exclude use of specific materials. Staff have incorporated local authority to review exterior materials previously prohibited by code for appropriateness when proposed on landmarks registered properties and in historic districts. Therefore, staff recommends approval of the proposed LDC Amendments regarding “exterior building cladding materials”, as found in ECC 15.530.050.

RCW 35A.21.450 Landmarks Designation Requirements

Recommended changes are required for compliance with this law by July 27, 2026. The proposed updates are intended to meet compliance with this section by only adding specific exceptions to owner’s consent prescribed by statute. Therefore, staff recommends approval of the proposed LDC Amendments regarding landmarks designations, as found in ECC 15.280.090.

RCW 35A.21.460 Day Care Facilities Preemption

Recommended changes are required to comply with this statute. The City must permit day care facilities as a land use “as of right” in all non-industrial and open space zones. Though due by July 27, 2027, the revisions could potentially expand childcare access in Ellensburg and require minimal code revisions. Therefore, staff recommends approval of the proposed LDC Amendments regarding day cares, as found in ECC Table 15.310.040-2 for Day Care II Facilities.

RCW 36.70A.540 Affordable Housing Requirement

A single amendment – from 25 years, to 50 years – is required for compliance with this law. The proposed update is intended to meet compliance with this section by only making this single revision. Therefore, staff recommends approval of the proposed LDC Amendments

regarding affordable housing incentive terms as found in ECC 15.330.020(E).

RCW 36.70A.810, 36.70A.812 & 36.70A.813 – Height and Setback Exceedances

Recommended changes are required for compliance with these statutes. The proposed updates are intended to meet compliance by only adding specific exceptions to setback and height provisions prescribed by law for exterior insulation and roof-mounted solar panels. Therefore, staff recommends approval of the proposed LDC Amendments regarding height and setback exceedance, as found in the following ECC Sections:

- 15.320.060 - Height exceptions; and
- 15.320.080 - Permitted projections.

RCW 36.70B Permit Fees

The City previously adopted provisions regarding collection of permit fees that may be waived if certain policies, agreements, and regulations are adopted by the jurisdiction. Despite the intent of these statutory provisions, collection of partial payments (maximum 80%) at submittal of project permit applications has led to significant administrative burden for the Community Development Department. Importantly, staff review has found the City eligible to be waived from this limitation by having already adopted sufficient policies, agreements, and regulations noted in the Recitals of the attached draft ordinance, along with additional provisions contained in the ordinance waiving preapplication meeting requirements for small residential projects (maximum 2 dwellings). Therefore, staff recommends approval of the proposed LDC Amendments regarding eligibility to collect full project permit fees at the time of application, as found in the following ECC Sections:

- 15.220.010 - Preapplication meeting;
- 15.220.020 - Application.

RCW 36.70A & 36.70B Reporting Requirements

The City previously adopted provisions for reporting of permit processing timelines that are not required based on Ellensburg's location and population. Therefore, staff recommends approval of the proposed LDC amendments that would repeal ECC 15.220.095 in its entirety.

RCW 43.21C Statutory SEPA Exemptions

RCW 43.21C.260, 43.21C.0382 and 43.21C.410 describe statutory categorical exemptions to SEPA for certain projects that are not duplicated in WAC 197-11, and thus not incorporated into the LDC by reference. These sections reference projects that staff anticipate most likely among statutorily exempt projects within the City. Therefore, staff recommends approval of the proposed LDC amendments that would adopt specific reference to these exemptions in ECC 15.270.110's proposed new subsection C.

Murals and Landmarks

Multiple provisions overlap between ECC Chapters 15.280 and 15.285 regarding responsibility and criteria for review of murals, including historic murals, between the Arts Commission, and the Landmarks and Design Commission. The current organization lacks clarity. Proposed revisions are intended to clarify which Commission is responsible for which elements of review, and would result in new murals proposed on existing painted surfaces

within historic districts or on landmarks properties no longer being subject to review by the Landmarks and Design Commission. Such murals would still require approval of a mural permit from the Arts Commission. Changes would also exempt replacement sign faces from landmarks review; such proposals have been universally approved with no controversy and rare public comment. New structural attachments on landmarks register properties or within historic districts (e.g. new sign cabinets), and any changes to historic murals would still require Landmarks review. Therefore, staff recommends approval of the proposed LDC Amendments regarding murals and historic district project review, as found in the following ECC sections:

- 15.280.100 - Review of changes to landmarks register properties; and
- 15.285.030 - Standards and guidelines [Murals].

Housing Amendments

Voluntary amendments would generally permit a wider array of HUD-approved manufactured homes for placement in manufactured home parks or as single-family homes, in zones permitting those uses. They would also provide greater flexibility for placement of detached Accessory Dwelling Units from principal unit(s) on the same lot; notably, fire response vehicles do not use alleys within Ellensburg and sufficient access is not required, and structure can meet adopted fire safety provisions and building codes with closer separation than existing standard (15 feet). These relatively modest amendments are intended to forward existing housing policies of the City of Ellensburg by relaxing certain standards for siting affordable dwelling types, and projects would still require maintaining a property's open space as otherwise applicable under ECC Title 15, Division V. Therefore, staff recommends approval of the proposed LDC Amendments regarding manufactured homes and Accessory Dwelling Units, as found in the following ECC sections:

- 15.320.090 - Setbacks from alleys;
- 15.340.030 - Manufactured homes; and
- 15.540.040 - Accessory dwelling unit design standards (ADU)

Code Clean Up

Proposed code cleanup items amend existing elements of the LDC that contain internal contradictions, redundancy or duplication of effort, particularly regarding review procedures and noticing. Several of these correct errant amendments from recent comprehensive clean-up efforts. Staff do not consider any of them to be substantive changes for permitted uses or regulatory standards, and their general intent is to clarify existing processes. Therefore, staff recommends approval of the proposed LDC Amendments for general LDC housekeeping, as found in the following ECC sections:

- Table 15.210.040(B) - Procedures for Permit Review Process Types;
- Table 15.210.040(C) - Notice Requirements for All permit Application Types, Unless Otherwise Stated;
- 15.220.030 - Determination of completeness;
- 15.220.080 - Public notice of final project permit decision;
- 15.230.080 - Open record hearing or open record appeal hearing proceedings;

- 15.230.090 - Closed record hearing or closed record appeal hearing proceedings; and
- 15.285.020 - Applicability [Murals].

DETAILED SUMMARY

Below is an explanation of proposed changes made in order according to code section, explaining the substance of each proposed ECC section revision:

1. ECC 3.01.080: RCW 35A.21.440(2)(g),(h) narrowly preempts applicability of certain building and energy code standards for new housing in existing buildings in code cities.
2. ECC 15.130.190 ("S"): RCW 35A.21.440(2)(f) provides that code cities may only restrict ground-level residential uses for new housing in existing buildings along "major pedestrian corridors" designated by the jurisdiction; this amendment adds a definition for "storefront streets" in existing ECC Title 15, Division V regulations and adopts their applicability as "major pedestrian corridors" by reference.
3. ECC 15.210.040:
 - a. Cleans up Table 15.210.040(B) regarding Notices of Completeness and Decision, Notices of Hearing for Type II permits, and references SEPA timelines pursuant to RCW 43.21C.033; relocates timeline extension provisions as a footnote to this table.
 - b. Cleans up Table 15.210.040(C) regarding newspaper SEPA notices, Open Record Hearing notices, and Closed Record Hearing notices; revises Table Note references for clarity of existing provisions' applicability.
4. ECC 15.220.010: adopts new waivers to preapplication meeting requirement for residential projects that result in only one or two dwellings, such as duplexes, pursuant to RCW 36.70B.160(1)(g) and 36.70B.080(1)(l)(ii).
5. ECC 15.220.030: clarifies that Type I permits have a determination of completeness.
6. ECC 15.220.080: clarifies permit Types that must notice decisions to applicants, interested parties and the Kittitas County assessor; strikes a previous amendment that would require SEPA determination notice board (second posting).
7. ECC 15.220.095: repealed; state reporting requirements are inapplicable to the City of Ellensburg under RCW 36.70A.215(5) and 36.70B.080(2)(a).
8. ECC 15.230.080: clarifies Type V hearing procedures with ECC references; revises open record appeal hearing/decision timeline to 60 days to match that for open record predecision hearings/decisions.
9. ECC 15.230.090: revises closed record appeal hearing/decision timeline to 60 days to match that for open record predecision or appeal hearings/decisions.
10. ECC 15.240.040: adopts reference to "housing in existing buildings" preemptions impacting nonconforming use review pursuant to RCW 35A.21.440(2)(a).
11. ECC 15.240.060: references preemptions on placement of manufactured housing on existing lots re. nonconforming lot review pursuant to RCW 35A.21.312(2)(b).

12. ECC 15.270.110: adopts by reference statutory categorical exemptions to SEPA for certain projects, including additions of housing within existing buildings pursuant to RCW 35A.21.440(2)(i), along with other likely projects provided under RCW 43.21C.
13. ECC 15.280.090: adopts exception to owner's consent for landmarks register designation pursuant to RCW 35A.21.450(2)(b),(3).
14. ECC 15.280.100: revises applicability of mural review by the landmarks and design commission; relocates review criteria on landmarks properties from murals chapter; exempts replacement of sign faces from certificates of appropriateness.
15. ECC 15.285.020: revises errant code references adopted in previous relocation of mural Chapter.
16. ECC 15.285.030: revises applicability of mural review by the arts commission and landmarks and design commission; relocates review criteria for murals on landmarks properties to landmarks and design chapter; strikes negotiation provisions.
17. ECC 15.310.040:
 - a. Revises Table 15.310.040-1, Note 3: strikes C-N zone ground floor residential prohibition pursuant to preemption of RCW 35A.21.440(2)(f); adopts a reference to that statute to ensure compliance with its limitations on any conditions established on C-H zone residential Conditional Use Permits. Note 3 is struck from C-N zone uses, and added to C-H zone uses.
 - b. Revises Table 15.310.040-1, Note 7: strikes references to C-C and C-C II zones to clarify applicability to storefront street frontage types as Ellensburg's "major pedestrian corridors" (frontage type reference vs. zone reference), pursuant to RCW 35A.21.440(2)(f).
 - c. Revises Table 15.310.040-2: amends Day Care II facilities from conditional to permitted use pursuant to RCW 35A.21.460(1).
18. ECC 15.320.030: Revises Table 15.320.030: adds Table Note 13 to permit 50% density above maximum base in R-S and R-L zones (which have density caps) for new residential units added in existing buildings, pursuant to RCW 35A.21.440(2)(a); adds Note 13 to maximum base density under R-S & R-L zone columns.
19. ECC 15.320.060: adds new Subsections H & I to reference height regulation preemptions for residential retrofits, passive house requirements, and roof-mounted solar energy panels pursuant to RCW 36.70A.810, 36.70A.812 and 36.70A.813.
20. ECC 15.320.080: adds new Subsection G(13) to reference setback regulation preemptions for residential retrofits and passive house requirements pursuant to RCW 36.70A.810 and 36.70A.812.
21. ECC 15.320.090: strikes reference to emergency vehicle access exception for accessory structures when proposed along a rear lot line abutting an alley.
22. ECC 15.330.020: revises minimum affordability period for density bonus housing from 25 to 50 years under subsection E(2)(b), in compliance with RCW 36.70A.540(2)(e).
23. ECC 15.340.030: revises manufactured home terminology to permit any HUD-approved structures in manufactured home parks or as single-family dwellings in zones permitting those uses. Revises subsection D to clarify applicability of non-conforming lot provisions under RCW 35A.21.312(2)(b).
24. ECC 15.510.050: adopts existing storefront streets as designated "major pedestrian corridors" pursuant to narrow ground-level residential prohibition authority for "new housing in existing buildings" preemptions under RCW 35A.21.440(2)(f).

25. ECC 15.530.050:

- a. Revises subsection C, metal siding, to generally permit use but require certificate of appropriateness in landmarks districts and properties, pursuant to RCW 35A.21.443(1),(3); strikes figure.
- b. Revises subsection D, concrete block, to strike reference to “other permitted materials”.
- c. Revises subsection E, EIFS and stucco finishes, to generally permit use but require certificate of appropriateness in landmarks districts and properties, pursuant to RCW 35A.21.443(1),(3); strikes figure.
- d. Revises subsection F, prohibited materials, to generally permit T1-11, fiberglass, and similar materials pursuant to RCW 35A.21.443(1).
- e. Adds new subsection G: requires landmarks approval for T1-11, fiberglass, and similar exterior cladding materials on registered properties or in historic districts, pursuant to RCW 35A.21.443(3).

26. ECC 15.540.040: strikes minimum 15-foot separation requirement for a detached accessory dwelling unit from principal dwelling(s) on the lot; replaced with minimum fire separation requirement (structures may be closer).

27. ECC 15.550.020: adds references preempting new housing in existing buildings from meeting minimum off-street parking conformance pursuant to RCW 35A.21.440(2)(b).

Recommendation:

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

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

Staff finds that the proposed amendments are in accordance with the three decision criteria, as described above. Therefore, staff recommends the planning commission recommend adoption to the City Council.

Financial Impact:

None

Budget Adjustment: No

Attachments:

1. June 2026 Development Regulations Amendments
2. SEPA Environmental Checklist

ORDINANCE NO. #####

AN ORDINANCE RELATING TO REGULATING LAND DEVELOPMENT WITHIN THE CITY OF ELLENSBURG: AMENDING CHAPTER 3.01 “BUILDING CODES”; AMENDING CHAPTER 15.130 “DEFINITIONS”; AMENDING CHAPTER 15.210 “PERMIT REVIEW PROCESS “TYPES””; AMENDING CHAPTER 15.220 “PERMIT REVIEW PROCEDURES”; AMENDING CHAPTER 15.230 “GENERAL PROVISIONS FOR PERMIT APPLICATION HEARINGS AND APPEALS”; AMENDING CHAPTER 15.240 “NONCONFORMANCE”; AMENDING CHAPTER 15.270 “ENVIRONMENTAL PROCEDURES—STATE ENVIRONMENTAL POLICY ACT (SEPA)”; AMENDING CHAPTER 15.280 “ELLENSBURG LANDMARKS REGISTER AND PROCEDURES”; AMENDING CHAPTER 15.285 “MURALS”; AMENDING CHAPTER 15.310 “PERMITTED USES”; AMENDING CHAPTER 15.320 “BUILDING SETBACK AND INTENSITY STANDARDS”; AMENDING CHAPTER 15.330 “DENSITY BONUS INCENTIVES”; AMENDING CHAPTER 15.340 “INDEX OF SUPPLEMENTAL USE CRITERIA”; AMENDING CHAPTER 15.510 “SITE ORIENTATION”; AMENDING CHAPTER 15.530 “BUILDING DESIGN”; AMENDING CHAPTER 15.540 “HOUSING TYPE STANDARDS”; AND AMENDING CHAPTER 15.550 “OFF-STREET PARKING”.

WHEREAS, in recent years the Washington State Legislature has passed a number of pieces of legislation regarding code cities, growth management, and local project review that require local governments to implement obligations and preemptions thereto, including as required under the Revised Code of Washington (RCW) Chapters 35A.21 and 36.70A for the addition of dwellings within the envelope of existing buildings, permitted exterior building cladding materials, retrofits of existing buildings for residential housing, passive house requirements, and roof-mounted solar energy panels; and

WHEREAS, the City of Ellensburg has, in adopting Ordinance 4975, in adopting Resolution 2026-06, in adopting the April 5, 2011 “Interlocal Agreement for Provision of Building Inspection and Plan Review Services” with Kittitas County, and in adopting amendments herein for preapplications, adequate provisions to meet requirements set forth in RCW 36.70B.160(1) pursuant to 36.70B.080(1)(l)(ii) regarding project permit fees; and

WHEREAS, the City of Ellensburg is not subject to provisions of RCW 36.70B.080(2) pursuant to RCW 36.70A.215(5); and

WHEREAS, RCW 36.70A.540(2)(e) requires where development regulations provide for the development of low-income housing units under affordable housing incentive programs, the units shall be committed to continuing affordability for at least fifty years; and

WHEREAS, RCW 36.70B.110 provides for flexibility in methods of public notice between categories or types of project permits; and

WHEREAS, RCW 36.70B.140 allows local regulations to exclude administrative project permits from certain noticing requirements under the Local Project Review Act; and

WHEREAS, the City desires to provide appropriate regulations for uses of land and definitions thereto, and to create conformity between separate and related provisions within the Land Development Code for greater formatting clarity and the applicability of its existing and amended provisions.

NOW, THEREFORE, the City Council of the City of Ellensburg do hereby 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. Section 3.01.080 of the Ellensburg City Code, as last amended by Ordinance 4981, Section 3, is hereby amended to read as follows.

3.01.080 Adoption—Codes designated.

The following codes and their amendments are found to be in conformance with the requirements of the State Building Code Act, enacted by the Legislature of the state of Washington, December 1991, chapter 19.27 RCW, and with adoptions and amendments by the Washington State Building Code Council made pursuant to chapters 19.27 and 70.92 RCW, and are adopted by reference as a part of the Ellensburg City Code, subject to RCW 35A.21.440:

- A. The most current edition of the International Building Code (IBC) with Washington State amendments, published by the International Code Council, Inc., as adopted and amended by the Washington State Building Code Council, chapter 51-50 WAC, and including appendices C and D to the International Building Code; except that the following sections of the International Building Code are hereby further amended to read as follows:

105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area is not greater than 200 square feet (11 m²).
2. Fences not over 8 feet (2,134 mm) high.
3. Oil derricks.

4. Retaining walls that are not over 4 feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
 5. Water tanks supported directly on grade if the capacity is not greater than 5,000 gallons (18,925 L) and the ratio of height to diameter or width is not greater than 2:1.
 6. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below and are not part of an accessible route.
 7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
 8. Temporary motion picture, television and theater stage sets and scenery.
 9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, are not greater than 5,000 gallons (18,925 L) and are installed entirely above ground.
 10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
 11. Swings and other playground equipment accessory to detached one- and two-family dwellings.
 12. Window awnings in Group R-3 and U occupancies, supported by an exterior wall that do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support.
 13. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1,753 mm) in height.
 14. Replacement of residential domestic hot water heaters within a single dwelling unit.
- 105.5 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within one (1) year after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of one (1) year after the time the work is commenced. The building official is authorized to grant, in writing, one extension of time, for a period not more than one (1) year. The extension shall be requested in writing at least seven (7), but no more than sixty (60) calendar days prior to the date the original permit becomes invalid and justifiable cause demonstrated.

Appendix D Fire Districts.

D 101.2 Establishment of Area. For the purpose of this code, the fire district shall include that area bounded by public rights-of-way that are zoned as Central Commercial (C-C) in the city of Ellensburg as provided for in Title 13 of the Ellensburg City Code. Subsections D 101.2.1, D 101.2.2 and D 101.2.3 of Appendix D of the International Building Code are inapplicable to this section.

Section D101.3 General. Use of Easements for Fire Separation. Use of the area encompassed by a private property easement which prohibits the construction of conflicting buildings may be used as the property line for the purpose of setbacks

related to fire resistances and required building setbacks, subject to the following conditions:

1. Acceptance of the easement restricting any new buildings is subject to approval by the Building Official.
 2. The decision of the Building Official shall be based upon the following factors:
 - A. Satisfactory arrangements for the placement of new and existing utility service lines on both the subject and the easement property. Any such work deemed necessary by the creation of the easement shall be borne by the Applicant.
 - B. Removal of all existing buildings in the proposed easement area which are deemed by the city's fire marshal to present a fire hazard by virtue of their proximity to the proposed new building location on the subject easement. Any such work deemed necessary by the creation of the easement shall be borne by the Applicant.
 - C. Construction of fences and other improvements other than buildings in the restricted easement area shall be subject to the review and approval of the Building Official.
 - D. Placement of building eaves or projections beyond the exterior wall which are contained on the subject building's property, and do not cause any material problems of drainage or other physical impact off the subject property.
 3. The easement authorized by this section, if approved by the Building Official, may only be used to meet the fire resistance and opening protection requirements of the International Building Code. Use of the easement to meet other requirements or allow additional development is prohibited.
 4. Such easement, if accepted by the Building Official, shall name the City of Ellensburg as one of the beneficiaries and holders of the easement. Further language describing and locating said easement shall be recorded with the Kittitas County Auditor as a covenant on the land, subject to all legal and customary conditions as they apply to easements. Further, such easement may not be eliminated or changed in any respect without the written permission of the City of Ellensburg.
 5. The above provisions shall not apply to walls at right angles to the property line.
- B. The most current edition of the International Residential Code (IRC) with Washington State amendments, including appendices A, B, C, and D thereto, published by the International Code Council, Inc., as adopted and amended by the Washington State Building Code Council, chapter 51-51 WAC; except that the following section of the International Residential Code is hereby amended to read as follows:
- Section R105.5 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within one (1) year after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of one (1) year after the time the work is commenced. The building official is authorized to grant, in writing, one extension of time, for a period not more than one (1) year. The extension shall be requested in writing at least seven (7), but no more than sixty (60) calendar days prior to the date the original permit becomes invalid and justifiable cause demonstrated.

Recommencement after expiration. An expired permit may be recommenced one (1) time for a period not to exceed one (1) year subject to the following conditions:

- C. The most current edition of the International Existing Building Code (IEBC) with Washington State amendments, published by the International Code Council, Inc., as adopted and amended by the Washington State Building Code Council, chapter 51-50 WAC.
- D. The most current edition of the International Mechanical Code (IMC) with Washington State amendments, published by the International Code Council, Inc., as adopted and amended by the Washington State Building Code Council, chapter 51-52 WAC.
- E. The most current edition of the International Fire Code (IFC) with Washington State amendments, including the following appendices as they relate to the general fire code standards: B, C, D, E, F, and G to the International Fire Code are hereby adopted and amendments thereto as referenced in chapter 3.03 ECC; provided, that notwithstanding any wording in this code, participants in religious ceremonies shall not be precluded from carrying hand-held candles. In accordance with chapter 19.27 RCW, the International Fire Code published by the International Code Council, Inc., together with any additions, deletions, and exceptions currently enacted or as may be amended from time to time by the state of Washington through its Building Code Council pursuant to the Washington Administrative Code (WAC), and as further amended in this chapter, is hereby adopted and incorporated by this reference. One copy of the International Fire Code and the appendices adopted below are on file with the city's fire code official. To the extent allowed by RCW 19.27.040, if a conflict exists between the provisions of the International Fire Code adopted and amended by the Washington State Building Code Council and the provisions of chapter 3.03 ECC, the Ellensburg City Code provisions shall govern.
- F. The most current edition of the Uniform Plumbing Code (UPC) and Uniform Plumbing Code Standards, published by the International Association of Plumbing and Mechanical Officials, as adopted and amended by the Washington State Building Code Council, chapters 51-56 and 51-57 WAC.
- G. The most current edition of the International Energy Code with Washington State amendments, as adopted by the Washington State Building Code Council, chapters 51-11, 51-11C and 51-11R WAC, subject to RCW 35A.21.440.
- H. Uniform Code for the Abatement of Dangerous Buildings and amendments thereto, 1997 Edition, published by the International Conference of Building Officials.
- I. Code precedence. In case of conflict among the codes enumerated in this section, the following shall be the order of precedence:
 - 1. International Building Code, standards and amendments;
 - 2. International Residential Code, standards and amendments;
 - 3. International Mechanical Code, standards and amendments;
 - 4. International Fire Code, standards and amendments;
 - 5. Uniform Plumbing Code, standards and amendments.

(Ord. No. 4981, § 3, 4-6-2026; Ord. 4857 § 1, 2020; Ord. 4643 § 2, 2013; Ord. 4566 § 7, 2010; Ord. 4553 § 1, 2009; Ord. 4543 § 1, 2009; Ord. 4486 § 1, 2007; Ord. 4450 § 1, 2006; Ord. 4390, 2004; Ord. 4384, 2004; Ord. 4302, 2001; Ord. 4245, 2000; Ord. 4159, 1998; Ord. 4121, 1997; Ord. 4002 § 1, 1995; Ord. 3799 § 2, 1992; Ord. 3667 § 1, 1989; Ord. 3655 § 1, 1989; Ord. 3600 § 1, 1987; Ord. 3538 § 1, 1986; Ord. 3531 § 1, 1986; Ord. 3466 § 1, 1984; Ord. 3447 § 1, 1984; Ord. 3266 § 1, 1980; Ord. 3257 § 1, 1980)

Section 3. Section 15.130.190 of the Ellensburg City Code, as last amended by Ordinance 4975, Section 12, is hereby amended to read as follows:

15.130.190 S definitions.

School means, for the purposes of chapter 15.370 ECC, an institution of learning for minors, whether public or private, offering regular course of instruction required by the Washington Education Code. This definition includes an elementary school, middle or junior high school, or high school.

Senior citizen assisted housing means housing in a building consisting of two or more dwelling units restricted to occupancy by at least one occupant 62 years of age or older per unit, and must include at least two of the following support services:

1. Common dining facilities or food preparation service;
2. Group activity areas separate from dining facilities;
3. A vehicle exclusively dedicated to providing transportation services to housing occupants;
4. Have a boarding home (assisting living) license from Washington State Department of Social and Health Services.

Senior housing means a residential complex containing multifamily dwellings designed for and principally occupied by senior citizens (over 62 years old). For the purpose of permitted uses in ECC 15.310.040, senior housing is a type of multifamily dwelling, unless it also meets the definition of senior citizen assisted housing, set forth in this section.

SEPA rules means chapter 197-11 WAC, as now existing or hereafter amended by the department of ecology. See chapter 15.270 ECC.

Shielding means that no light rays are emitted by a fixture above the horizontal plane running through the lowest point of the fixture.

Short plat or *short subdivision plat* means the map or representation of a short subdivision, both in preliminary and final short subdivision plat form, containing all of the pertinent information as required by this title. See chapter 15.260 ECC.

Short subdivision means the division of land into nine or fewer lots, tracts or parcels. See chapter 15.260 ECC.

Significant feature means, for purposes of chapter 15.280 ECC, any physical characteristic of a landmark, landmark site, or landmark district which the commission has stipulated in the designation as important to the historic value of the property, and for which a certificate of appropriateness is required prior to alteration.

Site development permit means a permit, issued by the city, to develop, redevelop or partially develop a site exclusive of any required building or land use permit. A site development permit may include one or more of the following activities: paving, grading, clearing, filling, tree removal, on-site utility installation, stormwater facilities, walkways, striping, wheelstops or curbing for parking and circulation, landscaping, or restoration. See ECC 15.250.020 for applicable standards.

Sleeping unit means an independently rented or owned and lockable unit that provides living and sleeping space. Sleeping units may not have both private sanitation and kitchen facilities; however, kitchenettes may be provided.

Small wind energy system means, for purposes of ECC 15.340.060, a wind energy conversion system with a rated output up to and including 20 kilowatts in residential zones and up to and including 100 kilowatts in commercial, industrial and public reserve zones and consisting of: wind turbine, tower, base and associated control or conversion electronics, as well as all anchors, guy cables and hardware.

Special valuation for improvements to historic property or *special valuation* means, for purposes of chapter 15.280 ECC, the local option program established under the authority of chapter 84.26 RCW which, once implemented, makes available to property owners a special tax valuation for rehabilitation of historic properties, under which the assessed value of an eligible historic property is determined at a rate that excludes, for up to ten years, the actual cost of the rehabilitation.

Start of construction includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The "actual start" means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the

installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundation or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start date of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Storefront means a building located adjacent to the sidewalk and featuring nonresidential uses on the ground floor, an entry facing the sidewalk, and transparent window area along at least 70 percent of the ground floor facade between 30 inches and eight feet above grade.

Storefront street means any street designated as such under Chapter 15.510 ECC. For the purpose of this Title, storefront streets serve as “major pedestrian corridors” pursuant to RCW 35A.21.440.

Street means a thoroughfare including an alley which has been dedicated to the public and designated for public use as a street.

Strip commercial development means commercial development in a linear form along any public street. Characteristics of strip commercial development are:

1. Primary access is from one street.
2. Lot(s) are less than 300 feet deep.
3. There is little or no commercial development on the street to the rear of the lot(s).
4. Uncoordinated development of separate lots.

Structural alteration means any change, addition, or modification in the supporting members of a building or structure such as bearing walls, columns, beams or girders, floor joists or roof joists.

Structure means anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground. It shall also include but not be limited to buildings, manufactured homes, walls, fences, billboards and poster panels. For the purposes of the floodplain district provisions only, as set forth in division VI, the term "structure" shall be limited to mean a walled and roofed building including a gas or liquid storage tank that is principally aboveground, as well as a manufactured home. For the purposes of airport overlay zone regulations set forth in chapter 15.350 ECC, "structure" means an object, including a mobile object, constructed or installed by man, including, but without limitation, buildings, towers, cranes, smokestacks, earth formations, and overhead transmission lines.

Studio apartment means a dwelling unit no larger than 500 square feet with one habitable room together with a kitchen or kitchenette and bathroom facilities.

Subdivision means the division of land as governed by Washington State in chapter 58.17 RCW and by chapter 15.260 ECC and other applicable sections of the LDC.

Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial improvement means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed.

The term does not, however, include either:

1. Any project for improvement of a structure to correct pre-cited existing violations of state or local health, sanitary, or safety code specifications which have been previously identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
2. Any alteration of a "historic structure," listed on the National Register of Historic Places or a State Inventory of Historic Places; provided, that the alteration will not preclude the structure's continued designation as a "historic structure."

Supplemental directional sign is a sign that is required under the Washington State Department of Transportation "Motorist Information Sign Program" to provide supplemental direction to assist interstate travelers to locate businesses advertised on interstate information signs through the state program. Such signs shall be no more than 24 inches by 12 inches in size, shall be of similar color and design as required under the state program for motorist information signs, and may be located at off-premises locations within the city.

(Ord. No. 4975, § 12, 11-17-2025; Ord. 4878 § 11, 2021; Ord. 4807 § 11, 2018; Ord. 4803 § 1, 2018; Ord. 4656 § 1 (Exh. O2), 2013)

Section 4. Section 15.210.040 of the Ellensburg City Code, as last amended by Ordinance 4975, Section 16, is hereby amended to read as follows:

15.210.040 Permit review process types—Decision-making, procedures and notice requirements.

- A. *Decision-making and appeal process.* Table 15.210.040(A) sets out the permit review decision-making and appeal processes for the permit review process types.

Table 15.210.040(A)
Decision-Making and Appeal Process for Permit Review Process Types

	Type I	Type II	Type III	Type IV	Type V
Final decision made by:	Director or designated decision-maker (see ECC 15.210.050(A))	Director or designated decision-maker (see ECC 15.210.050(B))	Designated decision-maker (see ECC 15.210.050(C))	Designated decision-maker (see ECC 15.210.050(D))	City council
Recommendation made by:	NA	NA	Designated body	Designated body	Planning commission
Open record predecision public hearing	No	No Except that landmarks and design commission holds an open record public hearing (see chapter 15.280 ECC)	Yes	Yes	Yes Multiple open record predecision hearings can be held
Open record appeal public hearing	Yes	Yes, except for landmarks and design commission decisions which have a closed record appeal to the hearings examiner	No	No	No
Closed record appeal hearing	No	No, except for landmarks and design commission decisions which are	Yes	No	No

		appealed to the hearings examiner			
Appeal to:	Superior court	Hearing examiner	Superior court or city council	Superior court	Superior court or to the growth management hearings board if GMA action
Judicial appeal (see ECC 15.230.100)	Yes	Yes	Yes	Yes	Yes

- B. *Procedures.* Table 15.210.040(B) sets out the permit review procedures for the five permit review process types.

Table 15.210.040(B)
Procedures for Permit Review Process Types

	Type I ³	Type II ³	Type III ³	Type IV ³	Type V
Preapplication meeting (see ECC 15.220.010) ¹	No	No ¹	Yes	Yes	No
Notice of complete application (see ECC 15.220.030)	No <u>Yes</u>	Yes	Yes	Yes	No
Notice of application (see ECC 15.220.040)	No	Yes	Yes	Yes	No
SEPA determination (see chapter 15.270 ECC)	No	Yes, if applicable	Yes, if applicable	Yes, if applicable	Yes, if applicable
Notice of hearing (see ECC 15.230.020)	No	No <u>Yes, if applicable</u>	Yes	Yes	Yes

Notice of decision (see ECC 15.220.080)	Yes, if applicable	Yes	Yes	Yes	Yes
Review period (see ECC 15.220.070) ^{2,4}	65 days	100 days	120 days	120 days	No

Notes/conditions:

1. A preapplication meeting shall be required for all Type III or IV permits, multifamily projects, townhouses, commercial projects, industrial projects, major design review projects, binding site plans, and short subdivisions. See ECC 15.220.010.
2. Preliminary short subdivisions and preliminary long subdivisions have a 90-calendar-day deadline for issuance from date of filing, subject to eligible extensions pursuant to RCW 58.17.140(1). All final plats and short plats must issue in 30 calendar days from date of filing. See RCW 58.17.140, and ECC 15.260.060 & 15.260.120. “Date of filing” is the date an application is determined complete pursuant to ECC 15.220.030. SEPA threshold determinations must be made within ninety days from application completeness pursuant to RCW 43.21C.033; see Chapter 15.270 ECC.
3. Permit review periods are calculated from the date the application is determined complete.
4. Review timelines do not include circumstances in which an applicant and the department agree in writing upon an extension to the processing timeline; any time in which the department is waiting on the applicant to submit information necessary for application processing that has been requested by the department in writing; or, any other exception of ECC 15.220.070.

- C. *Notice requirements.* Table 15.210.040(C) sets out the notice requirements for the five permit review process types.

Table 15.210.040(C)
Notice Requirements for All permit Application Types, Unless Otherwise Stated.
See chapter 15.220 ECC.

	Send to property owners	Newspaper legal notice (see ECC 15.220.040)	Post property (see ECC 15.220.050)	Send to agencies with	Send to applicant	Send to parties who comment, testify, or
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	within 300'			jurisdiction (for SEPA)		request notice
Notice of completeness (see ECC 15.220.040)					X	
Notice of application (see ECC 15.220.040) ¹	X, except for Type I permits	X, except for Type I permits	X, except for Type I and II permits	X		
SEPA Notice determination (see chapter 15.270.140 ECC) ¹	<u>X</u>	X	X	X	X	X
Notice of open record predecision hearing, if applicable	X	X	X, except for Type I and II permits	<u>X, for SEPA appeals only</u>	X	
Notice of decision (see ECC 15.220.080) ¹		X, except for Type I and II permits	X, except for Type I and II permits		X	X
Notice of closed record or appeal hearing, if applicable	<u>X, for appeals only</u>	<u>X, for appeals only</u>	<u>X, for appeals only</u>	<u>X, for SEPA appeals only</u>	X	X

Notes/conditions:

1. Any SEPA review requires applicable public notice; see ECC 15.220.040, 15.220.050, 080, 15.230.020(C) and ~~Chapter 15.270.140 ECC.~~

(Ord. No. 4975, § 16, 11-17-2025; Ord. No. 4951, § 4, 12-16-2024; Ord. No. 4935, § 3, 12-18-2023; Ord. 4807 § 16, 2018; Ord. 4656 § 1 (Exh. O2), 2013)

Section 5. Section 15.220.010 of the Ellensburg City Code, as last amended by Ordinance 4975, Section 18, is hereby amended to read as follows:

15.220.010 Preapplication meeting.

A preapplication meeting is required prior to submitting an application for any Type III or IV permit, major design review project (Type II review) permit, short plats (Type II review), binding site plans, ~~duplexes~~, multifamily projects, townhouses, and commercial or industrial projects. Other applications may be required to have a preapplication meeting at the discretion of the director based on the complexity of the project; except, projects that result in a single dwelling on one lot, two principal dwellings on one lot (such as a duplex), or one principal dwelling plus one accessory dwelling on one lot (such as a single-family home and a detached ADU), shall not require a preapplication meeting.

Applicants for other permits are encouraged to request a preapplication meeting with the city. Preapplication meetings with staff provide an opportunity to discuss the proposal in general terms, identify the applicable city requirements and the permit review process including the permits required by the action, timing of the permits and the approval process.

The director shall specify submittal requirements for preapplication meetings, which shall include a critical areas information form if critical areas are involved with the project. Plans presented at the preapplication meeting are nonbinding and do not "vest" an application or a proposed project unless such plans have been submitted as part of a project permit application that previously has been deemed complete by the city. A summary of a preapplication meeting, including any documentation provided to the city by the applicant or to the applicant by the city, shall be made and included in the project file following the meeting.

(Ord. No. 4975, § 18, 11-17-2025; Ord. 4807 § 18, 2018; Ord. 4803 § 3, 2018; Ord. 4656 § 1 (Exh. O2), 2013)

Section 6. Section 15.220.020 of the Ellensburg City Code, as last amended by Ordinance 4951, Section 5, is hereby amended to read as follows:

15.220.020 Application.

A. *Who may apply.* An application may be submitted by:

1. The property owner or any agent of the property owner with written authorization of agency to submit the application for the property owner for any Type I, II, III or IV

permit. The city council, planning commission, or city staff may initiate a Type V application except for comprehensive plan amendments which are governed by ECC 15.250.090.

2. Each applicant submitting a project permit to the city shall designate a single person or entity to receive determinations and notices under this title. The applicant shall include the name, current address and current telephone number of the designated person or entity. The applicant shall be responsible for immediately notifying the city of any change of name, address or telephone number of the designated person or entity.

B. *Submittal requirements.*

1. The director shall prepare written submittal requirements for each type of permit application, including type, detail, and number of copies to be submitted for an application to be deemed complete. The director may waive specific submittal requirements determined to be unnecessary for review of an application. The director may require additional material such as maps, studies, or models when the director determines such material is needed to adequately assess the proposed project. Applicants may obtain application materials from the community development department.
2. In addition to the submittal requirements and conditions set forth above, the following project permit applications require specific submittal materials that are set forth in the identified LDC sections:
 - a. Short subdivision, preliminary subdivision, and binding site plan submittal requirements are set forth in chapter 15.260 ECC;
 - b. Certificate of appropriateness application requirements are set forth in chapter 15.280 ECC;
 - c. Regional retail commercial master site plan application requirements are set forth in chapter 15.390 ECC; and
 - d. Critical area determinations are set forth in division VI.

- ~~3. Eighty percent of all application fees are due at the time of application submittal. The remaining 20 percent is due prior to permit issuance. In the event the department does not issue a decision within the time limits established ECC 15.210.040(B), the remaining 20 percent of the permit fees shall be reduced by the following amounts:~~

- ~~a. Ten percent of the full permit fee if the decision was delayed no more than ten percent of the overall processing timeline.~~
- ~~b. Twenty percent of the full permit fee if the decision was delayed more than 20 percent of the overall processing timeline.~~

~~Example: A Type III process has a maximum processing timeline of 120 days from the date of notice of complete application. If the department processes a Type III application and issues the decision between 121 and 132 days, the applicant's complete permit payment will be reduced by ten percent. If the department issues a determination beyond 144 days, the applicant would receive a 20 percent reduction in the permitting fee.~~

- e. ~~The timelines established in ECC 15.210.040(B) do not include:~~
 - i. ~~Circumstances in which an applicant and the department agree in writing upon an extension to the processing timeline.~~
 - ii. ~~Any time in which the department is waiting on the applicant to submit information necessary for application processing, which has been requested by the department in writing.~~
 - iii. ~~Any exception noted in ECC 15.220.070 or otherwise expressed in chapter 15.220.~~

(Ord. No. 4951, § 5, 12-16-2024; Ord. 4807 § 19, 2018; Ord. 4656 § 1 (Exh. O2), 2013)

Section 7. Section 15.220.030 of the Ellensburg City Code, as last amended by Ordinance 4929, Section 9, is hereby amended to read as follows:

15.220.030 Determination of completeness.

- A. *Written determination.* Within 28 calendar days after receiving an application for a Type I, II, III or IV decision, the director shall provide to the applicant a written determination that the application is complete, or that the application is incomplete and what is necessary to make the application complete. If the director does not provide a written determination within the 28 calendar days, the application shall be deemed complete as of the end of the 28th calendar day.
- B. *Additional information request and timeline.*
 - 1. If the additional information requested by the director is not fully submitted within 90 calendar days from the date it was requested, the application shall be considered withdrawn and any unspent filing fees, as determined by the director, shall be returned to the applicant. The applicant may submit a written request for up to a 90-day extension of this deadline. The director may grant a single extension if there is a demonstration that the applicant is actively working on obtaining the requested information, and such extension is in the interests of the city.
 - 2. Within 14 calendar days after receiving any additional information needed to make the application complete, the director shall provide to the applicant a written determination that the application is complete, or that the application is incomplete and what is necessary to make the application complete.
- C. *Criteria.* A permit application is complete for the purposes of this section when it meets the submittal requirements established by the director in ECC 15.220.020, even though additional information may be required or subsequent project modifications may occur. The determination of completeness shall not preclude the director from requesting additional information or studies either at the time of the determination of completeness or later, if new information is required to complete review of the application or substantial changes in the permit application are proposed.

(Ord. No. 4929, § 9, 11-6-2023; Ord. 4807 § 20, 2018; Ord. 4656 § 1 (Exh. O2), 2013)

Section 8. Section 15.220.080 of the Ellensburg City Code, as last amended by Ordinance 4975, Section 23, is hereby amended to read as follows:

15.220.080 Public notice of final project permit decision.

For final plat approvals and Boundary Line Adjustments, and all Type II, III, and IV project permits, the director shall issue and mail a notice of decision to any person who, prior to the rendering of the decision, requested notice of the decision in writing or provided substantive comment on the proposal, and to the Kittitas County assessor's office. The notice of decision may be a copy of the final report, and must include the SEPA threshold determination and critical area final determination if the project was not categorically exempt from SEPA and critical area determination. The decision notice must state procedures and timelines for eligible administrative appeals under Chapter 15.230 ECC, and state that affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation. For Type III and IV permits ~~and SEPA threshold determinations~~, the project permit notice of decision shall also be posted on the subject property and published in the city's official newspaper pursuant to the requirements in ECC 15.220.040(C) and 15.220.050.

(Ord. No. 4975, § 23, 11-17-2025; Ord. 4656 § 1 (Exh. O2), 2013)

Section 9. Section 15.220.095 of the Ellensburg City Code, as adopted by Ordinance 4951, Section 7, is hereby repealed in its entirety.

Section 10. Section 15.230.080 of the Ellensburg City Code, as last amended by Ordinance 4975, Section 32, is hereby amended to read as follows:

15.230.080 Open record hearing or open record appeal hearing proceedings.

A. *Responsibility of director for hearing.* The director shall:

1. Schedule a predecision public hearing or an open record administrative appeal public hearing as applicable. If the matter is a predecision public hearing, the open record hearing shall be heard within 60 calendar days from the issuance of the notice of application, except for Type V hearings which shall be held pursuant to applicable provisions of Chapters 15.210 and 15.220 ECC. If the matter is an administrative appeal of a decision which provides for an open record hearing, such administrative appeal hearing shall be held and a decision made within ~~45-60~~ calendar days from the date the appeal is filed unless otherwise established by statute.
2. Provide notice of public hearing as required per ECC 15.230.020.

3. Prepare the staff report on the application, which shall be a single report stating all of the decisions made as of the date of the report, including recommendations on a project permit that did not require an open record predecision hearing. The report shall state any mitigation required or proposed under the development regulations or the city's authority under SEPA.
 4. Once a decision has been issued, prepare the notice of decision, if required by the hearing body, and mail a copy of the notice of decision to those required to receive such decision.
- B. *Conflict of interest; ethics; Open Public Meetings Act; appearance of fairness.* The hearing body shall be subject to the code of ethics (RCW 35A.42.020), prohibitions on conflict of interest (RCW 35A.42.020 and chapter 42.23 RCW), open public meetings (chapter 42.30 RCW), and appearance of fairness (chapter 42.36 RCW) as the same now exist or may hereafter be amended.
- C. *Ex parte communication.*
1. No member of the hearing body may communicate, directly or indirectly, regarding any issue in a proceeding before the hearing body, other than to participate in communications necessary to procedural aspects of maintaining an orderly process, unless such member provides notice and opportunity for all parties to participate, except as provided in this subsection:
 - a. The hearing body may receive advice from legal counsel;
 - b. The hearing body may communicate with staff members on code or procedural matters; and
 - c. If, before serving as the hearing body in a quasi-judicial proceeding, any member of the hearing body receives an ex parte communication of a type that could not properly be received while serving, the member of the hearing body, promptly after starting to serve, shall disclose the communication as described in subsection (C)(2) of this section.
 2. If a member of the hearing body receives an ex parte communication in violation of this section, he or she shall place on the record:
 - a. All written communications received;
 - b. All written responses to the communication;
 - c. A statement of the substance of all oral communications received and all oral responses made; and

- d. The identity of each person from whom the hearing body member received any ex parte communications.
3. Any person in the hearing audience may object to the participation in the hearing of any hearing body member who has placed an ex parte communication on the record and the hearing body member may choose to recuse himself or herself from the hearing or may provide rebuttal to said objection and indicate on the record that he or she believes that they can continue on to hear the matter in a fair and unbiased manner.

D. *Disqualification.*

1. A member of the hearing body who is disqualified through recusal shall not be counted for purposes of forming a quorum. Any member who is disqualified by recusal may do so only by making full disclosure to the audience, abstaining from voting on the proposal, vacating the seat on the hearing body and physically leaving the hearing room.
2. Except for Type V actions, a member absent during the presentation of evidence in a hearing may not participate in the deliberations or decision unless the member has reviewed the evidence received.

E. *Burden and nature of proof.* Except for Type V actions, the burden of proof is on the proponent to demonstrate that the project permit application is supported by proof established on the record that it conforms to the applicable elements of the LDC and comprehensive plan and that any significant adverse environmental impacts have been adequately addressed.

F. *Order of proceedings.* The order of proceedings for a hearing will depend in part on the nature of the hearing. The following shall be supplemented by administrative procedures as appropriate:

Before receiving information on the issue, the following shall be determined:

1. Any objections on jurisdictional grounds shall be noted on the record and, if there is objection, the hearing body has the discretion to proceed or terminate;
2. Any abstentions or disqualifications shall be determined;
3. The hearing body may view the area in dispute with or without notification to the parties, but shall place the time, manner and circumstances of such view on the record;
4. Information shall be received from the staff and then from proponents and then from opponents. The presiding officer may approve or deny a request from a person attending the hearing to ask a question. Unless the presiding officer specifies

otherwise, if the request to ask a question is approved, the presiding officer will direct the question to the person submitting testimony; and

5. When the presiding officer has closed the public hearing portion of the hearing, the hearing body shall openly discuss the issue and may not ask further questions of any person without reopening the public hearing, except that questions to staff of code or procedural clarification or legal question to the city attorney.

G. *Decision and notice of decision.*

1. Following the hearing procedure described in this section, the hearing body shall approve, conditionally approve, or deny the application. If the open record hearing is an administrative appeal, the hearing body shall affirm or reverse the decision that is on appeal.
2. The open record hearing body's written predecision, or final decision for open record appeals, shall be issued within ten working days after the hearing on the project permit application. The notice of any final decision shall be issued pursuant to ECC Table 15.210.040(B) and 15.220.080.

(Ord. No. 4975, § 32, 11-17-2025; Ord. 4807 § 26, 2018; Ord. 4656 § 1 (Exh. O2), 2013)

Section 11. Section 15.230.090 of the Ellensburg City Code, as last amended by Ordinance 4975, Section 33, is hereby amended to read as follows:

15.230.090 Closed record hearing or closed record appeal hearing proceedings.

- A. A closed record hearing or closed record administrative appeal hearing shall be heard and decided within 45-60 calendar days from the date of a preceding open record hearing or the matter appeal is filed, unless otherwise established by statute.
- B. The procedure for closed record hearing or closed record administrative appeal hearing shall be the same as set forth in ECC 15.230.080, except that:
 1. The closed record hearing shall be limited solely to the record established in the open record hearing on which the recommendation or decision was made, and the hearing body shall be limited in its review to determining whether the previous recommendation or decision is supported by the record. The closed record hearing body may decide:
 - a. To uphold the decision as being supported by the record; or
 - b. Reverse the decision as not being supported by the record.

2. Participation in the closed record hearing shall be limited to the city, including all staff, the applicant for the proposal subject to appeal, parties of record as defined in ECC 15.230.060(B), and for closed record administrative appeals those persons or entities which have timely filed complete written appeal statements and paid the appeal fee. No new testimony or evidence can be entered into the record although the hearing body can seek clarification of the record.
3. Public noticing requirements for closed record hearings and closed record administrative appeals will be limited to persons and methods pursuant to ECC 15.230.025.

C. *Decision and notice of decision.*

1. The hearing body shall approve, conditionally approve, or deny the application when considering a predecision or recommendation. If the closed record hearing is an administrative appeal, the hearing body shall affirm or reverse the decision that is on appeal.
2. Where the closed record hearing provides for a final decision by a hearing body serving as decision-maker, the hearing body's written decision shall be issued within ten working days after the hearing on the project permit application. The notice of decision shall be issued pursuant to ECC Table 15.210.040(B) and 15.220.080.

(Ord. No. 4975, § 33, 11-17-2025; Ord. 4807 § 27, 2018; Ord. 4656 § 1 (Exh. O2), 2013)

Section 12. Section 15.240.040 of the Ellensburg City Code, as last amended by Ordinance 4656, Section 1, is hereby amended to read as follows:

15.240.040 Nonconforming use.

- A. *Expansion of nonconforming uses.* No existing building, structure, or land devoted to a nonconforming use shall be expanded, enlarged, extended, reconstructed, intensified, or structurally altered unless the use thereof is changed to a use permitted in the district in which such building, structure, or land is located except as follows: When authorized by conditional use permit, a benign nonconforming use may be expanded, enlarged, extended, reconstructed, intensified, or structurally altered as long as the intensity of the benign nonconformity is the same or smaller.
- B. *Change of nonconforming use.* When authorized by the director, a benign nonconforming use may be changed to a similar use that does not increase the intensity of impacts on surrounding conforming uses. For example, a change from a benign nonresidential use in a residential zone to another benign use shall be acceptable.
- C. *Discontinuance of nonconforming use.* When a detrimental nonconforming use of land or a nonconforming use of all or part of a structure is discontinued or abandoned for a period of

12 months, such use shall not be resumed, notwithstanding any reserved intent not to abandon such use. Normal seasonal cessation of use, or temporary discontinuance for purposes of maintenance or improvements, shall not be included in determination of the 12-month period of discontinuance. Evidence that such use has been actively available and marketed for sale or lease shall be considered by the director in determining if a nonconforming use has been discontinued.

- D. *Reversion to nonconforming use.* If a nonconforming use is changed to a permitted use, the nonconforming use shall not be resumed.
- E. *Residential exception to nonconforming use status.* Legally established residential uses located in any zoning district shall not be deemed nonconforming in terms of use and density provisions and shall be a legal use.
- F. *Residential exception for existing buildings.* Housing units shall be permitted up to 50 percent greater density than allowed in a property's commercial, mixed-use, or residential zone permitting multifamily housing. Any such housing pre-existing adoption of this exception, or new housing proposed in an existing non-conforming structure whose building envelope contains existing residential density within the limitation of this exception, shall be a legal use without review under this Chapter pursuant to RCW 35A.21.440.

(Ord. 4656 § 1 (Exh. O2), 2013)

Section 13. Section 15.240.060 of the Ellensburg City Code, as last amended by Ordinance 4656, Section 1, is hereby amended to read as follows:

15.240.060 Nonconforming lots.

- A. *Residential zones.* In any residential zone, and in nonresidential zones where single-family dwellings are permitted, a single-family dwelling and customary accessory buildings may be erected or modified on any nonconforming lot of record, even though such lot fails to meet lot area and width requirements of the zone in which such lot is located; provided, that:
 - 1. Such lot is in separate ownership; and
 - 2. The proposed development meets other applicable development standards such as setbacks and building height.
- B. *Other districts.* In any other district, permitted building and structures may be constructed on a nonconforming parcel or legal lot of record, provided applicable development standards such as setbacks, landscaping, and off-street parking requirements are met.
- C. *Manufactured home exception.* Placement of manufactured homes on lots where existing setback or building separation requirements cannot be met is subject to the permissions established in ECC 15.340.030.

(Ord. 4656 § 1 (Exh. O2), 2013)

Section 14. Section 15.270.110 of the Ellensburg City Code, as last amended by Ordinance 4807, Section 37, is hereby amended to read as follows:

15.270.110 Categorical exemptions—Adoption by reference.

- A. The city adopts by reference the following sections of chapter 197-11 WAC, as now existing or hereafter amended, as supplemented in this chapter:

197-11-305	Categorical exemptions
197-11-800	Categorical exemptions (except as noted in subsection (B) of this section)
197-11-880	Emergencies
197-11-890	Petitioning DOE to change exemptions

- B. The city establishes the following exempt levels for minor new construction under WAC 197-11-800(1)(b):

1. Construction or location of up to nine detached single-family dwelling units (WAC 197-11-800(1)(b)(i)).
2. Agricultural structures including construction of a barn, loafing shed, farm equipment storage building, produce storage or packing structure, or similar agriculture structure, covering up to 10,000 square feet and to be used only by the property owner or his or her agent in the conduct of farming the property. This exemption shall not apply to feed lots (WAC 197-11-800(1)(b)(ii)).
3. Construction of an office, school, commercial, recreational, service or storage building, up to 12,000 square feet and associated parking facilities designed for up to 20 automobiles (WAC 197-11-800(1)(b)(iii)).
4. Parking lots for 20 or fewer automobiles that are not associated with a structure.
5. Any fill or excavation of up to 200 cubic yards throughout the lifetime of the fill or excavation and any excavation, fill, or grading necessary for an exempt project listed in WAC 197-11-800(1)(b)(i), (ii), (iii), and (iv).

- C. In addition to the foregoing, the city of Ellensburg acknowledges statutory SEPA exemptions for the following projects when applicable:

1. The addition of one or more residential units within an existing building, pursuant to RCW 35A.21.440(2)(i);
2. The placement of an array of solar energy generation panels or associated equipment of less than 1,000 square feet or construction of structures supporting such panels and equipment with a footprint of less than 1,000 square feet, pursuant to RCW 43.21C.260 but subject to the exceptions therein;
3. Watershed restoration and fish habitat enhancement projects pursuant to RCW 43.21C.0382; and
4. Installation of one or more battery charging stations or battery exchange stations, pursuant to RCW 43.21C.410.

(Ord. 4807 § 37, 2018; Ord. 4656 § 1 (Exh. O2), 2013)

Section 15. Section 15.280.090 of the Ellensburg City Code, as last amended by Ordinance 4975, Section 44, is hereby amended to read as follows:

15.280.090 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 commission or the commission as a whole may generate nominations. In its designation program, the commission shall consider the Ellensburg historic resource inventory and the Ellensburg comprehensive plan. Owner(s)' consent is required before the commission shall consider the nomination.
 - a. Owner exception for historic districts. The owner's consent shall not be required if a building, structure, site or object to be designated is located within a historic district established pursuant to this Chapter.

- b. *Owner exception for age.* The owner's consent shall not be required if the nominator has provided documentation showing that a building, structure, site or object to be designated is more than 125 years old, subject to a written determination by the landmarks and design commission verifying its age.
2. Nominations shall be made on forms provided by the commission. Completed nominations received by the commission will be scheduled for review within 15 working days of a determination the application is complete.
 3. The 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 process.
 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 100 days of a determination the nomination application is complete and within ten working days of holding the public hearing, the 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 noticed pursuant to Chapter 15.210. 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 to indicate the district is on the landmarks register. An isolated property shall be designated on the official zoning map to indicate the property is on the landmarks register.
 6. For individual landmark designations, the 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 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 commission rejects the nomination of all or any part of a property, the commission shall, within ten 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 noticed pursuant to Chapter 15.210 ECC.

9. The commission's decision on a COA may be appealed to the hearing examiner 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 15.300.070(B) and hereafter known as the "downtown historic district and the existing residential historic district, defined in ECC 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 shall hereafter apply to the downtown historic district and the First Railroad Addition historic district.

D. *Change of status from noncontributing to contributing within a district.* The owner(s) of record of noncontributing property within a district may submit a COA application to the department for change of status of the property from noncontributing to contributing. The application shall identify all features of historical significance of the property in accordance with subsection A of this section and shall include the legal description and description of all interior and exterior features, and outbuildings, that contribute to its proposed designation as a contributing property.

E. *Effects of listing on the Ellensburg landmarks register.*

1. Listing on the landmarks register of historic places is an honorary designation denoting significant association with the historic, archaeological, engineering, or cultural heritage of the community. Properties are listed individually or as contributing properties to a historic district.

2. Prior to the commencement of any exterior work visible from a public right-of-way on a landmarked building or any property located within the boundaries of a district, excluding ordinary repair and maintenance, the owner must apply for and receive a COA from the commission for the proposed work. Violation of this rule shall be grounds for the commission to review the property for removal from the register.
 3. This city is a certified local government (CLG), and therefore all qualifying properties listed on the Ellensburg and National Registers of Historic Places may be eligible for special tax valuation on their rehabilitation under ECC 15.280.130.
 4. Prior to whole or partial demolition of a register property or contributing property within a district, the owner must apply for and receive a demolition approval pursuant to the requirements of ECC 15.280.110.
- F. *Removal of properties from the register.* In the event that any designated landmark property is no longer deemed eligible for inclusion on the landmarks register by city staff or the commission, per requirements of subsections (A)(1)—(6) of this section, the 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. No. 4975, § 44, 11-17-2025; Ord. No. 4935, § 6, 12-18-2023)

Section 16. Section 15.280.100 of the Ellensburg City Code, as last amended by Ordinance 4975, Section 45, is hereby amended to read as follows:

15.280.100 Review of changes to landmarks register properties.

A. *Review required.*

1. No person shall alter, repair, enlarge, newly construct, relocate, or demolish any registered landmark building, or any structure located on a property within a landmark district, ~~nor install any exterior sign or mural pursuant to subsection (A)(2) of this section,~~ without review by the commission and issuance of a COA or a demolition permit (ECC 15.280.110).
2. In the case of murals, review under this Chapter shall be limited to new murals where paint is applied to existing exterior surfaces, wood sidings with surface detail, or any other material that has a planar or flat character, where said existing surface is unpainted; and, to the restoration of historic murals. In these cases, the arts commission shall first review and provide recommendations to the landmarks commission regarding any proposal for a mural to be located on a registered landmark or within a

landmark district on an existing unpainted surface, or the restoration of a historic mural. Factors to be considered by the ~~arts-landmarks~~ commission include media to be used, method of application, stability, building/site, mural location and practicability of project.

a. The design (not content) of new murals on registered landmarks and in landmark districts must be consistent and compatible with the architectural and historical character of the district as applicable, and the architectural features (column bays, windows, planar walls, cornices, beams, columns, trim, windows, doors, etc.) of the building on which they are located.

b. Restoration of historic murals must comply with ECC 15.285.030(F).

3. This review shall apply to all exterior features of the building visible from a public right-of-way except as exempted by subsection B of this Section. This review applies whether or not a permit from the city of Ellensburg is required.
4. Review of alterations to Ellensburg landmarks register properties under this chapter is in lieu of design review required for projects and sign review per ECC 15.210.050(B).

B. *Exemptions.* The following activities are exempted from landmarks review and do not require a COA:

1. Ordinary repair and maintenance which does not visually alter exterior features of a building visible from a public right-of-way, and does not utilize substitute materials.
2. Repairs to or replacement of utility systems which do not alter exterior features visible from a public right-of-way.
3. Interior building construction, maintenance, remodeling, decoration, or other activities located within the building envelope.
4. Painting of previously painted exterior surfaces, including new murals that must otherwise comply with Chapter 15.285 ECC.

a. *Exceptions.* Alteration, repainting, painting out, removal, restoration or other disturbance of a historic mural must meet requirements of both this Chapter and ECC 15.285.030.

5. Construction on a landmarked property or within a landmark district that is not considered a structure per ECC 15.280.030, or a building per ECC 15.130. By way of example and not limitation, such work might include landscaping, fences, and detached arbors or gazebos.

6. Replacement of sign faces on existing permanent sign structures or within existing sign cabinets, or within right-of-way signs permitted by the city such as sandwich boards.

C. *Review process for proposed changes to registered landmark properties and properties located within a landmark district (a Type II review process exception 15.210.030(B)).*

1. Requests for review and issuance of a COA for proposed changes to a landmarked property, which can include demolition within the overall scope of work.
2. Application for a COA to a landmark property shall be made by filing an application with the preservation planner on forms provided by the department. A written description of materials required for the commission's review include but are not limited to; site plans, narratives, elevations, and material samples, and shall be provided to the applicant. Preliminary plans may be submitted to the preservation planner for review and an advisory opinion.
3. If an application is submitted to the department for any permit which affects a designated landmark, or a property located in a landmark district, the building official shall promptly refer such application to the preservation planner, and such shall be deemed an application for a COA if accompanied by the additional materials required for COA review. No city permit shall be issued, nor work begun, until the landmarks and design review process has been completed and a COA has been issued pursuant to this chapter.
4. Landmarks and design commission review.
 - a. At a regularly scheduled public hearing, the commission shall review the proposed work according to the relevant design provisions set forth in divisions IV and V of this title. After concluding the public hearing, the commission shall approve or disapprove the application. Approval of COAs or demolition permits shall be based upon appropriateness of proposal as reflected in said design provisions, and upon review of demolition standards per ECC 15.280.120.
 - b. The commission may approve with or without conditions or disapprove an application. A hearing on the application must be scheduled within 15 working days of a determination the application is complete unless the parties agree to an extension. The decision of the commission shall be rendered within 100 days of the date of a determination of a complete application and within 10 working days of holding the public hearing on the matter. The commission's findings in support of any decision shall be in writing and shall cite the applicable design provisions.

- c. If the commission makes a decision to issue a COA, such certificate shall be promptly issued to the applicant by the preservation planner and a copy of such certificate shall be transmitted to the building official.
- d. If the commission denies the application, the applicant and the building official shall be notified of such denial, including the reasons why approval of the application is not warranted.
- e. In the case of proposed demolition of a building or structure within a COA application that is listed in the landmarks register, the commission may require conditions of approval including, but not limited to, mitigation measures (e.g. to document the property, salvage significant architectural features of the building, install historical markers or plaques, prepare publications, etc., that provide historical context for the site).
- f. The commission's decision on a COA may be appealed to the hearing examiner in a closed record appeal hearing pursuant to ECC 15.230.090.

(Ord. No. 4975, § 45, 11-17-2025; Ord. No. 4935, § 6, 12-18-2023)

Section 17. Section 15.285.020 of the Ellensburg City Code, as adopted by Ordinance 4975, Section 48, is hereby amended to read as follows:

15.285.020 Applicability.

The standards for murals set forth in ECC ~~15.720.030(A)~~ 15.285.030(A) through (C) shall apply to all individual properties within the city of Ellensburg. ECC ~~15.720.030(D)~~ 15.285.030(D) and (E) shall apply only to landmarks register properties and districts listed on the Ellensburg landmarks register or on the National Register of Historic Places. ECC ~~15.720.030(F)~~ 15.285.030(F) shall apply to historic murals.

(Ord. No. 4975, § 48, 11-17-2025)

Section 18. Section 15.285.030 of the Ellensburg City Code, as adopted by Ordinance 4975, Section 48, is hereby amended to read as follows:

15.285.030 Standards and guidelines.

Murals shall conform to the following requirements:

- A. *Permit required.* Prior to installation, all murals require submission of an application and issuance of a permit subject to the following provisions:

1. Applications for murals not on landmarks register properties and not in districts listed on the Ellensburg landmarks register ~~or on the National Register of Historic Places~~ shall ~~first~~ be reviewed by the arts commission in a public meeting for a recommendation, which shall be forwarded to the community development department when issuing a permit.
 2. Applications for new murals located on landmarks register properties or in districts listed on the Ellensburg landmarks register or restoration of historic murals ~~on the National Register of Historic Places~~ shall first be reviewed by the arts commission in a public meeting, as referenced in subsection (A)(1) of this section, and shall also obtain a certificate of appropriateness (COA) from the landmarks and design commission.
 - a. When new murals are proposed on existing painted surfaces on registered landmarks or in a historic district, they are exempt from landmarks review pursuant to ECC 15.280.100. This exemption does not apply to the alteration, repainting, painting out, removal, restoration or other disturbance of historic murals.
 3. The restoration of historic murals shall be subject to the same procedures of subsection A(2) of this Section, and additionally to the review standards of subsection F of this Section.
- B. *Murals as signs.* Murals created after the effective date of the ordinance codified in this chapter that fall within the definition of a sign shall be regulated pursuant to the sign code, chapter 3.12 ECC, as currently enacted or hereafter amended.
- C. *Installation and maintenance of ~~all approved permitted~~ murals and historic mural restorations.*
1. Murals shall be installed in a manner to ensure that they withstand the elements to the greatest degree that is feasible as determined by the community development department.
 2. Murals shall use materials, coatings, or other protective techniques that will resist vandalism, weathering by sun, water, wind and graffiti to the greatest degree feasible as determined by the department.
 3. Murals must be maintained by the building owner for the life of the mural or until the mural is removed.
- D. *Location, design and style of murals ~~on landmark structures or in historic districts.~~*
1. ~~The design (not content) of murals on landmarks register properties and in districts listed on the Ellensburg landmarks register or on the National Register of Historic~~

~~Places must be consistent and compatible with the architectural and historical character of the historic district and the architectural features (column bays, windows, planar walls, cornices, beams, columns, trim, windows, doors, etc.) of the building on which they are located.~~

~~12. Murals shall not be permitted to be placed directly on unpainted brick, unpainted or painted stone, wood sidings with surface detail, or any other material that does not have a planar or flat character. An exception to this provision may be allowable is allowed in instances where new paint is applied onto the existing paint of a historic mural for the purpose of restoration, and for which a COA has been obtained. Prior to the installation, the surface to which the mural will be applied must be in a condition that would allow the permanent attachment of the proposed mural.~~

~~23. Murals may not have electrical or mechanical components.~~

~~34. Three-dimensional murals are not allowed on registered landmarks or in historic districts.~~

~~45. Murals must not damage or lead to accelerated deterioration of the building surface.~~

E. ~~*Alteration and removal of permitted murals on landmark structures or in historic districts.*~~

- ~~1. Alteration or removal of any existing or permitted mural on landmarks register properties and districts listed on the Ellensburg landmarks register or on the National Register of Historic Places requires a permit obtained through the process set forth in this Chapter ECC 15.280.090. Alteration or removal of historic murals shall only be made pursuant to this subsection.~~
- ~~2. Alteration or removal of any existing or permitted mural shall not damage or lead to the destruction or deterioration of a building or structure, or adversely impact the architectural or historic character of any registered landmark or building located within a historic district.~~
- ~~3. Any associated materials that were used to affix the permitted mural to the surface must be removed at the time of the removal of the mural. This includes, but is not limited to, mounting hardware or brackets, caulk or grout, and adhesives or glues.~~

F. *Historic murals.*

1. The landmarks and design commission will conduct a survey of existing murals and include those deemed historic in the Ellensburg landmarks register.
2. New murals shall not be painted over historic murals as defined in ECC 15.130.080. Historic murals may not be altered, repainted, painted out, removed, restored or

otherwise disturbed, unless the structural integrity of the building is at stake, without compliance with the following:

- a. Prior to the alteration, repainting, painting out, removal, restoration or other disturbance to the portions of an exterior surface inclusive of an historic mural, the property owner shall ~~obtain a COA~~ comply with provisions of this Chapter and Chapter 15.280 ECC. Application for a COA shall in accordance with the procedures set forth in ECC 15.280.090(C) and 15.280.100 with the following exceptions:
 - i. ~~The landmarks and design commission shall meet initially with the applicant to consider alternatives to the alteration or removal including available incentives for preservation of the mural. These negotiations may last no longer than 120 calendar days from the first meeting of the landmarks and design commission unless the applicant agrees to an extension. During these negotiations, the applicant should allow the commission to review the site and plans for the alteration and/or removal of the mural. An alteration and/or removal notice must also be placed on the property and published in the newspaper.~~
 - ii. ~~If no request for an extension is made and no alternative has been agreed to and the applicant has made a showing that such action is necessary to provide a reasonable beneficial use or reasonable economic return, the landmarks and design commission shall issue a COA to the applicant.~~
 - b. Prior to the permitted disturbance of an historic mural, photographic documentation of the mural shall be collected and made available to the landmarks and design commission by the department.
3. Any person aggrieved by any action of the landmarks and design commission in denying or approving the applicant's request may file a notice of appeal as set forth in Chapter 15.230 ECC; ~~however, such appeals shall be to city council rather than to the hearing examiner.~~
 4. ~~The landmarks and design commission will review the possibility of initiating a program to restore historic murals.~~ Any associated materials that were used to affix the historic mural to a building surface must be removed at the time of a permitted removal of a historic mural. This includes, but is not limited to, mounting hardware or brackets, caulk or grout, and adhesives or glues.
 - a. Exceptions may be made where affixing materials are on a registered landmark or on a building within a historic district, and the landmarks commission determines their removal does not satisfy appropriateness criteria of Chapter 15.280 ECC.

(Ord. No. 4975, § 48, 11-17-2025)

Section 19. Section 15.310.040 of the Ellensburg City Code, as last amended by Ordinance 4975, Section 49, is hereby amended to read as follows:

15.310.040 Use tables.

Table 15.310.040-1
Residential Uses

Use	R-S	R-L	R-M	R-H	R-O	C-N	C-H	C-C	C-C II	I-L	NC - MU	RC - MU	I-H	P-R	MH P
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 ²	P ²	P		P			P ⁷	P ⁷					A ⁶	
Dwelling, townhouse* (ECC 15.540.060)	P ²	P ²	P	P	P	P ³		P ⁷	P ⁷		P	P		A ⁶	
Dwelling, multifamily*	P ^{1, 5}	P ^{1, 5}	P	P	P	P ³	C ³	P ⁷	P ⁷		P	P		A ⁶	

(Division V of this title)															
Co-living housing*	P ¹	P ¹	P	P	P	P ³	C ³	P ⁷	P ⁷		P	P		A ⁶	
Dwelling, live-work*	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴	P		P ⁷	P ⁷		P	P			
Manufactured home park* (ECC 15.340.040)	C	C	C	P	C									A ⁶	P
GROUP RESIDENCES															
Boarding houses, lodging houses*		C	P	P	C			P ⁷	P ⁷		P	P		A ⁶	
Adult family home*	P	P	P	P	P	P		P ⁷	P ⁷		P	P		A ⁶	
Community residential facility*			C	C	C	C		P ⁷	P ⁷		P	P		P/A ⁶	
Senior citizen assisted housing*			P	P	P	P		P ⁷	P ⁷		P	P		A ⁶	
Transitional housing*	P ^{5,9}	P ^{5,9}	P ⁹	P ⁹	P ⁹	P ^{3,9}	C ⁹	P ^{7,9}	P ^{7,9}		P ⁹	P ⁹		P ⁹	
Permanent supportive housing*	P ^{5,9}	P ^{5,9}	P ⁹	P ⁹	P ⁹	P ^{3,9}	C ⁹	P ^{7,9}	P ^{7,9}		P ⁹	P ⁹		P ⁹	

Indoor emergency shelter*	C ⁹	C ⁹	C ⁹	C ⁹	C ⁹	C ⁹	P ⁹	P ⁹	P ⁹		P ⁹	P ⁹		P ⁹	
Indoor emergency housing*	C ⁹	C ⁹	C ⁹	C ⁹	C ⁹	C ⁹	P ⁹	P ⁹	P ⁹		P ⁹	P ⁹		P ⁹	
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 ⁷	P ⁷	P	P	P	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
TEMPORARY LODGING															
Bed and breakfast* (ECC 15.340.010)	P	P	P	P	P			P ⁷	P ⁷		P	P			

Development conditions:

1. Subject use may be permitted subject to density bonus incentives set forth in table 15.320.030 and chapter 15.330 ECC.
2. Duplexes and townhomes are permitted in the R-L and R-S zones on infill lots (preexisting legal lots of record as of December 31, 2021) notwithstanding the maximum density limits in table 15.320.030. For lots recorded after this date, duplexes and townhomes are permitted in the R-L and R-S zones but must meet the density requirements of ECC 15.320.030.

3. ~~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. Conditions of approval for the addition of residential units within existing buildings in the C-H zone must comply with the limitations set forth in RCW 35A.21.440.~~
4. Nonresidential uses may be permitted within live-work dwellings subject to the permitted uses in the underlying zoning district.
5. 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-H 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:
 - a. Only two yard/garage sales per dwelling unit not exceeding three consecutive days in duration are allowed per year;
 - b. 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;
 - c. No goods are to be displayed in public rights-of-way without first obtaining a right-of-way use permit from the public works department; and
 - d. 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.
9. Subject to the permanent supportive, transitional housing, emergency housing and emergency shelter facilities standards set forth in ECC 15.340.080.

Table 15.310.040-2
Nonresidential Uses

Use	R-S	R-L	R-M	R-H	R-O	C-N	C-H	C-C	C-C II	NC - M U	RC - M U	I-L	I-H	P-R
RETAIL														
Auto sales*							P	P ²	P		P			
Auto fueling*						P	P	P	P		P	P		
Personal electric vehicle battery charging station*	P ¹	P ¹	P ¹	P ¹	P ¹	P	P	P	P	P	P	P	P	P
Farmers' markets*						P		P	P	P	P			
Fruit stands*	P	P	P	P	P									
Heavy retail*							P	P ²	P		P	P	P	
Nurseries and greenhouses*	P						P	P	P	P	P	P	P	
Restaurants*	P ^{5,1} ₁	P ^{5,1} ₁	P ^{5,1} ₁	P ⁵	P ¹ ₁	P	P	P	P	P	P	P		A ⁶
Taverns and brewpubs*						P	P	P	P	P	P	P		A ⁶
Cafes*	P ^{5,1} ₁	P ^{5,1} ₁	P ^{5,1} ₁	P ⁵	P ¹ ₁	P	P	P	P	P	P	P		A ⁶
Retail*, small scale (<2,000 sf floor area)	P ^{5,1} ₁	P ^{5,1} ₁	P ^{5,1} ₁	P ⁵	P ¹ ₁	P	P	P	P	P	P			A ⁶

Retail*, medium scale (2,000—20,000 sf floor area)						P	P	P	P	P	P			A ⁶
Retail*, large scale (20,001—60,000 sf floor area)						p ³	P	P	P	P	P			
Retail*, very large scale (60,001—100,000 sf floor area)							P	C	C		P			
Retail*, super scale (>100,001 sf floor area)							C				C			
Regional retail commercial projects* (subject to the requirements in chapter 15.390 ECC)	P ⁸	P ⁸	P ⁸	P ⁸	P ⁸	P ⁸	P ⁸			P ⁸	P ⁸	P ⁸		
Marijuana retailer*						p ⁹	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹			
PERSONAL AND GENERAL SERVICE														
Day care I facilities*	P	P	P	P	P	P	P	P	P	P	P	P		A ⁶
Day care II facilities*	C-P	C-P	C-P	C-P	P	P	P	P	P	P	P			A ⁶

Heavy services*							P		P		P	P	P	
Hotels/motels*							P	P	P	P	P			
Hospitals*	C	C	C		P			C	P		C			A ⁶
Private parking lot*							C	C	C		C			
Freight truck parking lot*							P							P
Offices, medical*					P	P	P	P	P	P	P			P/A ₆
Kennels*							P		P			P		
Nursing homes*	C	C	C	P	P			P	P					P/A ₆
Marijuana cooperative*	P ¹⁰	P ¹⁰	P ¹⁰	P ¹ ₀	P ¹ ₀	P ¹ ₀	P ¹ ₀	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹ ₀	P ¹ ₀	P ¹⁰
Personal service establishments*	P ^{5,1} ₁	P ^{5,1} ₁	P ^{5,1} ₁	P ⁵	P	P	P	P	P	P	P			A ⁶
Laundromats and dry cleaners*			P ^{5,1} ₁	P ⁵	P ¹ ₁	P	P	P	P	P	P	P		
Places of assembly*	C	C	C	C	P	P	P	P	P	C	C	C		A ⁶
Radio station*		€					P			P	P	C	C	A ⁶

Veterinary clinic*					C	C	P	P	P	P	P	C		
BUSINESS SERVICE														
Conference center*							P	P	P	P	P			A ⁶
Offices, business or professional*, small scale (<2,000 sf floor area)	P ⁵	P ⁵	P ⁵	P ⁵	P	P	P	P	P	P	P	P ⁴		P/A ₆
Offices, business or professional*, medium scale (2,000—20,000 sf floor area)							P	P	P	P	P	P		P/A ₆
Offices, business or professional*, large scale (20,001—60,000 sf floor area)							P	P	P	P	P	P		P/A ₆
Miniwarehouse facility*													C	
INDUSTRIAL														
Light manufacturing*							P	P ²	P ²	P ²	P ²	P	P	

Light industry*								P ^{2,7}	P ^{2,7}	P ^{2,7}	P	P	
Hazardous waste treatment (off-site)*											C	C	
Hazardous waste treatment (on-site)*							C		C		C	C	A ⁶
Heavy industry*												C	
Marijuana processor*											P ¹ ₄	P ¹ ₄	
Marijuana producer*											P ¹ ₄	P ¹ ₄	
Tow vehicle storage area*											C	P	
Vehicle wrecking yard*												C	

Development conditions:

1. Vehicle battery charging stations are permissible for the primary use of residents and their guests in all residential zones. Battery charging station clusters are permitted for multifamily uses located in the R-M and R-H zones.
2. Use must be enclosed entirely within a building.
3. Grocery stores shall be the only retail uses permitted with more than 20,000 square feet of gross floor area.

4. Office uses that are accessory to a permitted use.
5. Subject nonresidential uses are permitted in these zones if the planned uses are at least 1,200 feet from commercial zone or mixed-use zone. Residential rental, leasing or management offices shall be permitted in the R-H zone for multifamily dwelling units on the same property.
6. All uses permitted in the P-R zone must be either outright permitted and operated as a primary public use or must be an accessory use to that primary public use. See ECC 15.310.050.
7. Includes light industrial activities that result in the production of goods placed for on-site retail sale. Special restrictions:
 - a. No power tools or equipment are allowed which by their decibel, frequency, and/or other feature of their operation would negatively impact the surrounding area by reason of decibel levels, light (see chapter 15.580 ECC for standards), dust or other physical effect; and
 - b. Production or manufacturing activity shall not occur between the hours of 10:00 p.m. and 6:00 a.m.
8. Regional retail is administered as an overlay zone pursuant to chapters 15.390 and 15.390A ECC, and only permitted within the designated boundaries identified in figure 15.390.040(A), the south interchange area, and figure 15.390.040(B), the west interchange area. Permitted uses and use restrictions within a regional retail commercial project are described in ECC 15.390.030. Design criteria for regional retail is governed by chapter 15.390A ECC.
9. All marijuana retail, production and processing facilities are subject to the requirements of chapter 15.370 ECC.
10. All marijuana cooperatives are subject to the requirements of ECC 15.370.030, chapter 314-55 WAC and chapter 69.51A RCW.
11. Use is only permitted on a lot abutting the intersection multiple public street frontages, such as a corner lot.

Table 15.310.040-3
Special Uses

Use	R-S	R-L	R-M	R-H	R-O	C-N	C-H	C-C	C-C II	NC - MU	RC - MU	I-L	I-H	P-R
PARK, OPEN SPACE AND RECREATIONAL														
Cemeteries, columbarium or mausoleums*	P	P												
Golf course*														P ¹¹
Golf driving range*							C				C			P ¹¹
Recreation—outdoor (commercial)*							P			P	P	C		A
Recreation—indoor (commercial)*					C		P	P	P	P	P	C		A
Recreation—small-scale indoor studios (commercial)*	P ¹³	P ¹³	P ¹³	P	P	P	P	P	P	P	P	C		
Recreational vehicle parks* (ECC 15.340.050)							C							A
Parks, playgrounds (public or private)*	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹		P
CULTURAL AND ENTERTAINMENT														

Adult entertainment establishment*							P ²							
Art, performing arts, and recording studios*	C	C	C	C	P	P	P	P	P	P	P	P		P/A ₇
Museums*	C ₂ ¹	C ₂ ¹	C ₂ ¹	C ₂ ¹	P	P	P	P	P	P	P	P		P/A ₇
Theaters*					P	P	P	P	P	P	P	C		
EDUCATIONAL														
Schools*	C	C	C	C	C		C	C	C					P ⁵
University*														P ⁵
GOVERNMENTAL														
Court							P	P	P					P
Fire facility							P				P	P		P
Police facility						P ³	P	P ³	P		P	P		P
Public agency or utility office*						P	P	P	P	P	P	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
Fairgrounds														P
Public transportation							P	P	P		P	P	P	P

passenger terminals														
Public parking lot*								P						P/A ⁷
RESOURCE														
Gardening or fruit raising (accessory use or noncommercial)	P	P	P	P	P	P	P	P	P	P	P	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	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰ /A ⁷
REGIONAL														
Airport*														PC ⁶

Development conditions:

1. 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.
2. Adult entertainment is regulated pursuant to chapter 6.72 ECC. Zoning locational standards within the 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).
3. Limited to "storefront" police offices. Such offices shall not have:
 - a. Holding cells;

- b. Suspect interview rooms (except in the C-N zone); or
 - c. Long-term storage of stolen properties.
- 4. Public agency or utility yard conditions:
 - a. Utility yards are only on sites with utility district offices; or
 - b. Public agency yards are limited to material storage, vehicle maintenance, and equipment storage for road maintenance, facility maintenance, and parks facilities.
- 5. Excluding private or nonprofit commercial schools or universities, for which the principal course work is business, vocational, or technical.
- 6. A conditional use permit is required for the following uses:
 - a. Facilities to sell, service and store airplanes, service airport patrons, and those ordinarily incidental and essential to operation of a municipal airport; and
 - b. Airport landing areas.
- 7. 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.
- 8. 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.
- 9. 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 within existing buildings, or if for new construction only if the building is 2,000 square feet or less, and for both options through approval of a conditional use permit.
13. Subject nonresidential uses are permitted in these residential zones if the planned uses are at least 1,200 feet from a commercial zone or mixed-use zone.

(Ord. No. 4975, § 49, 11-17-2025; Ord. No. 4955, § 111, 2-18-2025; Ord. No. 4953, § 8, 1-21-2025; Ord. No. 4929, § 3, 11-6-2023; Ord. 4887 § 22, 2022; 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; Ord. No. 4936, § 5, 2-5-2024)

Section 20. Section 15.320.030 of the Ellensburg City Code, as last amended by Ordinance 4975, Section 50, 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
DEVELOPMENT INTENSITY AND CONFIGURATION				
Minimum lot area	None ¹	None ¹	None ¹	None ¹
Minimum frontage	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
Density, maximum (base) ⁸ (ECC 15.320.050)	6 du/acre ^{12,13}	8 du/acre ^{12,13}	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
Maximum building height	35 ft	35 ft	35 ft ⁵	45 ft ⁵
BUILDING PLACEMENT (see ECC 15.320.070 through 15.320.120)				
Minimum front yard setback ^{6, 7}	15 ft	15 ft	15 ft	15 ft

Garage front yard setback	22 ft	22 ft	22 ft	22 ft
Minimum rear yard setback	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
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
Minimum side yard setback (interior lot line) ⁹	5 ft or 15 total ft ¹¹	5 ft or 15 total ft ¹¹	5 ft	10 ft ¹¹
Minimum side yard setback (exterior lot line) ⁹	10 ft	10 ft	10 ft	10 ft
Minimum garage side yard setback (exterior lot line)	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 ECC 15.310.040, duplexes and townhomes are permitted in R-S

and R-L zones on preexisting legal lots of record as of December 31, 2021, notwithstanding the maximum density requirements of this chapter. For lots recorded after this date, duplexes and townhomes must meet the density standards of this chapter.

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 in these zones, the minimum side yard shall be five feet on each side. For all other lots, the sum of side yard setbacks in the R-S and R-L zones shall be a minimum of fifteen feet with each side yard a minimum of five feet; and each side yard a minimum of 10 feet in the R-H zone.
12. Co-living housing sleeping units are calculated as 0.25 dwelling units for the purpose of maximum density calculations in the R-S and R-L zones.
13. Housing units shall be permitted up to 50 percent density above maximum base in the R-S or R-L zone when constructed entirely within an existing building envelope, pursuant to RCW 35A.21.440.

(Ord. No. 4975, § 50, 11-17-2025; Ord. 4887 § 24, 2022; Ord. 4807 § 46, 2018; Ord. 4656 § 1 (Exh. O2), 2013)

Section 21. Section 15.320.060 of the Ellensburg City Code, as last amended by Ordinance 4975, Section 52, 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, 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 ten 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 ten 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.
- E. Freeway-oriented on-premise signs in the C-H zone as provided in ECC 3.12.240(C).
- F. Small wind energy systems as provided in ECC 15.340.060.
- G. Wireless communication facilities as provided in ECC 15.340.070 and Chapter 15.395 ECC.
- H. Additional insulation may exceed maximum allowable roof height by eight inches to retrofit existing buildings for residential housing, or to accommodate passive house requirements, pursuant to RCW 36.70A.810 and 36.70A.812.
- I. Roof mounted solar energy panels may exceed maximum allowable roof height by 48 inches, pursuant to RCW 36.70A.813.

(Ord. No. 4975, § 52, 11-17-2025; Ord. 4887 § 27, 2022; Ord. 4807 § 46, 2018; Ord. 4656 § 1 (Exh. O2), 2013)

Section 22. Section 15.320.080 of the Ellensburg City Code, as last amended by Ordinance 4975, Section 54, is hereby amended to read as follows:

15.320.080 Permitted projections into yards.

The following structures may extend into or be located in required setbacks:

- A. Fireplace structures, bay or garden windows, enclosed stair landings, closets, or similar structures may project 30 inches into any yard, provided such projections are:
 - 1. Limited to two per facade;
 - 2. Not wider than ten feet; and
 - 3. A minimum five feet of separation is maintained between these projections and a side or rear property line.
- B. Eaves, cornices, and signs may not project more than thirty inches beyond a required setback or structural projection permitted by this Section.

- C. Enclosed porches and enclosed covered entries may project up to six feet into the front or rear yard subject to conformance with any required site vision standards set forth in section 3, street standards, of the city's public works development standards applicable to the lot. A minimum five feet of separation must be maintained between these projections and a rear property line.
- D. Unenclosed covered porches, similar entry features, and covered decks (with or without entries) may project up to six feet into the front, side or rear yards. A minimum five feet of separation must be maintained between these projections and a side or rear property line.
- E. Storefront weather protection projections into the public right-of-way are acceptable, provided they don't interfere with street trees or extend beyond the edge of the sidewalk.
- F. The following features may project into any front yard or any external side yard:
 - 1. Mailboxes and newspaper boxes;
 - 2. Fire hydrants and associated appendages;
 - 3. Bus shelters; and
 - 4. Monument signs.
- G. The following features may project into any yard:
 - 1. Telephone poles and lines;
 - 2. Power poles and lines;
 - 3. Cable TV and internet lines;
 - 4. Light and flagpoles;
 - 5. Sprinkler systems;
 - 6. Trellises not exceeding eight feet in height, not wider than ten feet;
 - 7. Culverts and underground water, sewer, and accessory facilities for the provision of utilities, such as drains;
 - 8. Electrical equipment cabinets and similar utility boxes and vaults;
 - 9. Surface and stormwater water management facilities;
 - 10. Fences per ECC 15.320.130;

11. Uncovered patios and decks not exceeding 18 inches above the finished grade;
~~and~~
12. Rockeries, retaining walls and curbs provided these structures do not exceed a height of six feet from the property line grade; and
13. Exterior wall assemblies that include insulation to retrofit existing buildings for residential housing, or to accommodate passive house requirements, at a maximum of eight inches pursuant to RCW 36.70A.810 and 36.70A.812

H. No projections are allowed into a regional utility corridor or access easement.

(Ord. No. 4975, § 54, 11-17-2025; Ord. 4807 § 46, 2018; Ord. 4656 § 1 (Exh. O2), 2013)

Section 23. Section 15.330.020 of the Ellensburg City Code, as last amended by Ordinance 4953, Section 10, is hereby amended to read as follows:

15.320.090 Setbacks from alleys.

Accessory buildings and accessory dwelling units may be built to a property line abutting an alley, provided sufficient turning movement ~~and emergency vehicle access~~ is provided within the alley. Minimum side yard setbacks as required by table 15.320.030 ~~would still apply.~~

(Ord. No. 4953, § 9, 1-21-2025; Ord. 4807 § 46, 2018; Ord. 4656 § 1 (Exh. O2), 2013)

Section 24. Section 15.330.020 of the Ellensburg City Code, as last amended by Ordinance 4953, Section 10, is hereby amended to read as follows:

15.330.020 Density bonus system for the R-S and R-L zones.

Table 15.330.020 summarizes the types of bonus elements and the range of density bonuses by percentages for each element. Details and conditions for each bonus element are provided in subsections (A) through (E) of this section. Developments may use a combination of bonus elements provided they comply with the maximum density provisions set forth for the zone in table 15.320.030. An exception to the maximum density provisions is only provided for projects complying with net zero energy standards as set forth in subsection (A) of this section.

Table 15.330.020
Density Bonuses for the R-S and R-L Zones

Bonus element	Density bonus % increase	Special conditions
Energy efficient construction/Built Green, LEED or other similar	25—150%	See subsection (A) of this section for details

environmental certification		
Greater mix of housing types	10—15%	See subsection (B) of this section for details. This option may be applied to all development sites with at least 5 acres
Off-street trails	5—20%	See subsection (C) of this section for details
Historic preservation	15 to 50%	See subsection (D) of this section for details
Affordable housing	15 to 100%	See subsection (E) of this section for details

A. *Energy efficient construction.*

1. *Table of green building and energy efficient density bonuses.* Four tiers of density incentives are employed to promote increasing levels of green building performance and higher energy efficiencies (via a green building rating system) in new developments. Applicable green building rating systems shall be indicated on the plat and confirmed with individual building permit application as directed in subsection (A)(2) of this section, project certification. The following table outlines density bonuses associated with specific green building rating systems for single-family, duplex and townhouse developments in the R-S and R-L zones.

Table 15.330.020(A)
Energy Efficiency Density Bonuses for the R-S and R-L Zones

Density bonus	20%	50%	100%	150%
Compliance paths for single-family, cottages, duplexes, townhouses, and multifamily				
Certification level required*	LEED-Silver or Built Green 4-star	LEED-Gold or Built Green 5-star	LEED-Platinum	Living Building Challenge

Conditions/notes:

* Equivalent rating systems which require third party verification maybe be approved at the discretion of reviewing authority.

2. *Project certification.*

- a. *Building permit.* The applicant shall submit a building permit that is consistent with all conditions of the land use permit approval. The applicant shall also submit documentation that the project has applied for certification by a green building rating system, such as LEED or Built Green. Proof of ongoing certification shall be required during construction and project certification must be completed prior to final occupancy.

- b. *Living Building Challenge.* For projects pursuing the Living Building Challenge for the purpose of a density bonus, the applicant must show proof of pursuing ongoing certification during construction for all required elements. After construction and prior to issuance of the certificate of occupancy, the applicant must show proof of initial project compliance as to the site, materials, indoor quality and beauty/inspiration components of the Living Building Challenge and that the project is likely to achieve the elements of energy and water following 12 months of occupancy as required under Living Building Challenge certification. For those elements of energy and water that require occupancy of the building for 12 months for Living Building Challenge certification, the applicant must submit a report to the city following 12 months of occupancy, demonstrating its progress towards meeting these remaining elements of the Living Building Challenge standard. If certification of those elements has not been achieved, the applicant must provide quarterly reports of progress towards certification of these elements, including additional steps and timeline that will be taken to achieve certification.

- B. *Mix of housing types.* Up to a 15 percent density bonus may be provided for providing a diversity of housing types.

1. Housing mix density bonus table.

Table 15.330.020(B)
Housing Mix Density Bonuses

Housing mix	Density bonus
At least 50% of the dwelling units are "alternative housing types" as defined below. At least 2 alternative housing types must be employed, with each type accounting for no less than 10% of the total units.	10%
At least 67% of the dwelling units are "alternative housing types" as defined below. At least 3 alternative housing types must be employed, with each type accounting for no less than 10% of the total units.	15%

2. Alternative housing types include:

- a. Accessory dwelling units (ADU) complying with design provisions set forth in ECC 15.540.040. Also note that while ADUs do not count as a unit for the purpose of calculating density, they may be counted as an alternative housing type for the purpose of calculating the percentage of alternative housing types to total permitted units;
- b. Small detached single-family dwelling units. This includes dwellings no larger than 1,400 square feet in gross floor area, excluding an attached or detached garage or other nonhabitable floor area. Such dwellings must comply with design provisions set forth in ECC 15.540.020;
- c. Cottage dwelling units, complying with design provisions set forth in ECC 15.540.050. Also note that each cottage shall count as one-half of a dwelling unit for the purpose of calculating allowed density. However, for the purpose

of determining the percentage of alternative housing types, each cottage dwelling may be counted as a single unit;

- d. Duplexes complying with design provisions set forth in ECC 15.540.030;
 - e. Townhouses complying with design provisions set forth in division V and notably ECC 15.540.060; and
 - f. Multifamily buildings, where permitted in the applicable zoning district, complying with design provisions set forth in division V.
3. The specific location, mixture, and amount of housing shall be indicated on the plat to ensure compliance with the density bonus provisions herein.

C. *Off-street trails.*

- 1. *Density bonus.* The density bonus percentage is based on the type and length of off-street trail with respect to the size of the development.

Table 15.330.020(C)
Off-street Trail Density Bonuses

Trail type	Trail extent	Density bonus %
Walking, soft surface	>1 lf of trail/4 lf of site perimeter length	5%
	>2 lf of trail/4 lf of site perimeter length	10%
Walking, hard surface	>1 lf of trail/4 lf of site perimeter length	10%
	>2 lf of trail/4 lf of site perimeter length	15%
Multi-use	>1 lf of trail/4 lf of site perimeter length	15%
	>2 lf of trail/4 lf of site perimeter length	20%

- 2. *Standards for trails.* Trails may either be a soft surface walking path, a hard surfaced walking path, or a wider hard surfaced multi-use pathway. As referenced in the nonmotorized transportation plan, federal, state, and professional guidance exists to ensure the system is designed to provide safe and accommodating facilities. Ellensburg relies primarily on:
 - a. The Federal Highway Administration's (FHWA's) National Bicycling and Walking Study: Case Study No. 24—Current Planning Guidelines and Design Standards Being Used by State and Local Agencies for Bicycle and Pedestrian Facilities, has detailed engineering solutions for many nonmotorized situations.
 - b. AASHTO Guide for the Development of Bicycle Facilities, 3rd Edition, offers guidelines and minimum design criteria for safe bicycle facilities.
 - c. AASHTO Guide for the Planning, Design, and Operation of Pedestrian Facilities, 1st Edition, has guidelines and minimum design criteria for pedestrian facilities.
 - d. WSDOT's Bicycle Facility Design Guidance (Chapter 1020) provides uniform minimum standards and criteria for the design and construction of bicycle facilities.

- e. WSDOT's Pedestrian Design Guidance (Chapter 1025) serves as a standard for construction and design of pedestrian facilities.
 - f. The John Wayne Pioneer Trail, The Ellensburg Greenway: Reconnection Study (2001) will guide the planning and design of that trail.
 - g. ADA Accessibility Guidelines for Transportation Facilities is consulted to ensure facilities are available to everyone.
 - h. Manual on Uniform Traffic Control Devices for Streets and Highways, USDOT, FHWA; as adopted and modified by chapter 468-95 WAC provides standards for signs and other traffic control devices.
 - i. National Association of City Transportation Officials (NACTO) Urban Bikeway Design Guide.
3. *Context.* The trails must be integrated into the design of the development as an amenity. To accomplish this goal, tall fences separating dwellings from trails are prohibited. Fences that separate dwellings in the subdivision from trails shall be less than 42 inches in height or at least 33 percent transparent (those portions of the fence taller than 42 inches in height). Notes referencing these standards shall be included on the plat. Fences adjacent to mid-block trails that run alongside yards are exempt from this standard.

D. *Historic preservation.*

- 1. *Density bonus.* For each building that is preserved, the development shall qualify with a minimum of 15 percent and a maximum of 50 percent increase in on-site density for one acre of development. For example, if the development site covers ten acres, the density bonus qualifies for one of the ten acres.
- 2. *Eligibility.* Properties eligible for this density bonus option must feature a property that is eligible for historic landmark listing under the Ellensburg landmarks register, per ECC 15.280.080. Subject properties must be in habitable condition, or improved to habitable condition. Developments may also receive the density bonus credit if they are moved to another site within the city provided the applicable building/site meets applicable standards set forth in this title.

E. *Affordable housing.*

- 1. *Density bonus.* The available density bonus increase is based on the percentage of affordable housing units integrated into the subdivision, with a minimum of 15 percent to qualify and a maximum density bonus increase of 100 percent. The percentage shall be based on the number of affordable housing units divided by the base maximum density. Up to 50 percent bonus is available for developments affordable to residents earning up to 80 percent of the Kittitas County Area Median Income (AMI) as identified annually by the U.S. Department of Housing and Urban Development (HUD).

To receive density bonuses of more than 50 percent and up to 100 percent, the same calculation applies; plus at least 20 percent of the affordable-designated units must be restricted to and affordable for people earning no more than 60 percent of AMI.

Table 15.330.020(E)-1

Bonus percentage (of base density)	Requirements
15 to 50 percent	Affordability at up to 80 percent of AMI (affordable percentage equal to additional allowable percentage)
Above 50 percent up to 100 percent	Above requirements and calculation apply; plus at least 20 percent of affordable units must be affordable at no more than 60 percent of AMI

Bonus example 1: A project is eligible for a base maximum density of 60 units. To qualify for a 30 percent density bonus, or 18 additional units (78 total project units), at least 18 units across the project (30 percent of base) must be affordable up to 80 percent AMI. The affordable housing density bonus will be measured against the base maximum density, not the total density of other density bonuses.

Bonus example 2: A project is eligible for a base maximum density of 20 units. To qualify for a 75 percent density bonus, or an additional 15 units (35 total project units), at least 15 units across the project (75 percent of base) must be affordable up to 80 percent AMI; of the 15 affordable units, at least three (20 percent of bonus) must be affordable at not more than 60 percent AMI.

Table 15.330.020(E)-2 Example Density Bonus Calculations

Example #	Base maximum density	Affordable at <80% AMI	Affordable at <60% AMI	Bonus percentage applied	Total unit eligibility
1	60 units	18 units	0 units	30%	78 units
2	20 units	12 units	3 units	75%	35 units

2. *Affordable housing unit requirements.*

- a. *Affordability.* Units must be affordable (rent or mortgage and utility allowance do not exceed 30 percent of designated income) to persons with incomes at or below 80 percent of the median income for Kittitas County residents for a density bonus of 15 to 50 percent. For density bonuses of more than 50 and up to 100 percent, at least 20 percent of affordable units must be affordable (rent or mortgage and utility allowance do not exceed 30 percent of designated income) to persons with incomes at or below 60 percent of Kittitas County median income.
- b. *Duration.* Affordable-designated units shall serve only income-eligible households for a minimum period of ~~25~~ 50 years from the later of the date when the affordability agreement between the housing owner and the city, as referenced in subsection (F)(3) of this section, is recorded, or the date when the affordable housing becomes available for occupancy as determined by the city.

- c. *Designation of affordable housing units.* Prior to the issuance of any permit(s), the director shall review and approve the location and unit mix of the affordable housing units consistent with the following standards:
 - i. *Location.* The location of the affordable housing units shall be disbursed throughout the development, not separated in physical access or orientation from market rate units;
 - ii. *Tenure.* The tenure of the affordable housing units (ownership or rental) shall be the same as the tenure for the rest of the housing units in the development; and
 - iii. *Size (bedroom).* The affordable housing units shall consist of a range of number of bedrooms that are comparable to units in the overall development.
 - d. *Design.* The exterior design of the affordable housing units must be compatible and comparable with the rest of the dwelling units in the development and must comply with project design provisions specified in division V.
 - e. *Timing/phasing.* The affordable housing units shall be available for occupancy in a time frame comparable to the availability of the rest of the dwelling units in the development.
- 3. *Affordability agreement.* Prior to issuing any building permit, an agreement in a form approved by the director that addresses price restrictions, homebuyer or tenant qualifications, phasing of construction, monitoring of affordability, duration of affordability, and any other applicable topics of the affordable housing units shall be recorded with Kittitas County auditor's office. This agreement shall be a covenant running with the land and shall be binding on the assigns, heirs and successors of the applicant. The city may agree, at its sole discretion, to subordinate any affordable housing regulatory agreement for the purpose of enabling the owner to obtain financing for development of the property.
 - 4. *Monitoring and fee.* The city reserves the right to establish in the affordability agreement referred to in subsection (E)(3) of this section, monitoring fees for the affordable housing unit, which can be adjusted over time to account for inflation. The purpose of any monitoring fee is for the review and processing of documents to maintain compliance with income and affordability restrictions of the affordability agreement.

(Ord. No. 4953, § 10, 1-21-2025; Ord. 4807 § 47, 2018; Ord. 4656 § 1 (Exh. O2), 2013)

Section 25. Section 15.340.030 of the Ellensburg City Code, as last amended by Ordinance 4656, Section 1, is hereby amended to read as follows:

15.340.030 Manufactured homes.

A designated manufactured home is allowed in a manufactured home park pursuant to ECC 15.340.040. A new designated manufactured home is allowed in all zoning districts that allow single-family residences (see ECC 15.130.130, definitions), and provided it meets the following criteria:

- A. Is comprised of at least two fully enclosed parallel sections each of not less than 12 feet wide by 36 feet long;
- B. Was originally constructed with and now has a composition or wood shake or shingle, coated metal, or similar roof of nominal 3:12 pitch; and
- C. Has exterior siding similar in appearance to siding materials allowed on conventional site-built single-family residences that are built pursuant to the applicable building code.
- D. A manufactured home (see ECC 15.130.130, definitions) is allowed in a manufactured home park pursuant to ECC 15.340.040. When placed on a lot whose size and shape allows minimum yards or dwelling separations to be met per Chapter 15.320 ECC and 15.340.040, the placement of a manufactured home on such lot shall meet required setbacks and separations. A manufactured home may also be sited on an existing lot in cases where the sole noncompliance of the proposed siting is with adopted separation or setback requirements regulating distance between homes, provided all other applicable standards of the ECC are met.

(Ord. 4656 § 1 (Exh. O2), 2013)

Section 26. Section 15.510.050 of the Ellensburg City Code, as last amended by Ordinance 4656, Section 1, is hereby amended to read as follows:

15.510.050 Storefront street standards.

The intent is to emphasize and/or reinforce a “Main Street” setting with storefronts placed adjacent to sidewalks. Storefront streets are Ellensburg’s “major pedestrian corridors” as set forth in RCW 35A.21.440.

- A. *Applicability.* The standards herein shall apply to all designated storefront streets per ECC 15.510.040.
- B. *Building frontage.* Buildings shall be located adjacent to the sidewalk. Building setbacks from the public right-of-way may be permitted provided the space between the front property line and the building:
 - 1. Is a widened sidewalk area; or
 - 2. Is a pedestrian-oriented space, as defined in ECC 15.520.030(C).
- C. *Parking location.* Parking shall be located to the rear, below, or above storefronts. Where some off-street parking (both surface and structured) adjacent to the storefront street is unavoidable, no more than 60 feet of frontage shall be occupied by parking

and vehicular access (see figure 15.510.050(B)). New parking lots adjacent to street corners shall be prohibited.

- D. *Vehicular access.* Vehicular access (driveways) is discouraged on storefront streets. Where vehicular access is unavoidable, no more than one curb cut shall be allowed.
- E. *Ground floor use.* Except for lobbies or similar entrances, residential uses are prohibited within 30 feet of the sidewalk on the ground floor of designated storefront streets.
- F. *Building entry.* Building entries shall face the sidewalk.
- G. *Weather protection.* Weather protection at least three feet deep is required over all primary entries. For south and west facing facades, weather protection at least six feet deep along a majority of the storefront is encouraged to provide shade in the summer months. Storefront all-weather protection projections shall not interfere with street trees, street lights, street signs, or extend beyond the edge of the sidewalk and they must maintain at least eight feet of clearance over the sidewalk.
- H. *Storefront transparency.* Transparent window area along at least 70 percent of the ground floor facade between 30 inches and eight feet above grade is required. Display windows may count for up to 50 percent of the transparency requirements provided they are at least 16 inches of depth to allow for changeable displays. Tack on display cases shall not qualify as transparent window area. Departures to the transparency requirement will be considered pursuant to the provisions of ECC 15.210.060 and 15.510.120. Such departures may decrease the minimum amount of transparency by up to 50 percent (with no less than 35 percent of the ground floor facade between 30 inches and eight feet above grade).
- I. *Ground floor and facade heights.*
 - 1. The ground floor shall have a minimum floor-to-floor height of 15 feet, as measured from grade.
 - 2. All storefront facades shall maintain a minimum height of 20 feet.

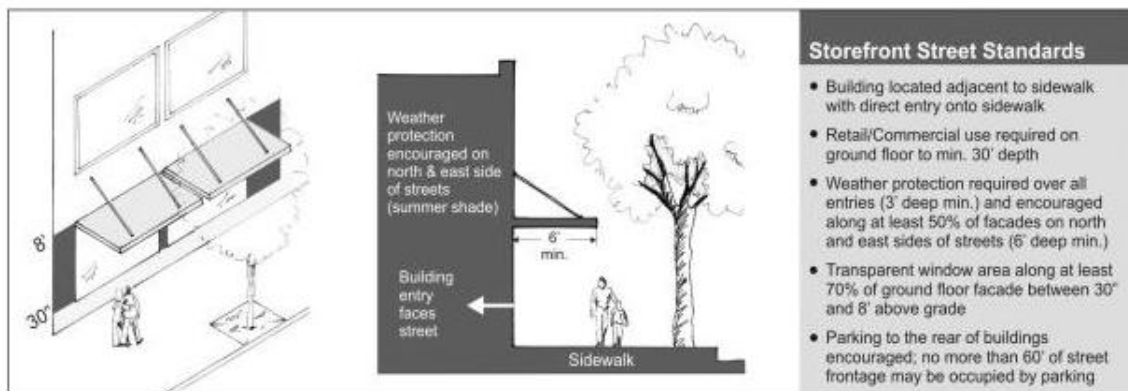


Figure 15.510.050(A). Summary of key storefront street standards.



Figure 15.510.050(B). Parking location standards for designated storefront streets.



Figure 15.510.050(C). Current storefront examples. Note the large storefront windows and recessed entries in the left image. In the right image, note the relatively tall height of the single-story building. The height helps to add a sense of enclosure to the street.



Figure 15.510.050(D). These facades do not meet the storefront standards. The tack-on display cases in the left image do not qualify as transparent window area.

(Ord. 4656 § 1 (Exh. O2), 2013)

Section 27. Section 15.530.050 of the Ellensburg City Code, as last amended by Ordinance 4656, Section 1, is hereby amended to read as follows:

15.530.050 Building materials.

A. Purpose.

1. To encourage high-quality building materials that reinforce the historic small town character of Ellensburg.
2. To discourage poor materials with high life-cycle costs.
3. To encourage the use of materials that reduce the visual bulk of large buildings.

B. Applicability. All nonresidential and mixed-use buildings shall comply with the materials standards herein. Exception: buildings in the I-H zone and buildings in the I-L zones that do not face a street or contain a customer entrance are exempt from these standards.

C. Metal siding standards. Metal siding may be used, except new or replacement metal siding on landmarks register properties and within historic districts must receive approval pursuant to Chapter 15.280 ECC, if it is incorporated with other permitted materials and it complies with the following:

- ~~1. It features visible corner molding and trim and does not extend lower than two feet above grade. Masonry, concrete, or other durable material must be incorporated between the siding and the ground plane;~~
- ~~2. Metal siding shall be factory finished, with a matt, nonreflective surface; and~~
- ~~3. The use of metal siding is prohibited on all landmarks register properties and within all historic districts.~~



Figure 15.530.050(C). Acceptable and unacceptable metal siding examples. Notice the corner and window trim and use of concrete block near the ground level on the left image. The circled area on the right includes metal siding all the way to the ground, which is prohibited.

- D. *Concrete block standards.* Concrete block may be used if it is incorporated with other permitted materials and it complies with the following:
1. When used for the primary facade, buildings must incorporate a combination of textures and/or colors to add visual interest. For example, combining split or rock-facade units with smooth blocks can create distinctive patterns; and
 2. Concrete block may comprise no more than 50 percent of a facade facing a public right-of-way or open space. Departures to this standard will be considered pursuant to ECC 15.210.060 provided design treatments are included to enhance the visual character of the building at all observable scales.



Figure 15.530.050(D). Acceptable and unacceptable concrete block examples. The left example uses a mixture of split-faced colored concrete block and smooth-faced concrete block, together comprising just under 50 percent of the whole facade. The large expanse of smooth-faced concrete block on the right is not desirable for Ellensburg facades.

- E. *Standards for EIFS or other similar synthetic stucco finishes.* EIFS refers to "Exterior Insulation Finishing System." Such material/finishes (including other similar synthetic stucco materials) may be used, except new or replacement EIFS or other similar stucco finishes on landmarks register properties and within historic districts must receive approval pursuant to Chapter 15.280 ECC.~~if it is incorporated with other permitted materials and it complies with the following:~~
- ~~1. EIFS must be trimmed in wood, masonry, or other material and must be sheltered from extreme weather by roof overhangs or other methods and are limited to no more than 50 percent of the facade area facing a public right of way or open space. Departures to this standard will be considered pursuant to ECC 15.210.060 provided design treatments are included to enhance the visual character of the building at all observable scales;~~
 - ~~2. Horizontal surfaces exposed to the weather must be avoided; and~~
 - ~~3. EIFS and similar surfaces should not extend below two feet above the ground plane. Concrete, masonry, or other durable material must be used for wall surfaces within two feet of grade to provide a durable surface where damage is most likely.~~



Figure 15.530.050(E). Acceptable and unacceptable stucco examples. The left image uses concrete block near the sidewalk, while the Petco maintains EIFS to the base of the facade.

- F. *Prohibited materials.*
1. Mirrored glass where used on more than ten percent of the facade;
 2. ~~T-111 siding and similar processed sheet products;~~
 - ~~23.~~ 3. Chain-link fencing (except for temporary fencing and for parks); and
 4. ~~Fiberglass products and similar sheet products; and~~
 - ~~35.~~ 5. Back-lit vinyl awnings used as signs.
- G. Certificate of Appropriateness Required: Use of T1-11 siding and similar processed sheet products, and fiberglass products and similar materials, as exterior building cladding on landmarks register properties or within historic districts requires approval of the landmarks and design commission pursuant to ECC Chapter 15.280.

(Ord. 4656 § 1 (Exh. O2), 2013)

Section 28. Section 15.540.040 of the Ellensburg City Code, as last amended by Ordinance 4975, Section 63, is hereby amended to read as follows:

15.540.040 Accessory dwelling unit design standards (ADU).

A. Purpose.

1. To provide infill housing opportunities throughout residential zones in Ellensburg;
2. To provide affordable housing options; and
3. To provide an opportunity for rental income for property owners.

B. Standards for all ADUs. An ADU is designed and established to be a separate dwelling unit that is accessory to a principal unit. ADUs can be attached to the principal unit or detached. ADUs differ from duplexes in the zoning districts where they are allowed and ADUs are subject to specific size and design criteria relative to the principal unit. ADUs shall not be subject to any more restrictive setback requirements, yard coverage limits, restrictions on entry door locations or aesthetic requirements than the principal unit. If standards conflict, the principal unit standards shall apply.

Two accessory dwelling units are permitted on any lot of record in any zone that permits single-family dwellings and is currently developed or being developed with a principal unit provided all of the following conditions are met:

1. ADUs shall not exceed 1,000 square feet of gross floor area. Gross floor area is the interior habitable area under the International Residential Code, including basements and attics, where they meet height minimums, but does not include a garage or accessory structure; and
2. The presence of an accessory dwelling unit must be clearly identified on each entrance by proper numbering.

C. Additional standards for a detached ADU (DADU).

1. DADUs may be separate freestanding structures located to the side or rear of a primary dwelling unit or may be placed next to and/or above a garage. Existing structures or garages can be converted to an ADU provided the conversion does not impact the ability for the principal unit to demonstrate consistency with current parking standards at the time of building application. This conversion shall not make a legal nonconforming structure or garage more nonconforming in relation to setback or building size;
2. There shall be adequate fire separation ~~a minimum separation of 15 feet between the existing a principal dwelling units and the DADU, except where the DADU is~~

~~converted from an existing garage or structure or built on top of and/or next to an existing garage or structure.~~

(Ord. No. 4975, § 63, 11-17-2025; Ord. No. 4953, § 13, 1-21-2025; Ord. 4810 § 1, 2018; Ord. 4807 § 58, 2018; Ord. 4656 § 1 (Exh. O2), 2013)

Section 29. Section 15.550.020 of the Ellensburg City Code, as last amended by Ordinance 4656, Section 1, is hereby amended to read as follows:

15.550.020 Authority and application.

- A. The regulations of this chapter apply to all off-street parking areas in all zoning districts within the city of Ellensburg.
 - 1. Exception. The regulations of this Chapter are not applicable solely to the addition of one or more housing units within the envelope of an existing building, pursuant to RCW 35A.21.440(2)(b).
- B. The regulations of this chapter apply to all new development applications, all new parking lot construction or enlargement. In addition, these regulations shall apply at the time of enlarging, moving or increasing the capacity of existing structures by creating or adding ~~dwelling units~~, commercial or industrial floor space, or seating facilities, and shall also apply when an existing land use within an existing structure is changed to a category of land use as set forth below that is different than the category of land use (as set forth in table 15.550.040(A)) for which the existing parking facility was designed and installed.
 - 1. Change of all or portion an existing building to residential use is subject to the exception of A(1).
- C. Whenever a building or use is expanded, enlarged or altered, additional off-street parking will be required for such expansion, enlargement or alteration based on the additional square footage of the expansion, enlargement or alteration, not on the total square footage of the building. However, in the event of enlargement or alteration of a structure, no additional off-street parking need be provided where the number of parking spaces required for such expansion, enlargement, or alteration is less than ten percent of the off-street parking requirement specified in this chapter.
 - 1. Alteration of an existing building for the addition of one or more new dwelling units is subject to the exception of A(1).
- D. Before an occupancy permit may be granted for any new or enlarged building or for a change of use in any existing building, the use shall be required to meet the provisions of this chapter, subject to the exception of A(1) applicable to the change of all or portion of an existing building to residential use.
- E. If this chapter does not specify a parking requirement for a land use, the director shall establish the minimum requirement based on a study of anticipated parking demand. Transportation demand management actions taken at the site shall be considered in determining anticipated demand. In the study the applicant shall provide sufficient

information to demonstrate that the parking demand for a specific land use will be satisfied. Parking studies shall be prepared by a professional engineer with expertise in traffic and parking analyses, or an equally qualified individual as authorized by the director.

1. Exception. A transportation concurrency study shall not be required based solely on the addition of one or more residential units within an existing building, pursuant to RCW 35A.21.440(2)(i).

(Ord. 4656 § 1 (Exh. O2), 2013)

ENVIRONMENTAL CHECKLIST

FOR

City of Ellensburg
Development Regulations Amendments

A. Background

1. Name of proposed project, if applicable:

June 2026 Development Regulations Amendments for the City of Ellensburg. See Attached for full text of proposed Ellensburg City Code revisions.

2. Name of applicant:

City of Ellensburg

3. Address and phone number of applicant and contact person:

Community Development Department

501 N. Anderson Street

Ellensburg, WA 98926

(509) 962-860

Contact: Mark Rud – Associate Planner

4. Date checklist prepared:

May 1, 2026

5. Agency requesting checklist:

City of Ellensburg Community Development Department

6. Proposed timing or schedule (including phasing, if applicable):

Proposed for adoption by June 2026

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

The City of Ellensburg reviews, evaluates, and revises the Land Development Code as deemed necessary to address changes in state law and to address the goals and policies of the Comprehensive Plan.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

The City of Ellensburg has undergone SEPA review each time the Land Development Code has been updated. Most notably a DNS was issued on August 14, 2013 when the last major update and revision occurred, again in October of 2018, and most recently in December of 2025. No additional environmental information has been prepared directly related to this proposal.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

The City is actively processing applications using the existing Land Development Code. This proposal will revise the Land Development Code.

10. List any government approvals or permits that will be needed for your proposal, if known.

This is a non-project action. No permits are required to update the City's land development code. The revisions to the land development code will be subject to Ellensburg Planning Commission recommendation and City Council approval.

In addition, Washington State Department of Commerce reviews the revisions to the land development code during a 60-day review period prior to adoption, which has been initiated.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

The June 2026 proposed amendments are being submitted under one proposal of Regulating Land Development within the City of Ellensburg, which includes:

- Community Development driven updates pertaining to general code clean up. These updates are generally limited to:
 - Updating applicable provisions for permit fee collections; and
 - Reconciling differences between existing procedures.
- Several changes relax standards regarding detached accessory dwelling units and siting manufactured homes. Several provisions regarding murals and signs in landmarks districts or registered properties are amended and clarified. The City is also adopting references to statutory SEPA exemptions.
- Other amendments are made to comply with specific statutes preempting local development regulations: RCW 35A.21.312 (manufactured housing); 35A.21.440 (housing in existing buildings); 35A.21.443 (exterior building cladding materials); 35A.21.450 (limitations to landmarks designations); and 36.70A.540 (affordable housing incentive programs).
- Certain elements are required by the GMA and being proactively adopted prior to associated Periodic Update deadlines in part due to relatively minor text amendments required: RCW 35A.21.460 (child care centers); 36.70A.810 (retrofits for housing); 36.70A.812 (passive house requirements); and 36.70A.813 (roof-mounted solar panels).

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

Ellensburg is located in Kittitas County, bordered on the west by the Yakima River. The Land Development Code applies to the entirety of the Ellensburg City limits, about 7.8 square miles.

B. Environmental Elements

1. Earth

a. General description of the site:

The City of Ellensburg is located in central Washington – 110 miles east of Seattle and 170 miles west of Spokane. The City sits at an elevation of 1,540 feet in a fertile basin next to the Yakima River, east of the Cascade mountain range, and on the western side of the Columbia Plateau.

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____

There is a variety of terrain within the City of Ellensburg. The City is generally located on gently sloping topography formed upon the alluvial fan surfaces along the southwest flank of the Wenatchee Mountains, and thus has generally flat or rolling terrain with very few steep slopes. The steep slopes are relatively isolated and include slopes immediately west of Brick Road, the slope immediately south of the Kittitas County Fairgrounds extending around the base of the city water tower, and the slope immediately south of the intersection of 10th Avenue and Cora Street.

b. What is the steepest slope on the site (approximate percent slope)?

The steepest slope within Ellensburg is approximately 40% and is located immediately south of the Kittitas County Fairgrounds extending around the base of the city water tower.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

The United States Department of Agriculture Natural Resources Conservation Services publishes soil surveys for Washington State. The soil survey information is regularly updated, Kittitas County soil survey data was last updated in 2018. The soil survey includes general soil map units that show broad areas that have distinctive soil patterns, relief, and drainage.

Each map unit on the general soil unit map is a unique natural landscape typically consisting of one or more major soils or miscellaneous areas and some minor soils and miscellaneous areas. Ellensburg has two general soil map units: Brickmill-Nanum-Opnish and Kayak-Weirman. Brickmill-Nanum-Opnish is found on younger alluvial fans and terraces and covers most of Ellensburg city limits. This general soil map unit is described as very deep, moderately well drained and somewhat poorly drained soils on level to nearly level alluvial fans. In the Yakima River floodplain, Ellensburg also has the general soil map unit – Kayak-Weirman. This general soil map unit is described as very deep, somewhat excessively drained, moderately well drained, and somewhat poorly drained soils on level to nearly level floodplains and terraces.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

The City of Ellensburg is located on gently sloping topography and thus has very few slopes that would qualify as steep slopes or landslide hazards.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

Not applicable. No filling, excavation, or grading is proposed for this non-project action. Project specific proposals are subject to review for consistency with applicable provisions of Ellensburg City Code and separate SEPA review as applicable.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Not applicable. No clearing, construction, or specific uses are proposed as part of this proposal. Project specific proposals are subject to review for consistency with applicable provisions of Ellensburg City Code and will undergo separate SEPA review as applicable.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Not applicable. There is no project construction as part of this non-project action. Project specific proposals are subject to review for consistency with applicable provisions of Ellensburg City Code and will undergo separate SEPA review as applicable.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Not applicable. This proposal will not result in erosion or other impacts to the earth. Project specific proposals are subject to review for consistency with applicable provisions of Ellensburg City Code and will undergo separate SEPA review as applicable.

2. Air

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

Not applicable. No construction, operation, or maintenance is proposed as part of this non-project proposal. Project specific proposals are subject to review for consistency with applicable provisions of Ellensburg City Code and will undergo separate SEPA review as applicable.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

Not applicable. Project specific proposals are subject to review for consistency with applicable provisions of Ellensburg City Code and will undergo separate SEPA review as applicable.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

Not applicable. The non-project action would not produce air emissions. Project specific proposals are subject to review for consistency with applicable provisions of Ellensburg City Code and will undergo separate SEPA review as applicable.

3. Water

a. Surface Water:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.**

There are several streams, irrigation canals and lakes in the Ellensburg vicinity including six perennial streams (Lyle Creek, Wilson Creek, Mercer Creek, Whisky Creek, Currier Creek, and Reecer Creek) found in the Ellensburg city limits. All of these streams flow into Yakima River which borders the western city limits at Irene Rinehart Riverfront Park and is classified by the State of Washington Department of Natural Resources as a Type S stream. There are a couple unnamed ponds near the west freeway interchange. Mattoon Lake is located near the I-90 intersection with South Canyon Road, and Englehorn Pond is located south of the 14th Avenue and B Street intersection.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.**

Not applicable. The non-project proposal does not include any work over, in, or adjacent to the waters described above. Project specific proposals are subject to review for consistency with applicable provisions of Ellensburg City Code and will undergo separate SEPA review as applicable.

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.**

Not applicable. No fill or dredge material will be placed or removed from surface water or wetlands as part of this non-project proposal. Project specific proposals are subject to review with applicable provisions of Ellensburg City Code and will undergo separate SEPA review as applicable.

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.**

Not applicable. This non-project proposal does not require any surface water withdrawals or diversions. Project specific proposals are subject to review for consistency with applicable provisions of Ellensburg City Code and will undergo separate SEPA review as applicable.

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.**

According to NFIP FIRM maps, portions of Ellensburg lie within the 100-year floodplain. There is not a site plan for this non-project proposal. Project specific proposals are subject to review for consistency with applicable provisions of Ellensburg City Code and will undergo separate SEPA review as applicable.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.**

Not applicable. This non-project proposal does not involve any discharges of waste materials to surface waters. Project specific proposals are subject to review with applicable provisions of Ellensburg City Code and will undergo separate SEPA review as applicable.

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.**

Not applicable. This non-project proposal does not include any withdrawal of groundwater. Project specific proposals are subject to review for consistency with applicable provisions of Ellensburg City Code and will undergo separate SEPA review as applicable.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.**

Not applicable. No water material will be discharged into the ground as part of this non-project proposal. Project specific proposals are subject to review for consistency with applicable provisions of Ellensburg City Code and will undergo separate SEPA review as applicable.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.**

Not applicable. Project specific proposals are subject to review for consistency with applicable provisions of Ellensburg City Code and will undergo separate SEPA review as applicable.

- 2) Could waste materials enter ground or surface waters? If so, generally describe.**

Not applicable. Project specific proposals are subject to review for consistency with applicable provisions of Ellensburg City Code and will undergo separate SEPA review as applicable.

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.**

Not applicable. This non-project proposal does not alter or otherwise affect drainage patterns. Project specific proposals are subject to review for consistency with applicable provisions of Ellensburg City Code and will undergo separate SEPA review as applicable.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

Not applicable. Project specific proposals are subject to review for consistency with applicable provisions of Ellensburg City Code and will undergo separate SEPA review as applicable.

4. Plants

a. Check the types of vegetation found on the site:

- ☒ deciduous tree: alder, maple, aspen, other
- ☒ evergreen tree: fir, cedar, pine, other
- ☒ shrubs
- ☒ grass
- ☒ pasture
- ☒ crop or grain
- ☒ Orchards, vineyards or other permanent crops.
- ☒ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- ☒ water plants: water lily, eelgrass, milfoil, other
- ☒ other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

No vegetation will be removed as a direct result of this proposal to revise the Land Development Code. Vegetation removal will be determined at a project level review and is subject to review for consistency with applicable provisions of Ellensburg City Code and will undergo separate SEPA review as applicable.

c. List threatened and endangered species known to be on or near the site.

Not applicable to the non-project action. Threatened and endangered species are protected through the Fish and Wildlife Habitat Conservation Areas regulations located within the City's critical areas regulations.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

Not applicable. No landscaping is proposed as part of this non-project action. Project specific proposals are subject to review for consistency with applicable provisions of Ellensburg City Code and will undergo separate SEPA review as applicable.

e. List all noxious weeds and invasive species known to be on or near the site.

The Kittitas County Noxious Weed Control Board keeps information on noxious weeds in Kittitas County. According to the Weed Control Board, the top ten most common noxious weeds in Ellensburg are: Kochia, Russian Thistle, Canada Thistle, Diffuse Knapweed, Horseweed, Whitetop, Puncturevine, Myrtle Spurge, Houndtongue, and Japanese Knotweed. Project-specific development projects will be reviewed for consistency with applicable provisions of Ellensburg City Code and undergo separate SEPA review as applicable.

5. Animals

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

A variety of birds and animals reside in the city, but the question is not applicable to the proposal because it is a non-project action involving primarily non-site-specific text

amendments. Project specific development proposals will be reviewed for consistency with applicable provisions of Ellensburg City Code and will undergo separate SEPA review as applicable.

b. List any threatened and endangered species known to be on or near the site.

Not applicable. Threatened and endangered species are protected through the Fish and Wildlife Habitat Conservation Areas regulations; no changes to these regulations are proposed. Project specific development proposals will be reviewed for consistency with applicable provisions of Ellensburg City Code and will undergo separate SEPA review as applicable.

c. Is the site part of a migration route? If so, explain.

Some migratory birds are likely to visit the Ellensburg area, but the question is not applicable to this non-project action. Project specific development proposals will be reviewed for consistency with applicable provisions of Ellensburg City Code and will undergo separate SEPA review as applicable.

d. Proposed measures to preserve or enhance wildlife, if any:

The city protects Fish and Wildlife Habitat Conservation Areas through the implementation of the city's critical areas regulations. No changes are proposed to these regulations. Project specific development proposals will be reviewed for consistency with applicable provisions of Ellensburg City Code and will undergo separate SEPA review where applicable absent statutory exemptions.

e. List any invasive animal species known to be on or near the site.

None identified.

6. Energy and Natural Resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Not applicable. Project specific proposals will be reviewed for consistency with applicable provisions of Ellensburg City Code and will undergo separate SEPA review as applicable.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

As a non-project action, the proposal would not impact the use of solar energy at any specific location. Any future development proposals will be reviewed for consistency with applicable provisions of Ellensburg City Code and will undergo separate SEPA review as applicable.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

The proposal does not relate to a specific action. Any future development proposals will be reviewed for consistency with applicable provisions of Ellensburg City Code and will undergo separate SEPA review as applicable.

7. Environmental Health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.**

As a non-project action, the proposal is not expected to cause environmental health hazards. Use of any hazardous materials on a project-by-project basis would be subject to the requirements of local, state, and federal laws.

- 1) Describe any known or possible contamination at the site from present or past uses.**

Not applicable to this non-project proposal. Future development will need to conform to local, state, and federal standards and regulations during project review.

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.**

Not applicable to this non-project proposal. Future development will need to conform to local, state, and federal standards and regulations during project review.

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.**

Not applicable to this non-project proposal. Future development will need to conform to local, state, and federal standards and regulations during project review.

- 4) Describe special emergency services that might be required.**

Not applicable to this non-project proposal.

- 5) Proposed measures to reduce or control environmental health hazards, if any:**

Not applicable to this non-project proposal.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?**

Not applicable. This is a non-project proposal and does not include project action on any specific site.

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Not applicable. This is a non-project proposal and does not include project action on any specific site. Future project proposals will be evaluated at the project level and will be subject to applicable regulations and standards.

3) Proposed measures to reduce or control noise impacts, if any:

Not applicable. This is a non-project proposal and does not include project action on any specific site. Future project proposals will be evaluated at the project level and will be subject to applicable standards and regulations.

8. Land and Shoreline Use

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

Not applicable. This is a non-project proposal and does not include project action on any specific site. Future project proposals will be evaluated at the project level and will be subject to applicable standards and regulations.

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

The City of Ellensburg does not have agricultural or forest land of long-term commercial significance in city limits or the city's urban growth area. As a non-project action this proposal will not directly result in the conversion of any agriculture or forestry land to other uses.

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

Not applicable. This is a non-project proposal and does not include project action on any specific site. Future project proposals will be evaluated at the project level and will be subject to applicable regulations and standards.

c. Describe any structures on the site.

Not applicable.

d. Will any structures be demolished? If so, what?

Not applicable. This is a non-project proposal and does not include project action on any specific site.

e. What is the current zoning classification of the site?

The City provides multiple zoning designations. Future development will need to conform to specific zoning related standards and regulations during project review. Current zoning designations are as follows:

- Central Commercial
- Central Commercial II
- Residential Suburban
- Residential Low Density
- Residential Medium Density
- Residential High Density
- Residential Office
- Planned Unit Development
- Neighborhood Commercial Mixed Use
- Commercial Neighborhood
- Commercial Highway
- Commercial Tourist
- Manufactured Home Park
- Light Industrial
- Heavy Industrial
- Public Reserve
- Regional Center Mixed Use

f. What is the current comprehensive plan designation of the site?

The City provides multiple comprehensive plan land use designations, they are as follows:

- Residential Neighborhood
- Blended Residential Neighborhood
- Urban Neighborhood
- Neighborhood Mixed Use
- Urban Center
- Community Mixed Use
- Industrial Residential
- Neighborhood Commercial
- Mixed Business Park
- General Commercial and Services
- Light Industrial
- Heavy Industrial
- Public/Institutional
- Open Space (private/non-city owned)
- Parks and Open Space
- Industrial Residential

g. If applicable, what is the current shoreline master program designation of the site?

The city has two shoreline master plan designations within its Urban Growth Area, these are Urban Conservancy (located adjacent to the Yakima River and surrounding Lake Mattoon) and Aquatic.

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

This is a non-project proposal and does not include project action on a specific site. The City's critical areas regulations outlines definitions, designations, and regulations for critical areas in order to:

- Protect members of the public and public resources and facilities from injury, loss of life, or property damage due to landslides and steep slope failures, erosion, seismic events, and flooding;
- Maintain healthy, functioning ecosystems through the protection of unique, fragile, and valuable elements of the environment, including ground and surface waters, wetlands, and fish and wildlife and their habitats, and to conserve the biodiversity of plant and animal species; and
- Prevent cumulative adverse environmental impacts to water quality, wetlands, fish and wildlife habitat, and the overall net loss of wetlands, frequently flooded areas, and habitat conservation areas.

No Critical Areas Ordinance amendments are proposed with this non-project proposal.

i. Approximately how many people would reside or work in the completed project?

The current population in the City of Ellensburg is 21,260 (Office of Financial Management, 2025 Estimate). The population projection for the City of Ellensburg as determined by the Kittitas County Conference of Governments for the year 2046 is 25,631.

j. Approximately how many people would the completed project displace?

As a non-project action, the proposal will not directly cause displacement. Future project specific proposals will be reviewed for consistency with applicable standards and regulations.

k. Proposed measures to avoid or reduce displacement impacts, if any:

As a non-project action, the proposal will not directly cause displacement. Future project specific proposals will be reviewed for consistency with applicable standards and regulations.

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

The Ellensburg Comprehensive Plan provides guidance intended to ensure that new development is compatible with existing land uses and anticipated growth. No changes as part of this proposal impact the guidance established in the comprehensive plan.

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

The City of Ellensburg does not contain any designated agricultural or forest lands of long-term commercial significance.

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.**

Not applicable. No housing is proposed as part of this non-project action.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.**

Not applicable. No housing is proposed to be eliminated as part of this non-project action.

- c. Proposed measures to reduce or control housing impacts, if any:**

Not applicable. This is a non-project action, no increase in housing impacts is expected from the proposed updates to the comprehensive plan.

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?**

Not applicable. This is a non-project proposal and does not include project action on a specific site. Generally, the City provides standards for building height by zone. Future project proposals will be evaluated at the project level and will be subject to applicable regulations and standards.

- b. What views in the immediate vicinity would be altered or obstructed?**

Not applicable. This non-project action will not impact views.

- b. Proposed measures to reduce or control aesthetic impacts, if any:**

Not applicable. This non-project action will not impact aesthetics.

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?**

Not applicable. This non-project action will not produce any light or glare.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?**

Not applicable. This is a non-project action and does not include project action on any specific site.

- c. What existing off-site sources of light or glare may affect your proposal?**

Not applicable. This is a non-project action and does not include project action on any specific site.

- d. Proposed measures to reduce or control light and glare impacts, if any:**

Not applicable. This non-project action will not impact light or glare. For future project proposals the city has specific requirements regulating outdoor lighting (ECC 15.580).

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?

The City of Ellensburg maintains a park and recreation system that includes a wide variety of facilities and activities for Ellensburg and Kittitas County residents. The City has 8 pocket parks, 6 neighborhood parks, 2 community parks, and 2 regional parks. In addition, the City Parks and Recreation Department operates four year-round facilities including an adult senior center, municipal pool/fitness center, and youth center. An indoor recreation facility has been proposed to replace an indoor racquet center lost to arson.

b. Would the proposed project displace any existing recreational uses? If so, describe.

No existing recreational uses will be displaced.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

Not applicable. This non-project action will not impact any recreational uses.

13. Historic and cultural preservation

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

The City of Ellensburg has a well-established historic preservation program including the Downtown Historic District (established 1980), Residential Historic District (established 1984), Ellensburg Landmarks Register (established 2000), and attainment of Certified Local Government status in 2001. Many of Ellensburg's historic structures are located within a 16-block area of the Downtown Historic District. There are also historic structures located on the Central Washington University campus, the industrial area along the railroad, and in residential neighborhoods in and surrounding the downtown area.

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

Not applicable. As necessary, future project proposals will be reviewed for consistency with applicable standards and regulations and will be reviewed by the City's Landmark and Design Commission as applicable.

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

Not applicable. This non-project action does not address or propose any impacts to historic resources. Future project proposals will be reviewed for consistency with applicable standards and regulations and will be reviewed by the City's Landmark and Design Commission as applicable.

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

This non-project action does not address or propose any impacts to historic resources.

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.**

Not applicable. This is a non-project proposal and does not include project action on any specific site.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?**

Various areas of the city are currently served by transit. Distance to the nearest transit stop will vary from project to project. Future project proposals will be reviewed for consistency with applicable standards and regulations and will undergo separate SEPA review as applicable.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?**

Not applicable. This non-project proposal will not add or eliminate any parking spaces.

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).**

Not applicable. This non-project proposal will not require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.**

Not applicable. This non-project proposal will not use water, rail, or air transportation.

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?**

Not applicable. This non-project proposal will not impact vehicular trips per day and does not include project action on any specific site.

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.**

Not applicable. This non-project proposal does not propose any impacts to transportation.

- h. Proposed measures to reduce or control transportation impacts, if any:**

Not applicable. This is a non-project proposal and does not include project action any specific site.

15. Public Services

- a. **Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.**

Not applicable. This non-project proposal will not increase the need for public services.

- b. **Proposed measures to reduce or control direct impacts on public services, if any.**

Not applicable. This non-project proposal does not propose any impacts to public services.

16. Utilities

- a. **Circle utilities currently available at the site:**

electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,

other _____

Utilities currently available within the incorporated city limits include: electricity, natural gas, water, refuse service, telephone, sanitary sewer, cable television, and others.

- c. **Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.**

Not applicable. This is a non-project proposal and does not include project action any specific site.

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____

Name of signee Mark Rud

Position and Agency/Organization City of Ellensburg- Associate Planner

Date Submitted: May 1, 2026

D. Supplemental sheet for nonproject actions

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposed revisions to the Land Development Code are not likely to increase discharge to water, emissions to air, production, storage, or release of toxic or hazardous substances or production of noise.

Proposed measures to avoid or reduce such increases are:

Not applicable. The proposed revisions to the Land Development Code are not likely to increase discharge to water, emissions to air, production, storage, or release of toxic or hazardous substances or productions of noise. Project specific proposals will undergo separate SEPA review as applicable.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposed revisions to the Land Development Code are not likely to affect plants, animals, fish, or marine life.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

Not applicable. The proposed revisions to the Land Development Code are not likely to affect plants, animals, fish, or marine life. Project specific proposals will undergo separate SEPA review as applicable.

3. How would the proposal be likely to deplete energy or natural resources?

The proposed revisions to the Land Development Code are not likely to deplete energy or natural resources.

Proposed measures to protect or conserve energy and natural resources are:

Not applicable. The proposed revisions to the Land Development Code are not likely to deplete energy or natural resources. Project specific proposals will undergo separate SEPA review as applicable.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposed revisions to the Land Development Code are not likely to affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection. The proposed amendments are not likely to impact parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands.

Proposed measures to protect such resources or to avoid or reduce impacts are:

Not applicable. The proposed amendments are not likely to affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection. Project specific proposals will undergo separate SEPA review as applicable.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The proposed revisions to the Land Development Code will not affect shoreline development. The proposed revisions to the Land Development Code will not encourage or allow development/uses that are incompatible with existing plans.

Proposed measures to avoid or reduce shoreline and land use impacts are:

Not applicable. The proposed amendments will not affect shoreline development. The proposed revisions to the Land Development Code will not encourage or allow development/uses that are incompatible with existing plans. Project specific proposals will undergo separate SEPA review as applicable.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposed revisions to the Land Development Code will not increase demands on transportation or public services and utilities.

Proposed measures to reduce or respond to such demand(s) are:

Not applicable. The proposed revisions to the Land Development Code will not increase demands on transportation or public services and utilities. Project specific proposals will undergo separate SEPA review as applicable.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposed revisions to the Land Development Code are consistent with local, state, and federal laws for the protection of the environment.



Meeting Date: May 28, 2026

**City of Ellensburg
Planning Commission Agenda Report**

Agenda Subject: Land Use Comp Plan Element Follow Up- and Future Land Use (Public Comment Opportunity)

Submitted by:

Department: Community Development

Suggested Motion/Action:
N/A- Review and Discussion

Background/Summary:

Staff presented a draft Land Use Chapter at the April 9, 2026 Planning Commission meeting. The presentation addressed major changes in the proposed draft, and several items were discussed. Staff addressed if a parking study is still needed, changed language, and shifts in goals and policies.

Staff is bringing back for discussion today:

- Proposed changes in future land use categories
- Update on Parking Studies
- Update on overall draft review and open house schedule

Previous Council Action:

Analysis:

Financial Impact:

Budget Adjustment: No

Attachments:

None