

AGENDA ELLENSBURG PLANNING COMMISSION

April 14, 2022, 5:45 pm

Hybrid Meeting In-person and via Zoom



Members of the public who wish to participate in this meeting may do so either in person or remotely via video conferencing by following this link:
<https://us02web.zoom.us/j/85403087551?pwd=bGluRkRHajJBUnIsL1hjbkU3MkVzUT09>

Meeting ID: 854 0308 7551

Passcode:510863

**AGENDA OF THE REGULAR MEETING OF THE
ELLENSBURG PLANNING COMMISSION**

April 14, 2022, 5:45 pm

**Hybrid Meeting
City Council Chambers
City Hall, 501 N. Anderson St.
Ellensburg, WA 98926**

**OR
Zoom**

1. CALL TO ORDER

2. APPROVAL OF AGENDA

3. APPROVAL OF MINUTES

- a. Minutes of March 24, 2022 Planning Commission Meeting

4. NEW BUSINESS

- a. OPEN RECORD PUBLIC HEARING TO CONSIDER AN ORDINANCE RELATING TO THE CITY OF ELLENSBURG LAND DEVELOPMENT CODE, TITLE 15; AMENDING CHAPTER 15.130 "DEFINITIONS"; AMENDING CHAPTER 15.280 "ELLENSBURG LANDMARKS REGISTER AND PROCEDURES", AMENDING CHAPTER 15.300 "ZONES, MAPS, AND DESIGNATIONS"; AMENDING CHAPTER 15.310 "PERMITTED USES"; AMENDING CHAPTER 15.320 "BUILDING SETBACK AND INTENSITY STANDARDS", AND AMENDING AREA WIDE ZONING BOUNDARY MAPS, AND AMENDING CHAPTER 2.30 "MULTIFAMILY HOUSING TAX INCENTIVES" AND CHAPTER 14.04 "TRAFFIC IMPACT FEE DEFINITIONS"
- b. OPEN RECORD PUBLIC HEARING FOR APPLICATION P22-036, A SUPPLEMENTAL P-R REZONE FROM P-R TO I-L FOR PROPERTY LOCATED ON DOLARWAY ROAD, SUBMITTED BY THE CITY OF ELLENSBURG

5. OLD BUSINESS

6. CITIZEN COMMENT

7. STAFF UPDATE/DISCUSSION ITEMS

8. COMMISSION REPRESENTATIVE UPDATE

9. ADJOURNMENT



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

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

The City of Ellensburg strives to make our services, programs, and activities readily accessible and usable by individuals with disabilities. Reasonable accommodations will be made upon request. Please furnish the ADA Coordinator with your request in sufficient time for the City to provide a reasonable accommodation. A "Request for Accommodation" form may be obtained from City Clerk Beth Leader (First Floor - City Hall) by calling 509-925-8614.



AGENDA REPORT

Meeting Date: April 14, 2022

Agenda Subject: March 24, 2022 Meeting Minutes

Submitted by: Jamey Ayling Community Development

Recommended Action or Motion: N/A

Background/Summary: N/A

Previous Council Action: N/A

Analysis: N/A

Financial Impact: N/A

Attachments:
[3.24.22 PC Minutes](#)



CITY OF ELLENSBURG

Date of Meeting

Time of Meeting

Place of Meeting

Minutes Planning Commission, Regular Meeting

March 24, 2022

5:30 PM

Council Chambers 501 North Anderson Street

Ellensburg, WA 98926

And remotely via Zoom

1. Call to Order and Roll Call

Roll Call Present In-Person:

Roll Call Present-Via Zoom: Beverly Heckart, Ed Harrel, Sigrid Davison, Geraldine O'Mahony

Absent: Fred Padjen, George Bottcher, Sathy Rajendran

Also present: Kirsten Sackett, Community Development Director; Jamey Ayling, Planning Manager;

2. Approval of Agenda

Commissioner Heckart moved to Approve the Agenda as amended. **Motion Approved 4-0.**

3. Approval of the Minutes

3.A. Approve Minutes of the March 10, 2022 Regular Meeting

Commissioner Heckart moved to Approve the Minutes with the corrections noted. **Motion Approved 4-0.**

4. New Business Planning Manager Ayling provided a video training "Jurassic Parliament" to the commission, providing guidance and procedures for running effective planning commission meetings.

5. Unfinished Business

6. Citizen Comment

7. Staff Update

8. Commission Representative Update

9. Adjournment Planning Manager Ayling adjourned the meeting at 6:38 p.m.

Drafted: 04/08/2022

Approved:



COMMUNITY DEVELOPMENT DEPARTMENT
501 North Anderson Street, Ellensburg WA 98926

AGENDA REPORT

DATE: April 14, 2022

To: Planning Commission

FROM: Kirsten Sackett, Community Development Director

SUBJECT: PUBLIC HEARING (Legislative)
Proposed amendments to Ellensburg City Code pertaining to zoning and land use regulations in Title 15 – Land Development Code, Chapters 15.130, 15.280, 15.300, 15.310, 15.320 and amending Title 2 Chapter 2.30 and Title 14 Chapter 14.04

SUMMARY

The proposed ordinance will update the zoning and land use regulations in the Land Development Code (LDC), Title 15 of the Ellensburg City Code (ECC).

BACKGROUND

Following adoption of the 2017 Comprehensive Plan, staff began reviewing the land development code for alignment with the goals and policies of the Comp Plan as prioritized by City Council. Of particular note, Goal H-2 of the 2017 Comprehensive Plan reads in part:

- Goal H-2** **Allow and encourage a variety of housing types and densities to meet housing needs of all economic segments of the community.**
- Policy A** **Review the Land Development Code to allow for a wider variety of housing types.**
- Program 1* Review barriers to the development of denser housing types such as duplexes, townhomes, and accessory dwelling units.
- Policy B** **Encourage residential development in commercial and mixed use zones, especially those within proximity to transit.**

- Program 1* Expand the Multifamily Tax Exemption program beyond the downtown area to encourage multifamily housing in other areas where it is needed.
- Program 2* Evaluate, review, revise, and publicize the density bonus incentive program.

In addition to working towards these goals, some of the proposed edits were drafted by Staff in response to the changing nature of certain neighborhoods or corridors. Staff has found that certain properties were difficult to develop based on the uses that were allowed within the zoning district. It was determined that appropriate development could occur through either a rezone of property, or amendments to the uses that are allowed within the zoning districts.

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

There was a pause on the work in 2020 during the COVID pandemic but was later brought before the Planning Commission at their meeting of June 25, 2020. After making additional edits recommended by the Commission the ordinance was forwarded for legal review by both internal and external counsel. Staff then presented it to City Council in draft format over a series of study sessions in the fall of 2021. At the conclusion of the final study session held on December 20, 2021, Council gave direction to Staff to proceed with the ordinance adoption process.

ANALYSIS

The zoning and land development code ordinance has been designed to accomplish the following:

- Add two new mixed-use zoning districts – regional scale and neighborhood scale
- Eliminate the Commercial-Tourist (C-T) zoning district, and consolidate with the Commercial-Highway zoning district
- Amend the zoning map in several areas of the City
- Revise the land use charts to accommodate for uses that staff has identified as more appropriate for current conditions
- Revise the setback and density tables to accommodate for the new mixed use zones

The draft ordinance also includes various modifications requested at the Council meetings of October 11, October 18, and December 20 meetings as follows:

Page 21 – bed and breakfast was included as a Permitted use in the two new mixed use zones.

Page 22 – a new row was added to account for the use “Automobile, electric vehicle battery charging station”. In accordance with RCW 36.70A.695, this use is outright permitted within all non-residential areas.

- A new footnote #11 has been added which further describes that personal charging stations are permitted in residential zones, and that clusters of charging stations are allowed in the R-M and R-H zones for multifamily uses. See page 25 for new footnote.

Page 22 - 23 – a new row has been added to include an additional building size for retail sales. The request is to have a new one between 60,000 and 100,000 square feet in size, and another for 100,000 square feet and greater.

Page 26 - within the special use table, museums are listed as conditional use permits in the residential zones with Footnote #12.

Page 27 – Footnote #12 has been modified to note that museums permitted through the conditional use permit process in residential zones are allowed within existing buildings, or if for new construction the building shall be limited to 2,000 square feet in size.

In addition, at the conclusion of the study session of October 18, 2021, City Council requested that the Landmarks and Design Commission review the proposed height limitations in the CC zone, specifically in regard to potential impacts to the downtown historic district. The LDC reviewed this item and made the following recommendations:

- The height limitation within the CC district should be limited to 60 feet, with the following caveats:
 - o The height limitation within the downtown Ellensburg local landmark district should be limited to 45 feet.
 - o When a subject property within the CC zoning district shared any portion of a border with a residential zone, the height should be limited to 45 feet.
- The height limitation within the CC-II zoning district should be limited to 60 feet with no additional development conditions.

These specific edits are found on pages 30 and 31 of the ordinance, and are highlighted in yellow. Council concurred with these recommendations.

All other amendments to the code were reviewed during previous Planning Commission meetings. As a reminder, all new language to the code is depicted in the ordinance as underlined. Deletions are depicted with a ~~strike-through~~.

The changes to the zoning district maps are found on pages 47 to 52 of the ordinance.

ANALYSIS

The procedures for processing a land development code amendment are outlined in ECC 15.250.100. The Type V review process must be followed, which requires a public hearing before the Planning Commission, who then forward a recommendation to City Council for their review during a separate public hearing. Land development code amendments that are approved by Council are made official through the adoption of an ordinance.

WASHINGTON STATE DEPARTMENT OF COMMERCE REVIEW AND SEPA REVIEW

The proposed amendments were submitted to the Washington State Department of Commerce on February 24, 2022 and the required 60-day notice period will end on April 25, 2022.

The proposed amendments are currently open for the SEPA 21-day public comment period and a Final Threshold Determination is expected to be issued prior to the Planning Commission public hearing.

PROPOSED REVISIONS

When reading the attached ordinance, please note that language which is underlined indicates that it is an addition to the existing city code. Language shown with a ~~strikeout~~ indicates that it is existing language proposed for deletion.

All revisions were reviewed as a discussion item during the Planning Commission meeting of January 13, 2022. Since that time one additional modification has been proposed by the Airport Manager, as described in the attached email. The request is to modify Table 15.310.040 Special Uses, to include Fire Facility as a permitted use in the Light Industrial Zone. The County airport is not within City limits, but it is within the Urban Growth Area (UGA). The City and County recently entered into an Interlocal Agreement under which development proposed within the UGA will follow the use charts of the Ellensburg City Code. The County would like to ensure that a fire station will be a permitted use at the airport as it is a requirement of the FAA. This modification is found on page 27 of the attached ordinance and is highlighted in yellow.

NEXT STEPS

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. [Ord. 4656 § 1 (Exh. O2), 2013.]

Staff would note that the amendments for consideration are in accordance with the three decision criteria above.

RECOMMENDATION(S):

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

ATTACHMENTS:

Email Request from Airport Manager
Proposed Ordinance



KITTITAS COUNTY AIRPORT DEPARTMENT

Ken Grannan, Airport Director

Heidi Behrends Cerniwey, MPA, ICMA-CM
City Manager | **City of Ellensburg**
501 North Anderson Street | Ellensburg, WA 98926
P. (509) 962-7221

Heidi,

I wanted to thank you and the city staff for meeting with me to discuss planning and development strategies regarding Bowers Field. As Bowers Field looks to address design standards for the airport industrial park, one item in the updated city zoning structure caught my eye. The lack of having a fire station as a permitted use in the UGA/Airport Industrial Zone, should in my opinion be changed. Providing an opportunity for fire and rescue at the airport is an important part to the future of Bowers Field.

As you may know we have been very fortunate to not have a catastrophic event involving aircraft. We have had a fire or two on the airport property, which have been handled well by our local fire department. In an effort to be prepared for all emergency response as the airport develops its infrastructure, we will be looking to design a Fire and Rescue Service on airport property for quick response and more accessible life-flight transports. This has not been discussed in depth with KVFR, however we do see the importance of this type of activity and would kindly request you add this to your permitted usage for Light Industrial, especially in the UGA and Airport Zone.

Thank you very much for your consideration.

Kindly,

Ken Grannan
Airport Director
Kittitas County Airport
Bowers Field
Cell 509-607-6134
Office: 509-933-8221

AFFIDAVIT OF PUBLICATION

RECEIVED

MAR 30 2022

COMMUNITY DEVELOPMENT

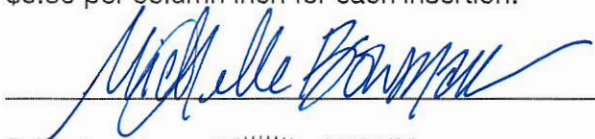
State of Washington, County of Kittitas, ss: The undersigned being first duly sworn on oath, deposes and says: That he/she is the representative of The Daily Record, a daily newspaper. That said newspaper is a legal newspaper and has been approved as a legal newspaper by order of the superior court in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

CITY OF ELLENSBURG-CITY CLERK
N/PUBLIC HEARING ZONING ORDINANCE 41422

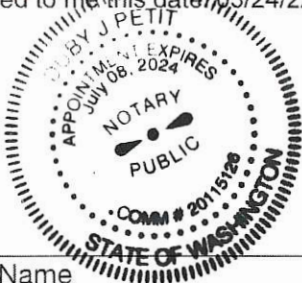
is published in regular issues (and not in supplement form) of said newspaper once a week for a period of 1 consecutive week(s), commencing on the following days.

03/24/22

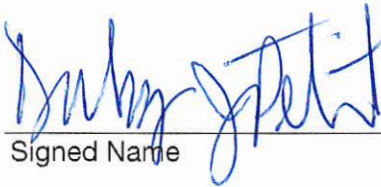
All dates inclusive and that such newspaper were regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is the sum of \$126.39 the rate of \$8.80 per column inch for each insertion.



Subscribed to me this date, 03/24/22



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


Signed Name

Legals

Legals

Legals

Legals

Public Notice
Kittitas County, Ellensburg WA

STATEMENT OF QUALIFICATIONS

ARCHITECTURAL DESIGN WITH CIVIL SITE DEVELOPMENT SERVICES SUPPORTING KITTITAS COUNTY SEARCH AND RESCUE OPERATIONS AND EMERGENCY MANAGEMENT OPERATIONS FACILITY DEVELOPMENT IN CLE ELUM, WASHINGTON

All submittals received after April 1, 2022, at 5:00 PM local time will be discarded.

PURPOSE:

Siting of a permanent facility supporting the Sheriff's Office Search and Rescue Program and Emergency Management Operations.

SCOPE OF PROJECT:

The selected consultant will provide engineering and architectural design services supporting site development including: water, sewer, access, building, site security and storage areas.

PROCEDURES FOR SUBMITTAL:

If you wish to be considered for work under this Statement of Qualifications (SOQ), you must be a registered consultant on the Municipal, Research and Service Center of Washington - Shared Small Works and Consultant Roster (www.msc2019.org).

If interested in providing engineering and architectural design support services to the County, submit a sealed envelope to Mark R. Cook, Kittitas County Public Works Director at 411 N. Ruby St., Suite 1, Ellensburg WA 98926. Submittals shall include three copies of your SOQ response pursuant to response requirements stated in this solicitation.

For your records, the County will provide a confirmation email to the contact provided in the submittal confirming receipt of your interest in the proposal. Submittals received after April 1, 2022, at 5 PM local time will be disregarded. The County reserves the right to reject one or more submittals.

SELECTION PROCESS AND PROPOSED SCHEDULE:

Kittitas County selection will be based on:

1. Response to this solicitation's scoring criteria.
2. Consensus for selection by members of the selection committee (two members from the Sheriff's Office and one member from Public Works).

The selection process shall be in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 262, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit statements in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

Award Timeline:

Anticipated Dates and Tasks:

- April 1, 2022 - Deadline for SOQ submittals
- April 15, 2022 - Selection of Firms to Interview
- April 27, 2022 - Interviews and Reference Checks
- May 3, 2022 - Selection of firms and prepare contracts
- May 17, 2022 - BOCC Award of Contracts

The above noted schedule is tentative and may be changed based on the number of proposals submitted. Proposals will be evaluated immediately with final selection targeted for May 3, 2022.

AGREEMENT OF SERVICES:

The selected consultant(s) will be expected to enter into a standard Kittitas County Professional Services Agreement. Insurance requirements are included in that agreement. The contract period shall be mid May 2022 to March 31, 2023. Bid, ready construction documents will be delivered on or before, 5 PM local time on March 31, 2023.

Persons with disabilities may request this information be prepared and supplied in alternate forms by calling collect (509-962-7523).

Kittitas County reserves the right to accept or reject one or more statements or any items or part thereof or to waive any information or irregularities in the provided response. Kittitas County shall have the sole discretion to determine the most responsible responder.

CONSULTANT SOQ SCORING CRITERIA:

1. Demonstrate a thorough knowledge of Search and Rescue Operations and Emergency Management Operations and associated dispatch issues: 30 points.
2. Team demonstrated experience in delivering metal skin building and out-building design: 30 points
3. Demonstrated experience delivering PS&E packages supporting site construction: 30 points.
4. Experience delivering similar projects on time and on budget: 30 points.

INQUIRIES:

Direct all inquiries regarding this Statement of Qualifications to Mark Cook, Director of Public Works, at (509) 962-7523, or via e-mail at mark.cook@co.kittitas.wa.us.

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

Mandy Buchholz
Clerk of the Board-Deputy

PUBLISH: North Kittitas County Tribune: March 10, 17, & 24, 2022

PUBLISH: Daily Journal of Commerce: March 10, 17, & 24, 2022

PUBLISH: Daily Record: March 10, 17, & 24, 2022 / LEGAL #: 211715

CITY OF ELLENSBURG PLANNING COMMISSION
NOTICE OF PUBLIC HEARING
FOR SUPPLEMENTAL P-R REZONE
(P22-036)

NOTICE IS HEREBY GIVEN that the City of Ellensburg Planning Commission will hold an open record public hearing on Thursday, April 14, 2022 during its regular meeting at 5:45 pm, held both in person in the Council Chambers AND virtually via Zoom, to consider a type V rezone application.

The Commission shall consider the application for a Supplemental P-R Rezone from P-R to I-L. Submitted by City of Ellensburg. The City is proposing a rezone of P-R property which is no longer used for public purposes as per Ellensburg City Code (ECC) 15.310.050(D).

Permit application: March 18, 2022

Determination of completeness: March 21, 2022

Notice of application: March 24, 2022

Comment due date: April 13, 2022

The parcel is located on the south side of West Dolarway Road between North Prospect Street and North Enterprise Way in the City of Ellensburg, in Kittitas County, Washington, Assessor's tax parcel ID 955943.

Materials Available for Review: The submitted application and file documents may be examined by the public by visiting the City of Ellensburg Community Development Department webpage at <https://www.ci.ellensburg.wa.us/623/Public-NoticesCurrent-Projects>.

Written Comments from interested persons will be accepted by email up until 5:00 p.m. on April 13, 2022 by sending them to johnson@ci.ellensburg.wa.us. Written comments sent via USPS must arrive by the same deadline.

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

Staff contact: Shannon Johnson, Senior Planner.

NOTICE IS FURTHER GIVEN that all persons interested in this matter may participate in the REMOTE meeting by contacting Staff no later than 5:00 pm on Wednesday, April 13, An email link, or phone number will be provided which will allow for electronic participation in the public hearing.

The City of Ellensburg strives to make our services, programs, and activities readily accessible and usable by individuals with disabilities. Reasonable accommodations will be made upon request. A "Request for Accommodation" form may be obtained from the City Clerk Beth Leader by calling 509-925-8614.

PUBLISH: Daily Record: March 24, 2022 / LEGAL #: 216983

CITY OF ELLENSBURG PLANNING COMMISSION
NOTICE OF PUBLIC HEARING
LAND DEVELOPMENT CODE AMENDMENTS

NOTICE IS HEREBY GIVEN that the City of Ellensburg Planning Commission will hold an open record public hearing on Thursday, April 14, 2022 during its regular meeting at 5:45 pm, held both in person in the Council Chambers AND virtually via Zoom. The purpose of the public hearing is to consider proposed amendments to the Ellensburg City Code (ECC) with a focus on updating Chapter 16 (Land Development Code) for alignment with various goals of the Comprehensive Plan.

The proposed amendments include: adding two new mixed-use zoning districts, elimination of the Commercial Tourist zoning district, revision of certain zoning district boundaries, new and revised definitions, and updates to the permitted use categories in the land use charts.

Copies of the proposed amendments and related documents are available for review at the City of Ellensburg Community Development Offices located at 501 North Anderson Street, Ellensburg, WA, and are also available online through the department webpage at <https://www.ci.ellensburg.wa.us/623/Public-NoticesCurrent-Projects>.

NOTICE IS FURTHER GIVEN that all persons interested may appear at such time and place to provide verbal and written testimony during the hearing, or written comments may be filed with the Ellensburg Community Development Department at 501 North Anderson Street, or via email to sackett@ci.ellensburg.wa.us, prior to 5:00 pm April 14, 2022. Those wishing to attend the meeting remotely may do so by contacting staff to receive an email link or phone number to participate in the public hearing.

The City of Ellensburg strives to make our services, programs, and activities readily accessible and usable by individuals with disabilities. Reasonable accommodations will be made upon request. A "Request for Accommodation" form may be obtained from the City Clerk Beth Leader by calling 509-925-8614.

PUBLISH: Daily Record: March 24, 2022 / LEGAL #: 217399

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ORDINANCE NO. *****

AN ORDINANCE RELATING TO THE CITY OF ELLENSBURG LAND DEVELOPMENT CODE, TITLE 15; AMENDING CHAPTER 15.130 “DEFINITIONS”; AMENDING CHAPTER 15.280 “ELLENSBURG LANDMARKS REGISTER AND PROCEDURES”, AMENDING CHAPTER 15.300 “ZONES, MAPS, AND DESIGNATIONS”; AMENDING CHAPTER 15.310 “PERMITTED USES”; AMENDING CHAPTER 15.320 “BUILDING SETBACK AND INTENSITY STANDARDS”, AND AMENDING AREA WIDE ZONING BOUNDARY MAPS, AND AMENDING CHAPTER 2.30 “MULTIFAMILY HOUSING TAX INCENTIVES” AND CHAPTER 14.04 “TRAFFIC IMPACT FEE DEFINITIONS”

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

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

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

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

WHEREAS, the Ellensburg Comprehensive Plan was initially adopted on December 18, 2017, and last updated December 20, 2021; and

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

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

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

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

WHEREAS, the proposed amendments to the Ellensburg City Code were issued a SEPA Determination of Non-Significance on _____, 2022; and

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

WHEREAS, the required Washington State Department of Commerce 60-day notice was complete on _____, 2022; and

WHEREAS, the proposed ordinance was reviewed by the Planning Commission in a public hearing on _____, 2022, and based on public testimony and other evidence received at said hearing, the Planning Commission recommended City Council adoption of the ordinance; and

WHEREAS, the City Council conducted a public hearing on _____, 2022, where it received and considered public comments on the proposed changes; and

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

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

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

2.30.010 Purpose

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

- A. Encourage increased residential opportunities within the central commercial zone as defined by Chapter 15.300.020 ECC (official zoning map), ECC ~~15.300.050(E)~~ 15.300.060(B)(2) and ~~15.300.050(F)~~ 15.300.060(B)(3);
- B. Stimulate new construction or rehabilitation of existing vacant and underutilized buildings for multifamily housing in the central commercial zone to increase and improve housing opportunities; and
- C. Assist in directing future population growth to the central commercial zone, thereby reducing development pressure on single-family residential neighborhoods. [Ord. 4678 § 1, 2014; Ord. 4488 § 4, 2007.]

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

2.30.020 Residential targeted area designated.

The central commercial zone and central commercial II zone as defined by ECC 15.300.020 (official zoning map), ECC ~~15.300.050(E)~~ 15.300.060(B)(2) and ECC ~~15.300.050(F)~~ 15.300.060(B)(3) are hereby designated as the residential targeted areas for the city of Ellensburg pursuant to RCW 84.14.040. [Ord. 4678 § 3, 2014; Ord. 4488 § 4, 2007.]

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

2.30.040 Project eligibility.

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

- A. **Location.** The project must be located within the central commercial zone or central commercial II zone as defined by ECC 15.300.020 (official zoning map), ~~ECC 15.300.050(E)~~ 15.300.060(B)(2) and ~~ECC 15.300.050(F)~~ 15.300.060(B)(3).
- B. **Tenant Displacement.** The project must not displace existing residential tenants of structures that are proposed for redevelopment, unless the applicant has provided each existing tenant housing of comparable size, quality, and price and a reasonable opportunity to relocate. Existing dwelling units proposed for rehabilitation must fail to comply with one or more standards of applicable building or housing codes in ECC Title 3, the rehabilitation improvements shall achieve a condition of substantial compliance with the applicable building, construction, and housing codes contained in ECC Title 3 and all uniform codes adopted pursuant to ECC Title 3. Applications for new construction cannot be submitted for vacant property upon which an occupied residential rental structure previously stood during any portion of the 12-month period immediately preceding submission of the application, unless the applicant had provided each displaced tenant housing of comparable size, quality, and price and a reasonable opportunity to relocate.
- C. **Business Displacement.** The project must not displace existing commercial space, occupied or unoccupied, located on the first floor of structures that are proposed for redevelopment, except for the limited purposes of providing:
1. Stairway and/or elevator ingress and egress to and from the street front and/or alley; or
 2. The provision of garage, parking or loading areas on alley frontages, so long as such displacement does not exceed 25 percent of the existing commercial space.
- D. **Size.** The project must include at least four units of multifamily housing within a residential structure or as part of a mixed-use development. A minimum of four new units must be constructed or at least four additional multifamily units must be added to existing occupied multifamily housing. Existing multifamily housing that has been vacant for 12 months or more does not have to provide additional units.
- E. **Permanent Residential Housing.** At least 50 percent of the space designated for multifamily housing must be provided for permanent residential occupancy.
- F. **Proposed Completion Date.** New construction multifamily housing and rehabilitation improvements must be scheduled to be completed within three years from the date of approval of the application.
- G. **Compliance with Guidelines and Standards.** The project must be designed to comply with the city's comprehensive plan, building, housing and zoning codes and any other applicable regulations in effect at the time the application is approved. New construction must comply with the International Construction Code. The project must also comply with any other standards and guidelines adopted by the city council for the area in which the project will be developed. [Ord. 4678 § 5, 2014; Ord. 4488 § 4, 2007.]

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

2.30.060 Application review and issuance of conditional certificate.

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

- A. **Approval.** The director may approve the application if they find that:
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1. A minimum of four new units are being constructed or in the case of occupied rehabilitation or conversion within 12 months of occupancy, a minimum of four additional multifamily units are being developed.
2. The proposed project either is, or will be at the time of completion, in conformance with all applicable local plans and regulations that apply at the time the application is approved.
3. The owner has complied with all standards and guidelines adopted by the city under this chapter.
4. The site is located within the central commercial zone as defined by Chapter 15.300 ECC (official zoning map) and ECC ~~15.300.050(E)~~ 15.300.060(B)(2).

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

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

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

14.040.030 Definitions.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

15.130.020 B definitions

“Battery Charging Station” means an electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles, which meet or exceed any standards, codes, and regulations set forth by chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540.

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

Section 8. Chapter 15.130.070 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4807, is hereby amended to read as follows:

15.130.070 G definitions

“Gateway Corridor” is a principal arterial street that serves to access the downtown area. Gateways have unique street standards (ECC 15.510.070) and permitted land uses adjacent to street corridors that create an attractive environment and destination for commerce, employment, living, interaction, dining, and entertainment for the residents, workers, and visitors of the City of Ellensburg.

“General service establishment” refers to a category of uses whose primary activity is the provision of assistance, as opposed to products, to individuals, businesses, industry, government, and other enterprises. Specific uses in this category include but are not limited to postal and courier services, equipment rentals, repair shops, laundries, automobile fueling, and other services.

Section 9. Chapter 15.130.080 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4807, is hereby amended to read as follows:

15.130.080 H definitions

“Heavy service” includes service activities that may have regular exterior service, or storage areas. This use category includes, but is not limited to, ~~contractors,~~ heating fuels, truck stops, breweries, heavy equipment storage, repair shops, equipment rentals, and warehousing. Heavy service uses are limited to buildings no larger than 50,000 gross square feet in area.

“Hotel” means any building or portion thereof in which lodging is provided and offered to the public for compensation, and which is open to transient guests and is not a boarding, or lodging, ~~sorority or fraternity house.~~ [Ord. 4807 § 7, 2018; Ord. 4769 §§ 2 – 4, 2017; Ord. 4725 § 1, 2016; Ord. 4696 § 1, 2015; Ord. 4656 § 1 (Exh. O2), 2013.]

Section 10. Chapter 15.130.120 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4803, is hereby amended to read as follows:

15.130.130.120 L definitions

“Light industry” refers to a category of uses that accommodate limited intensity levels of manufacturing and assembly activities, storage, warehousing, services, associated offices and similar uses. This use category includes,

but is not limited to, contractors, call centers, textiles, wood products, printing, pharmaceuticals, machinery manufacturing, research and development, regional distribution, and crematories.

“**Light manufacturing**” means a light industrial business where all processing, fabricating, assembly, or disassembly of items takes place wholly within an enclosed building and does not involve the use or production of flammable, explosive, or other hazardous materials. May include an ancillary restaurant, or retail use through which goods produced on site are sold or served to the public on-site or distributed wholesale to off-site users or resellers.

Section 11. Chapter 15.130.130 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4807, is hereby amended to read as follows:

15.130.130 M definitions

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

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

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

15.130.150 O definitions

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

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

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

15.130.160 P definitions

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

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

15.130.180 R definitions

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

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

15.280.040 Members, qualifications and terms.

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

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

15.280.080 Ellensburg landmarks register.

There is hereby created an Ellensburg landmarks register.

- A. Criteria for Eligibility to the Register. Any building, structure, site, object, or district may be designated for listing in the Ellensburg landmarks register if it is significantly associated with the settlement, development, architecture, politics, economy, social history, archaeology, or cultural heritage of the community; retains integrity of location, setting, design, materials, workmanship, feeling, and association; is at least 50 years old; and if it meets at least one of the following criteria:
 - 1. Is associated with events that have made a significant contribution to the broad patterns of local, state, or national history;
 - 2. Is closely linked with the life of a person important in the history of the city, state, or nation;

3. Embodies the distinctive visual characteristics of an architectural type, period, style, or method of construction;
4. Is an outstanding work of a designer, builder, or architect;
5. Has yielded, or may be likely to yield, important archaeological information related to history or prehistory; and/or
6. Because of prominent spatial location, contrasts of siting, age, or scale, it is an easily identifiable visual feature of its neighborhood and contributes to the distinctive identity of that neighborhood.

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

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

decision shall be sent to the property owner(s), author of the nomination, any lessees, the preservation planner, and the Ellensburg city council.

9. The commission's decision on a COA may be appealed to the city council in a closed record appeal hearing.

10. Properties listed in the Ellensburg landmarks register shall be recorded on official zoning records with an "LR" (for landmarks register). This designation shall not change or modify the underlying zone classification.

C. Downtown and Residential Historic Districts.

1. The existing downtown historic district, defined in ECC ~~15.300.060(B)~~ 15.300.070(B) and hereafter known as the "downtown historic district," and the existing residential historic district, defined in ECC ~~15.300.060(C)~~ 15.300.070(C) and hereafter known as the "First Railroad Addition historic district," are hereby designated as Ellensburg landmark districts. The geographic area encompassed by each district is identified on the map attached to the ordinance codified in this chapter and made a part of this chapter by reference.

2. The commission shall compile existing historical data and property records, prepare Ellensburg landmarks register nomination forms, and create complete landmark files for each of the landmark districts.

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

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

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

CHAPTER 15.300
ZONES MAPS AND DESIGNATIONS

Sections:

15.300.010 Purpose.

15.300.020 Zoning map and boundaries.

15.300.030 Zone and map designation purpose.

15.300.040 Residential zones and map designations.

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

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

15.300.070 Special districts.

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

15.300.040 Residential zones and map designations.

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

1. Allowing detached single-family dwellings as the predominant use, with options to integrate accessory dwelling units, duplexes, townhomes, and other compatible housing types in a relatively low urban density;

2. Providing standards and guidelines that reinforce Ellensburg's established pattern of attractive and walkable residential neighborhoods;
3. Providing standards and guidelines that promote the integration of usable open space for residential uses;
4. Providing standards and guidelines that encourage parks, trails, open spaces, and natural features to be integrated with the design of new development;
- ~~5. Providing for a minimum density standard to avoid large scale low density sprawl;~~
- ~~5.6.~~ Providing an opportunity to integrate compatible small-scaled retail and service uses in strategic locations that serve the surrounding neighborhood;
- ~~6.7.~~ Providing a flexible system of bonus incentives (see ECC 15.330.020) that allows for an increase in density in exchange for:
 - a. Energy efficient building and site design;
 - b. Mix of housing types;
 - c. Off-street trails;
 - d. Purchase of transferable development rights (subject to the city adopting a TDR program) that help to preserve valuable resource lands outside of the city;
 - e. Preservation of historic buildings; and/or
 - f. Affordable housing; and
- ~~7.8.~~ Use of this zone is appropriate for any of the following or combinations thereof:
 - a. Areas designated residential neighborhood in the comprehensive plan; and
 - b. Areas characterized predominantly by single-family dwellings.

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

1. Allowing detached single-family dwellings as the predominant use, with options to integrate accessory dwelling units, ~~and duplexes, townhomes, and cottage housing on larger lots;~~
2. Providing standards and guidelines that reinforce Ellensburg's established pattern of attractive and walkable residential neighborhoods;
3. Providing standards and guidelines that promote the integration of usable open space for residential uses;
4. Providing standards and guidelines that encourage parks, trails, open spaces, and natural features to be integrated with the design of new development;
5. Providing a minimum density standard to avoid large scale low density sprawl;
6. Providing a flexible system of bonus incentives (see ECC 15.330.020) that allows for an increase in density in exchange for:
 - a. Energy efficient building and site design;

- b. Mix of housing types;
 - c. Off-street trails;
 - d. Purchase of transferable development rights (subject to the city adopting a TDR program) that help to preserve valuable resource lands outside of the city;
 - e. Preservation of historic buildings; and/or
 - f. Affordable housing; and
7. Use of this zone is appropriate for any of the following, or combinations thereof:
- a. Areas designated residential in the comprehensive plan;
 - b. Areas characterized by, or immediately adjacent to, areas which are predominantly single-family in character.
- C. Residential Medium Density Zone (R-M). The R-M zone is intended to provide for a mixture of housing types in a walkable neighborhood setting. These purposes are accomplished by:
- 1. Allowing a variety of housing types including detached single-family dwellings, cottage housing, townhouses, and multifamily;
 - 2. Providing standards and guidelines to help ensure that new infill development will be compatible in scale and character with existing development;
 - 3. Providing standards and guidelines that reinforce and/or enhance the character and walkability of streets within the zone;
 - 4. Providing standards and guidelines that promote the integration of usable open space for residential uses;
 - 5. Providing standards and guidelines that encourage parks, trails, open spaces, and natural features to be integrated with the design of new development on large sites;
 - 6. Providing a minimum density standard to avoid large scale low density sprawl; and
 - 7. Use of this zone is appropriate for any of the following, or combinations thereof:
 - a. Areas designated residential, neighborhood mixed use, or community mixed use in the comprehensive plan;
 - b. Areas characterized by a mix of single- and multifamily buildings;
 - c. Areas located along designated arterial streets;
 - d. Areas adjacent to commercial zoned property;
 - e. Areas located along corridors served by transit.
- D. Residential High Density Zone (R-H). The R-H zone is intended to comprise areas for high density multifamily residential development in areas served by transit and within walking distance from commercial services. These purposes are accomplished by:

- 1. Allowing multifamily dwellings and providing a minimum density limit;

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

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

1. Establishing regulations to establish, stabilize, and protect the residential character of the zone and to prohibit all incompatible activities;
2. Establishing provisions for common open space; and
3. Establishing standards for a safe and connected circulation system. [Ord. 4807 § 42, 2018; Ord. 4798 § 1, 2018; Ord. 4656 § 1 (Exh. O2), 2013.]

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

15.300.050 Commercial and Industrial Nonresidential and Mixed-use zones

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

1. Allowing small scale retail, personal services and other compatible uses that serve the surrounding residential neighborhood;
2. Providing a minimum separation of neighborhood commercial zones of 2,000 feet to minimize their overuse, while providing the opportunity for such uses to be within reasonable walking distance of all residential uses;
3. Providing a maximum size of five acres for neighborhood commercial zones to maintain a small scale and compact, pedestrian-oriented design;
4. Allowing townhouses and multifamily uses as a secondary use due to their complementary nature and ability to enhance the walkability of these zones;

5. Providing standards and guidelines that enhance the appearance and function of neighborhood center uses and their compatibility with surrounding residential uses; and
6. Use of this zone is appropriate for any of the following, or combination thereof:
 - a. Areas designated residential neighborhood, blended residential neighborhood, or urban neighborhood in the comprehensive plan;
 - b. Areas located adjacent to a collector or arterial roadway;
 - c. Areas centralized to serve existing and/or planned residential neighborhoods within one-quarter mile of the site.

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

- ~~1. Allowing commercial uses that serve the traveling public;~~
- ~~2. Providing the opportunity for regional retail uses in specific areas deemed appropriate for such uses; and~~
- ~~3. Providing standards and guidelines that enhance the appearance and function of commercial tourist uses and their compatibility with surrounding uses;~~
- ~~4. Use of this zone is appropriate for areas that meet both of the following criteria:
 - ~~a. Areas designated general commercial services and community mixed use in the comprehensive plan; and~~
 - ~~b. Areas located within one-half mile radius of the center of Interstate 90 interchange.~~~~

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

1. Allowing a broad range of commercial uses that serve the community including retail, personal and general services, and office uses;
2. Allowing small to large scale retail uses, but excluding super scale retail (over 60,000 square feet of floor area) unless associated with a regional retail commercial project meeting the provisions of Chapter 15.390 ECC; and
3. Allowing multifamily residential as a conditional use; and
34. Providing standards and guidelines that enhance the appearance and function of commercial highway uses and their compatibility with surrounding uses;
45. Use of this zone is appropriate for any of the following, or combinations thereof:

- a. Areas designated neighborhood commercial, general commercial and services, or community mixed use in the comprehensive plan;
- b. Areas adjacent to, or with good access to, arterial streets and highways.

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

- ~~1. Allowing a variety of housing types including detached single family dwellings, cottage housing, townhouses, and multifamily;~~
- ~~2. Providing for office uses that are compatible in scale and character with permitted residential uses;~~
- ~~3. Providing for limited small scale nonresidential uses on street corner sites provided they are integrated with residential or office uses in a mixed use building;~~
- ~~4. Providing standards and guidelines to help ensure that new infill development will be compatible in scale and character with existing development;~~
- ~~5. Providing standards and guidelines that reinforce and/or enhance the character and walkability of streets within the zone;~~
- ~~6. Providing a minimum density standard to avoid large scale low density sprawl;~~
- ~~7. Encouraging historic preservation and adaptive reuse of historic properties; and~~
- ~~8. Use of this zone is appropriate for:~~
 - ~~a. Areas designated blended residential neighborhood, urban neighborhood, and neighborhood mixed use in the comprehensive plan as well as;~~
 - ~~b. Areas characterized by a mix of single and multifamily buildings and office uses; and/or~~
 - ~~c. Areas located generally between commercial and single family residential zones.~~

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

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

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

~~6. Use of this zone is appropriate for areas designated urban center in the comprehensive plan.~~

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

~~1. Allowing a range of commercial uses that serve the broad trade area;~~

~~2. Promoting office uses, which provide for local employment and complement other commercial uses in the zone;~~

~~3. Promoting residential as a secondary use in the zone;~~

~~4. Providing standards and guidelines that preserve and/or enhance the historic character and scale of buildings within the zone;~~

~~5. Providing standards and guidelines that promote compatibility between uses;~~

~~6. Providing standards and guidelines that reinforce and/or enhance the character and walkability of streets within the zone; and~~

~~7. Use of this zone is appropriate for areas designated urban center in the comprehensive plan.~~

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

1. Allowing a range of general service and light industrial uses which can be operated in a relatively clean, quiet and safe manner compatible with adjoining industrial uses and without serious effect, danger or hazard to nearby residential uses;

2. Providing for eating and drinking establishments that serve other permitted uses in the zone;

3. Providing for offices as an accessory use, except where owners have purchased development rights from county properties within defined sending areas (subject to the city's adoption of a TDR program);

4. Providing design standards and guidelines that enhance the appearance and function of uses in the zone and their compatibility with surrounding uses;

5. Promoting mixed-use residential as a secondary use in areas identified as industrial residential in the comprehensive plan; and

6. Use of this zone is appropriate for areas designated light industrial or industrial residential in the comprehensive plan.

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

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

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

15.300.060 ~~Special districts~~ Mixed use zones

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

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

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

1. The **Residential-Office (R-O) Zone** is intended to serve as a transition zone separating more intensive uses from single-family residential districts. This purpose is accomplished by:
 - a. Avoiding large scale low density sprawl;
 - b. Allowing a variety of housing types;
 - c. Providing for nonresidential uses that are compatible in scale and character with residential uses;
 - d. Reinforcing the character and walkability of streets within the zone;
 - e. Encouraging historic preservation and adaptive reuse of historic properties; and
 - f. Reinforcing the character and walkability of streets.
- e. Use of this zone is appropriate for:

- i. Areas designated as residential neighborhood, urban neighborhood, and neighborhood mixed use as well as;
- ii. Areas characterized by a mix of single- and multifamily and office uses; and/or
- iii. Areas located generally between commercial and single-family residential zones.

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

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

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

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

4. The **Neighborhood Center Mixed-Use Zone** provides for a compatible mix of neighborhood-scaled commercial and employment uses and medium density multifamily housing. These purposes are accomplished by:

- a. Promoting neighborhood identity; and
- b. Providing a range of commercial, retail, and service opportunities.
- c. Use of this zone is appropriate for areas designated Community Mixed Use in the Comprehensive Plan.

5. The **Regional Center Mixed-Use Zone** is intended to provide a broad mix of uses that offer a variety of commercial and employment opportunities and medium to high density multifamily housing. These purposes are accomplished by:

- a. Promoting neighborhood identity; and
- b. Providing a range of commercial, retail, and service opportunities.
- c. Use of this zone is appropriate for areas designated Community Mixed Use in the Comprehensive Plan and within a half mile radius of the center of Interstate 90 interchange.

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

15.300.0670 Special districts.

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

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

B. Downtown Historic District.

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

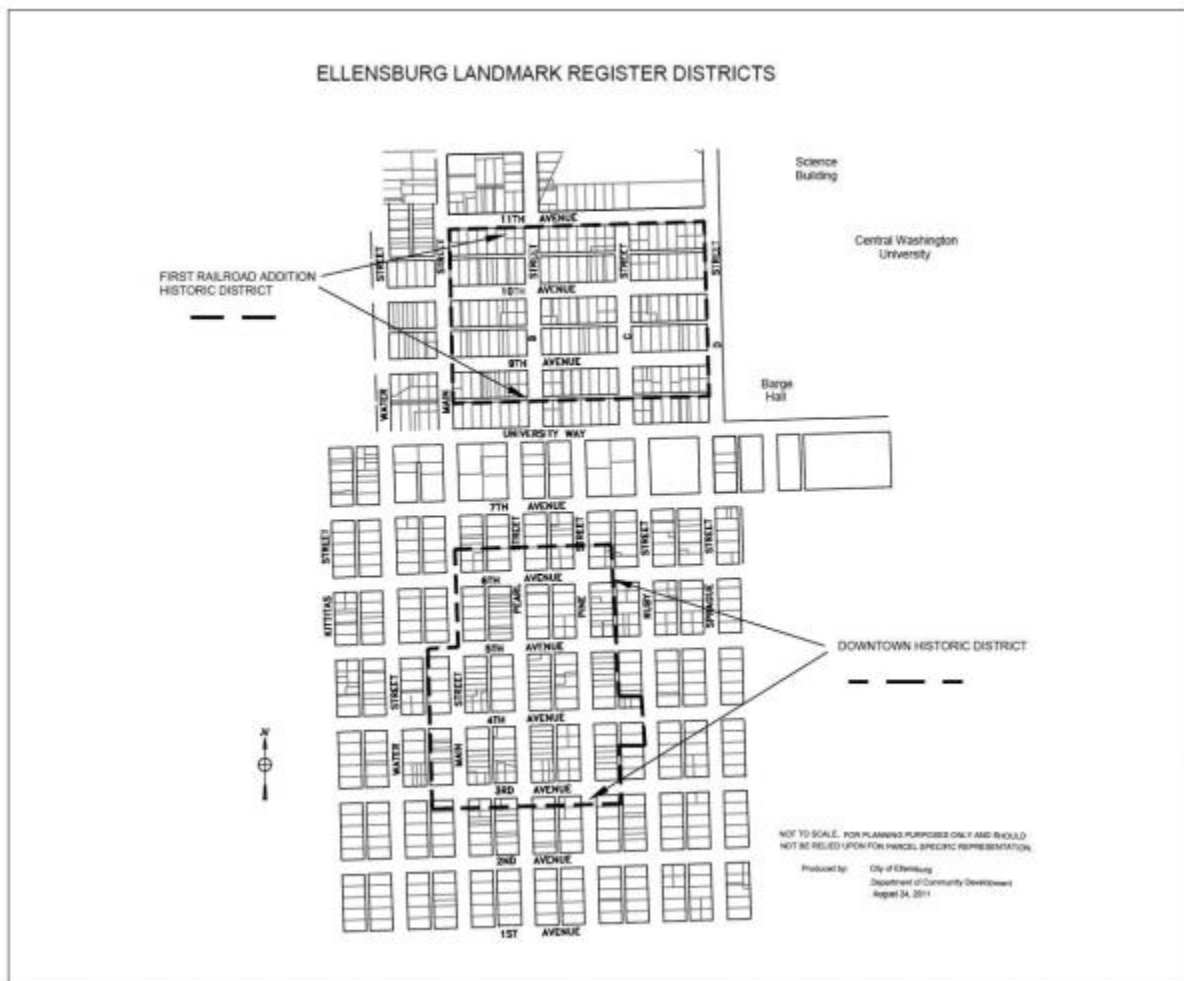


Figure 15.300.0670(B). Downtown and First Railroad Addition historic district boundaries.

C. First Railroad Addition Historic District.

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

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

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

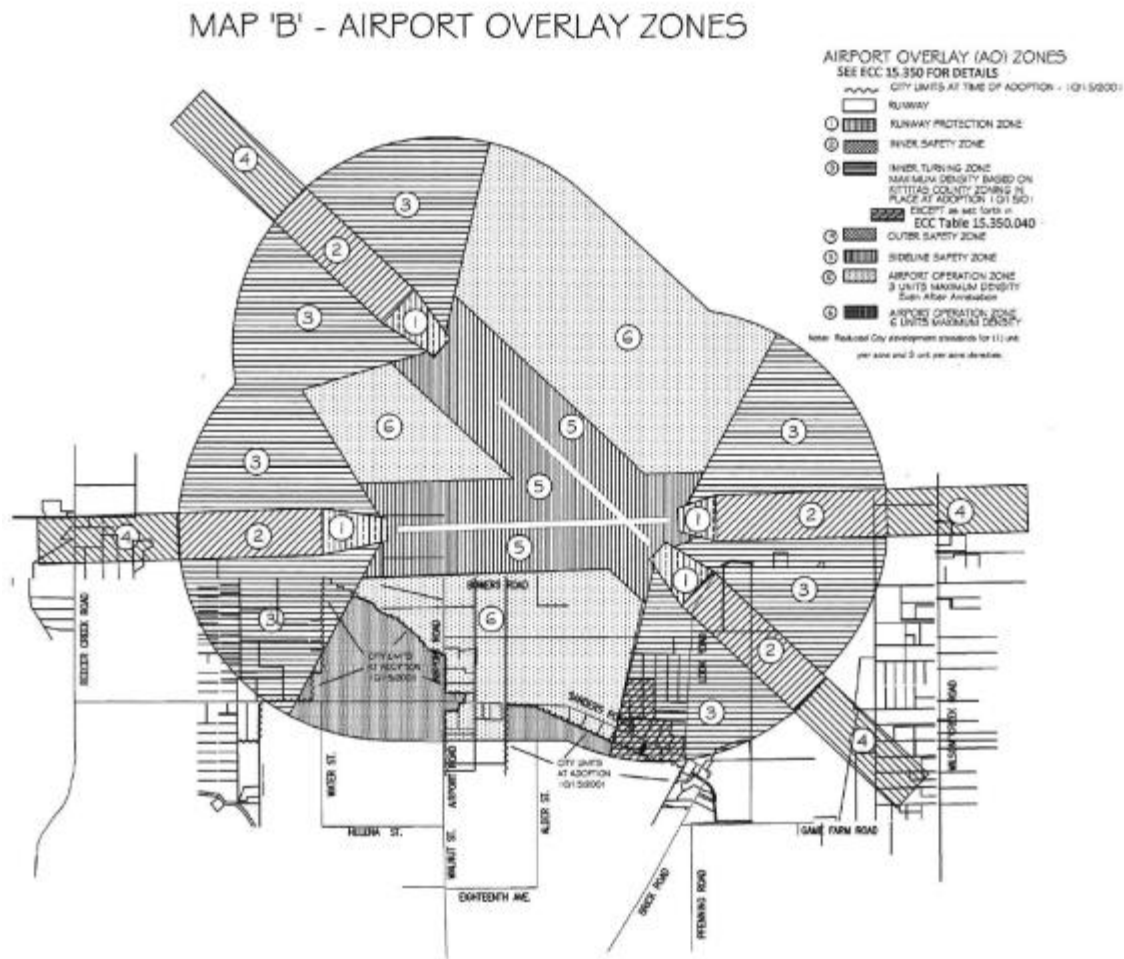


Figure 15.300.0670(D). Airport overlay zone and applicable airport safety zones as described in Chapter 15.350 ECC.

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

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

15.310.040 Use Tables

Table 15.310.040 Residential-based uses

Use	R-S	R-L	R-M	R-H	R-O	C-N	C-T	C-H	C-C	C-C II	I-L	<u>NC-</u> <u>MU</u>	<u>RC-</u> <u>MU</u>	I-H	P-R	MHP
RESIDENTIAL, GENERAL																
Dwelling, single-family* (ECC 15.540.020)	P	P	P		P											P
Dwelling, cottage* (ECC 15.540.050)	P	P	P		P										A ⁶	
Dwelling, duplex* (ECC 15.540.030)	P ^{1,2}	P ^{1,2}	P		P				P ⁷	P ⁷					A ⁶	

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

Development conditions:

- Subject use may be permitted subject to density bonus incentives set forth in Table 15.320.030 and Chapter 15.330 ECC.
- Regardless of maximum density in Table 15.320.030, duplexes and townhomes are permitted in the R-L and R-S zones on lots that have been recorded as of December 31, 2021, per the following conditions:
 - ~~Lots at least 10,890 square feet in area; or~~
 - ~~Corner lots where building entries are provided on separate streets.~~
- Residential uses are permitted in the C-N zone provided nonresidential uses occupy the ground floor of all buildings fronting on the street. For example, residential uses could be on upper levels of buildings fronting on the street or, for deep lots, subject residential uses may occupy any buildings away from the street and behind the buildings that front onto the street.
- Nonresidential uses may be permitted within live-work dwellings subject to the permitted uses in the underlying zoning district, use provisions for the applicable zoning district in Table 15.310.040 below.
- ~~Townhouses and multifamily~~ Multifamily dwelling units shall not be located adjacent to existing single-family dwellings, except where such uses were approved on an individual plat.
- 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).
- Except for lobbies or similar entrances, all permitted residential uses in the C-C and C-C II zones are prohibited within 30 feet of the sidewalk on the ground floor of properties fronting on storefront streets per ECC 15.510.050(E).

8. Yard sales are permitted as an accessory use to a dwelling; provided, that the following conditions are met:

- 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 and utilities 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.

Table 15.310.040 Nonresidential uses

Use	R-S	R-L	R-M	R-H	R-O	C-N	C-T	C-H	C-C	C-C II	NC-MU	RC-MU	I-L	I-H	P-R
RETAIL															
Auto sales, new and used							P ¹	P	P ²	P		P			
Automobile fueling						P		P	P	P		P	P		
Automobile, electric vehicle battery charging station	P ¹	P ¹	P ¹	P ¹	P ¹	P		P	P	P	P	P	P	P	P
Farmers' markets*						P			P	P	P	P			
Fruit stands*	P	P	P	P	P	P	P	P	P	P			P		
Heavy retail (ECC 15.130.080)								P ¹⁰	P ²	P		P	P	P	
Heavy service (ECC 15.130.080)								P ¹⁰	P ²	P			P	P	
Nurseries and greenhouses that are ancillary to a retail use*	P							P	P ²	P	P	P	P	P	
Restaurants, bars, and brewpubs*	P	P	P ³	P ³	P ³	P	P	P	P	P	P	P	P ¹¹		A ⁹⁶
Bars and brewpubs*						P		P	P	P	P	P	P		A ⁶
Coffee house, espresso bar	P ⁸⁵	P ⁵	P ³	P ³	P ³	P	P	P	P	P	P	P	P ¹¹		A ⁹⁶
Retail, small scale (<2,000 sf floor area)	P ⁸⁵	P ⁵	P ³	P ³	P ³	P	P	P	P	P	P	P			A ⁹⁶
Retail, medium scale (2,000 – 20,000 sf floor area)						P		P	P	P	P	P			A ⁹⁶
Retail, large scale (20,001 – 60,000 sf floor area)						P ⁴³		P	P	P	P	P			
Retail, very large scale (60,000 – 100,000 sf floor area)								P	C	C		P			
Retail, super scale (>100,000 sf floor area)								C				C			

Use	R-S	R-L	R-M	R-H	R-O	C-N	C-T	C-H	C-C	C-C II	NC-MU	RC-MU	I-L	I-H	P-R
Outlet center								P							
Regional retail commercial projects* (subject to the requirements in Chapter 15.390 ECC)	P ¹³⁸	P ¹³⁸	P ¹³⁸	P ¹³⁸	P ¹³⁸	P ¹³⁸	P ¹³	P ¹³⁸			P ⁸	P ⁸	P ¹³⁸		
Marijuana retailer*						P ¹⁴⁹	P ¹⁴	P ¹⁴⁹	P ¹⁴⁹	P ¹⁴⁹	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 ⁹⁶
Day care II facilities*	C	C	C	C	P	P		P	P	P	P	P			A ⁹⁶
General service establishments (ECC 15.130.070)						P ⁵	P ⁶	P	P ²	P			P		
Heavy services (see Heavy retail and services definition in ECC 15.130.080)*								P ¹⁰	P ²	P		P	P	P	
Hotels/motels*							P	P	P	P	P	P			
Hospitals*	C	C	C		P				C	P		C			A ⁹⁶
Offices, medical*	P ⁸				P	P	P	P	P	P	P	P			P/ A ⁹⁶
Kennels*								P		P			P		
Nursing homes*	C	C	C	P	P				P	P					P/ A ⁹⁶
Marijuana cooperative*	P ¹⁵¹⁰	P ¹⁵¹⁰	P ¹⁵¹⁰	P ¹⁵¹⁰	P ¹⁵¹⁰	P ¹⁵¹⁰	P ¹⁵	P ¹⁵¹⁰	P ¹⁵¹⁰	P ¹⁵¹⁰	P ¹⁰	P ¹⁰	P ¹⁵¹⁰	P ¹⁵¹⁰	P ¹⁵¹⁰
Personal service establishments*	P ⁸⁵	P ⁵	P ³	P ³	P ³	P	P	P	P	P	P	P			A ⁹⁶
Laundromats and dry cleaners			P	P	P	P		P	P	P	P	P	P		
Places of assembly*	C	C	C	C	P	P		P	P	P	C	C	C		A ⁹⁶
Radio station (commercial)		C						GP			P	P	C	C	A ⁹⁶
Veterinary clinic					C	C	P	P	P	P	P	P	C		
BUSINESS SERVICE															
Conference center*							P	P	P	P	P	P			A ⁹⁶
Offices, business or professional*, small scale (<2,000 sf floor area)	P ⁸⁵	P ⁵			P	P	P	P	P	P	P	P	P ⁷⁴		P/ A ⁹⁶
Offices, business or professional*, medium scale (2,000 – 20,000 sf floor area)	P ⁸⁵	P ⁵					P	P	P	P	P	P	P		P/ A ⁹⁶

Use	R-S	R-L	R-M	R-H	R-O	C-N	C-T	C-H	C-C	C-C II	NC-MU	RC-MU	I-L	I-H	P-R
Offices, business or professional*, large scale (20,001 – 60,000 sf floor area)								P	P	P	P	P	P		P/A ⁹⁶
Miniwarehouse facility*			C					G					PC	PC	
INDUSTRIAL															
Light manufacturing*								P	P ²	P ²	P ²	P ²	P	P	
Light industry (ECC 15.130.120)									P ^{2,11Z}	P ^{2,11Z}	P ^{2,7}	P ^{2,7}	P	P	
Hazardous waste treatment (off-site) (see definition of “off-site” in ECC 15.130.150)													C	C	
Hazardous waste treatment (on-site) (see definition of “on-site” in ECC 15.130.150)							G	C	C	C			C	C	A ⁹⁶
Heavy industry (ECC 15.130.080)														C	
Marijuana processor*													P ¹⁴	P ¹⁴	
Marijuana producer*													P ¹⁴	P ¹⁴	
Tow vehicle storage area*													P	P	
Vehicle wrecking yard*														C	

Development conditions:

1. ~~Sales of used vehicles in this zone are limited to uses that include sales of new vehicles as the primary use. 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. ~~Use is permitted if located adjacent to a street corner and within a mixed use building or within a live work dwelling. Such uses shall be subject to secondary street frontage standards as set forth in ECC 15.510.060.~~

3.4. Grocery stores shall be the only retail uses permitted with more than 20,000 square feet of gross floor area.

5. ~~Except for gas service stations, the use must be enclosed entirely within a building.~~

6. ~~Includes gas service stations with truck stop facilities only. No other general service uses are permitted.~~

4.7. ~~Except for office uses that are accessory to a permitted use, office uses may be permitted through the purchase of transferable development rights, subject to the adoption of a TDR program by the city.~~

5.8. Subject nonresidential uses may be permitted in the R-S and R-L zones if the planned uses are at least 1,200 feet from an existing C-N zone or commercial use, subject to the following conditions:

a. ~~The location for planned nonresidential uses shall be designated on the plat.~~

b. ~~Nonresidential uses may be integrated into subdivisions provided the subdivision encompasses at least five acres in gross land area and the planned uses are at least 1,200 feet from an existing C-N zone or commercial use.~~

c. ~~Nonresidential uses shall not be located adjacent to existing single family dwellings, except where such uses were approved on an individual plat.~~

~~d. For the purpose of identifying appropriate site orientation standards for future nonresidential development, the plat shall indicate the street frontage type designation for streets fronting planned nonresidential uses as either storefront, secondary, or landscaped street (see Chapter 15.510 ECC).~~

~~6.9-~~ All uses permitted in the P-R zone must be either outright permitted and operated as a primary public use or must be an accessory use to that primary public use. See ECC 15.310.050.

~~10.-~~ Heavy retail and service uses are limited to buildings no larger than 50,000 gross square feet in area.

~~7.11.~~ 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.

~~12.-~~ Subject use is permitted in the district only when accessory to a permitted use (see accessory use definition in ECC 15.130.010).

~~8.13-~~ Regional retail is administered as an overlay zone pursuant to Chapters 15.390 and 15.390A ECC, and only permitted within the designated boundaries identified in ECC Figure 15.390.040(A), the south interchange area, and Figure 15.390.040(B), the west interchange area. Permitted uses and use restrictions within a regional retail commercial project are described in ECC 15.390.030. Design criteria for regional retail is governed by Chapter 15.390A ECC.

~~9.14-~~ All marijuana retail, production and processing facilities are subject to the requirements of Chapter 15.370 ECC.

~~10.15-~~ All marijuana cooperatives are subject to the requirements of ECC 15.370.030, Chapter 314-55 WAC and Chapter 69.51A RCW.

Table 15.310.040 Special uses

Use	R-S	R-L	R-M	R-H	R-O	C-N	C-T	C-H	C-C	C-C II	NC-MU	RC-MU	I-L	I-H	P-R
PARK, OPEN SPACE AND RECREATIONAL															
Cemeteries, columbarium or mausoleums	P	P													
Golf course	P														P ¹¹
Golf driving range (not associated with a golf course)	C						C	C							P ¹¹
Recreation – outdoor (commercial)*							P	P			P	P	C		A
Recreation – indoor (commercial)*							P	P	P	P	P	P	C		A
Recreation – small-scale indoor studios (commercial)*	P	P	P	P	P	P	P	P	P	P	P	P	C		
Recreational vehicle parks (ECC 15.340.050)							P	P							
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	P ²							
Art, performing arts, and recording studios	C	C	C	C	P	P	P	P	P	P	P	P	P		P/A ⁷
Museums	C ¹²	C ¹²	C ¹²	C ¹²	P	P	P	P	P	P	P	P	P		P/A ⁷
Theaters					P	P	C	P	P	P	P	P	C		

Use	R-S	R-L	R-M	R-H	R-O	C-N	C-T	C-H	C-C	C-C II	NC-MU	RC-MU	I-L	I-H	P-R
EDUCATIONAL															
Schools	C	C	C	C	C			C	C	C					P ⁵
GOVERNMENTAL															
Court								P	P	P					P
Fire facility								P				<u>P</u>	<u>P</u>		P
Police facility						P ³		P	P ³	P		<u>P</u>	P		P
Public agency or utility office*						P	<u>P</u>	P	P	P	<u>P</u>	<u>P</u>	P	P	P/A
Public agency or utility yard	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴	P		P	C ⁴	P			P	P	P/A
Utility facility* ⁸	P	P	P		P	P	<u>P</u>	P	P	P			P	P	P
Fairgrounds															P
Public transportation passenger terminals							<u>P</u>	P	P	P		<u>P</u>	<u>P</u>	<u>P</u>	P
RESOURCE															
Gardening or fruit raising (accessory use or noncommercial)	P	P	P	P	P	P	<u>P</u>	P	P	P	<u>P</u>	<u>P</u>	P	P	P/A ⁷
Agriculture*	P ⁹														
Small wind energy systems (ECC 15.340.060)	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	<u>P¹⁰</u>	P ¹⁰	P ¹⁰	P ¹⁰	<u>P¹⁰</u>	<u>P¹⁰</u>	P ¹⁰	P ¹⁰	P ¹⁰ /A ⁷
REGIONAL															
Airport															PC ⁶

Development conditions:

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-T~~C-H zone for adult entertainment establishments are:
 - a. 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 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, 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 sq ft or less, and for both options through approval of a conditional use permit. [Ord. 4807 § 44, 2018; Ord. 4804 § 3, 2018; Ord. 4769 § 13, 2017; Ord. 4728 § 4, 2016; Ord. 4724 § 4, 2016; Ord. 4696 § 3, 2015; Ord. 4669 § 3, 2014; Ord. 4656 § 1 (Exh. O2), 2013.]

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

Chapter 15.320

BUILDING SETBACK AND INTENSITY STANDARDS

Sections:

15.320.010 Purpose.

15.320.020 Interpretation of tables.

15.320.030 Building setback and intensity standards table – Residential zones.

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

15.320.045 Building setback and intensity standards – Mixed use zones

15.320.050 Density calculations.

15.320.060 Height exceptions.

15.320.070 Setback measurements.

15.320.080 Permitted projections into yards.

15.320.090 Setbacks from alleys.

15.320.100 Setback modifications.

15.320.110 Lot or site divided by zone boundary.

15.320.120 Fences, walls, and hedges.

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

15.320.030 Building setback and intensity standards table – Residential zones.

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

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Topic	R-S	R-L	R-M	R-H	R-O
DEVELOPMENT INTENSITY AND CONFIGURATION					
Minimum lot area	None ¹	None ¹	None ¹	None ¹	None¹
Minimum frontage	None ^{1,2}	None ^{1,2}	None ^{1,2}	None ^{1,2}	None^{1,2}
Density, minimum (ECC 15.320.050)		6 du/acre ³	8 du/acre ³	15 du/acre	8 du/acre³
Density, maximum (base) ⁸ (ECC 15.320.050)	6 du/acre	8 du/acre	No limit	No limit	No limit
Density, maximum with bonus (see Chapter 15.330 ECC)	12 du/acre ⁴	16 du/acre ⁴	No limit	No limit	No limit
Maximum building height	35 ft	35 ft	35 ft ⁵	45 ft ⁵	35 ft⁵
BUILDING SETBACK (see ECC 15.320.070 through 15.320.130)					
Minimum front yard setback ^{6, 7}	15 ft	15 ft	15 ft	15 ft	15 ft
Garage front yard setback	22 ft	22 ft	22 ft	22 ft	22 ft
Minimum rear yard setback	20 ft	20 ft	20 ft	20 ft	20 ft
Minimum rear yard setback, accessory buildings (including garages)	5 ft ¹⁰	5 ft ¹⁰	5 ft ¹⁰	5 ft ¹⁰	5 ft¹⁰
Minimum rear yard setback, detached accessory dwelling unit (see ECC 15.540.040)	5 ft ¹⁰	5 ft ¹⁰	5 ft ¹⁰	5 ft ¹⁰	5 ft¹⁰
Minimum side yard setback (includes corner lot interior lot line) ⁹	5 ft/10 ft ¹¹	5 ft/10 ft ¹¹	5 ft/10 ft ¹¹	5 ft/10 ft ¹¹	5 ft/10 ft¹¹
Minimum side yard setback (corner lot exterior lot line)	10 ft	10 ft	10 ft	10 ft	10 ft
Minimum garage side yard setback (corner lot exterior lot line)	22 ft	22 ft	22 ft	22 ft	22 ft

Development conditions:

1. Lot sizes may be variable provided they are sized and shaped sufficient to accommodate permitted uses and conform to applicable design and density standards.
2. New lots shall have access directly to a public right-of-way or may obtain access from a courtyard access (ECC 15.420.050(C)) or shared driveway (ECC 15.420.060(A)(2)).
3. The density minimum shall apply only to new subdivisions greater than one acre in size.
4. Exception: Projects complying with Net Zero Energy provisions may exceed the maximum density limits as set forth in ECC 15.330.020(A).
5. For buildings, or portions thereof, with pitched roofs, the maximum height may be increased by five feet. Applicable roof slopes must be at least 4:12 to qualify for this additional height.
6. Porches and covered entries may project up to six feet into the front yard.
7. No front yard is required for buildings adjacent to designated “storefront streets.”
8. Base maximum density refers to the maximum density allowed without utilizing density bonuses. Per Section 15.310.040, regardless of maximum density duplexes and townhomes are permitted in R-S and R-L zones that have been recorded as of December 31, 2021.
9. Townhouses and zero lot line homes are exempt from side yard standards internal to a development. However, such uses shall meet applicable side yard standards for adjacent lots outside of the development.

10. Accessory buildings or accessory dwelling units, where built on top of an existing garage, may be built to a property line abutting an alley, provided sufficient turning movement and emergency vehicle access is provided within the alley.

11. For lots 6,000 square feet or less, the minimum side yard shall be five feet on each side. [Ord. 4807 § 46, 2018; Ord. 4656 § 1 (Exh. O2), 2013.]

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

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

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

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

Development conditions:

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

~~6. See ECC 15.330.030 for FAR bonus provisions.~~ [Ord. 4807 § 46, 2018; Ord. 4769 § 14, 2017; Ord. 4656 § 1 (Exh. O2), 2013.]

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

15.320.045 Building setback and intensity standards – Mixed Use Zones

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

<u>Standard</u>	<u>R-O</u>	<u>C-C</u>	<u>C-C II</u>	<u>NC-MU</u>	<u>RC-MU</u>
<u>DEVELOPMENT INTENSITY AND CONFIGURATION</u>					
<u>Minimum lot area</u>	<u>None¹</u>	<u>None¹</u>	<u>None¹</u>	<u>None¹</u>	<u>None¹</u>
<u>Minimum frontage</u>	<u>None^{1,2}</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>
<u>Density, minimum (ECC 15.320.050)</u>	<u>8 du/acre³</u>	<u>NA</u>	<u>NA</u>	<u>8 du/acre¹²</u>	<u>15 du/acre¹²</u>
<u>Density, maximum (ECC 15.320.050)</u>		<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>
<u>Maximum building height (see ECC 15.320.060 for height exceptions)</u>	<u>35ft⁴</u>	<u>60ft^{7, 11}</u>	<u>60 ft</u>	<u>60 ft⁷</u>	<u>60 ft⁷</u>
<u>BUILDING PLACEMENT (see ECC 15.320.070 through 15.320.130)</u>					
<u>Maximum front yard setback</u>				<u>10 ft¹³</u>	<u>10 ft¹³</u>
<u>Minimum front yard</u>	<u>15 ft</u>	<u>None⁵</u>	<u>None⁵</u>	<u>None⁵</u>	<u>None⁵</u>
<u>Minimum garage front yard setback</u>	<u>22 ft</u>	<u>22 ft</u>	<u>22 ft</u>	<u>22 ft</u>	<u>22 ft</u>
<u>Minimum rear yard (see ECC 15.520.020 for supplemental standards)</u>	<u>20 ft</u>	<u>None⁶</u>	<u>None⁶</u>	<u>None⁶</u>	<u>None⁶</u>
<u>Minimum rear yard setback, accessory buildings (including garages)</u>	<u>5 ft⁸</u>				
<u>Minimum rear yard setback, detached accessory dwelling unit (see ECC 15.540.040)</u>	<u>5 ft⁸</u>				
<u>Minimum side yard, includes corner lot interior lot line (see ECC 15.520.020 for supplemental standards)¹⁰</u>	<u>5 ft/10 ft⁹</u>	<u>None⁶</u>	<u>None⁶</u>	<u>None⁶</u>	<u>None⁶</u>
<u>Minimum side yard setback (corner lot exterior lot line)¹⁰</u>	<u>10 ft⁹</u>				
<u>Minimum garage side yard setback (corner lot exterior lot line)</u>	<u>22 ft</u>				

Development conditions:

1. Lot sizes may be variable provided they are sized and shaped sufficient to accommodate permitted uses and conform to applicable design and density standards.
2. New lots shall have access directly to a public right-of-way or may obtain access from a courtyard access (ECC 15.420.050(C)) or shared driveway (ECC 15.420.060(A)(2)).
3. The density minimum shall apply only to new subdivisions greater than one acre in size.
4. For buildings, or portions thereof, with pitched roofs, the maximum height may be increased by five feet. Applicable roof slopes must be at least 4:12 to qualify for this additional height.
5. For exceptions and detailed standards, see Chapter 15.510 ECC, Site Orientation.
6. Where the subject property shares any portion of a border with a residential zone, the minimum side or rear setbacks shall be the same as the adjacent residential zone.

7. Where subject property shares any portion of a border with a residential zone the maximum building height is 45 feet.
8. Accessory buildings or accessory dwelling units, where built on top of an existing garage, may be built to a property line abutting an alley, provided sufficient turning movement and emergency vehicle access is provided within the alley.
9. For lots 6,000 square feet or less, the minimum side yard shall be five feet on each side.
10. Townhouses and zero lot line homes are exempt from side yard standards internal to a development. However, such uses shall meet applicable side yard standards for adjacent lots outside of the development.
11. The maximum building height in the downtown ellensburg local landmark district is 45 feet.
12. There is no minimum residential density for vertical mixed use. Minimum residential density applies to any portion(s) of the development where ground-floor residential uses are proposed with the following standards:
 - a. The area used to calculate residential density includes all area dedicated to parking and landscaping required for the ground-floor residential uses.
 - b. Where ground-floor residential uses are part of a mixed use development, area used to calculate the residential density does not include land dedicated to right-of-way.
13. The secondary street standards in ECC 15.510.060 shall apply to all new streets in the Neighborhood-Center and Regional Center Mixed-Use Zones. [Ord. 4807 § 46, 2018; Ord. 4769 § 14, 2017; Ord. 4656 § 1 (Exh. O2), 2013.]

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

15.320.060 Height exceptions.

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

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

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

15.350.030 Airport overlay zone.

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

safety zones are overlaid on top of the existing underlying zoning that remains in full force and effect. Where the requirements imposed by the surface and safety zones conflict with the requirements of the underlying zoning, the more restrictive requirement shall be enforced.

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

1. Runways 07, 25, and 11 – Larger Than Utility with a Visibility Minimum Greater Than Three-Fourths-Mile Non-Precision Instrument Approach Zone. The 500-foot inner edge coincides with the width of the primary surface and slopes 34 feet outward for each one foot upward beginning at the end of and at the same elevation as the primary surface and expands to a horizontal distance of 3,500 feet at a horizontal distance of 10,000 feet along the extended runway centerline. Its centerline is the continuation of the runway centerline as depicted on Map “A.” Height restrictions: no object shall penetrate the imaginary line created by a slope 34 feet outward for each one foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.
2. Runway 29 – Larger Than Utility with a Visibility Minimum Lower Than Three-Fourths-Mile Precision Instrument Approach Zone. The 1,000-foot inner edge of this approach zone coincides with the width of the primary surface. The approach zone expands uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway as depicted on Map “A.” Height restrictions: no object shall penetrate the imaginary line created by a slope 50 feet outward for each one foot upward for the first 10,000 feet of this zone and 40 feet outward for each one foot upward for the remaining 40,000 feet of this zone.
3. Transitional Zones. This zone is defined by a slope seven feet outward for each one foot upward beginning at the sides of and at the same elevation as the primary surface and the approach surface, and extending to a height of 150 feet above the airport elevation which is 139 feet above mean sea level, as depicted on Map “A.” Height restrictions: no object shall penetrate the imaginary line created by a slope seven feet outward for each one foot upward beginning at the sides of and the same elevation as the approach surface, and extending to where they intersect the conical surface. Further, where the precision instrument runway approach zone projects beyond the conical zone, no object shall penetrate the imaginary line created by a slope seven feet outward for each one foot upward beginning at the sides of and the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet measured at 90-degree angles to the extended runway centerline.
4. Horizontal Zone. This zone is established at 150 feet above the airport elevation or at a height of 1,916 feet above mean sea level by swinging arcs of 5,000 feet radial for all runways designated utility or visual and 10,000 feet for all other runways from the centers of the primary surface of each runway and connecting adjacent arcs by drawing lines tangent to those arcs, as depicted on Map “A.” The horizontal zone does not include the approach and transitional zones. Height restrictions: no object shall penetrate the imaginary horizontal line created at 150 feet above the airport elevation or at a height above the airport of 1,916 feet above mean sea level.
5. Conical Zone. The conical zone is established as the area that commences at the periphery of the horizontal zone and extends outward there for a horizontal distance of 4,000 feet as depicted in Map “A.” Height restrictions: no object shall penetrate the imaginary line created by a slope 20 feet outward for each one

foot upward beginning at the periphery of the horizontal zone and at 150 feet above the airport elevation and extending to a height up to 3,500 feet above the surface of the land.

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

1. Runway Protection Zone 1. An area extending beyond the centerlines of Runways 11, 29, 07 and 25 as depicted on Map “B” (shaded area No. 1). This zone begins from the outer boundaries of the primary surface, 200 feet from the ends of the runways and extends out 1,700 feet to its widest point, which measures 1,010 feet across, 505 feet on either side of the runway centerline.
2. Inner Safety Zone 2. An area extending beyond the centerlines of Runways 11, 29, 07 and 25 as depicted in Map “B” (shaded area No. 2). This zone begins at the end of the runway protection zone 1 and extends out 2,800 feet. The zone measures 1,010 feet across, 505 feet on either side of the runway centerline.
3. Inner Turning Zone 3. A fan-shaped area extending beyond the centerlines of Runways 11, 29, 07 and 25 as depicted on Map “B” (shaded area No. 3). This zone begins at the primary surface, 200 feet from the end of the runway centerline and extends out with a 60-foot radius arc on either side of the runway centerline to 4,500 feet and connects to the centerline of the inner safety zone with sweeping arcs.
4. Outer Safety Zone 4. An area extending beyond the centerlines of Runways 11, 29, 07 and 25 as depicted on Map “B” (shaded area No. 4). This zone begins at the end of the inner safety zone and extends out 3,000 feet. The zone measures 1,000 feet across, 500 feet on either side of the runway centerline.
5. Sideline Zone 5. An area adjacent to Runways 11, 29, 07, and 25 as depicted on Map “B” (shaded area No. 5). This zone begins from the outer boundaries of the primary surface, and extends out 1,000 feet perpendicular to the primary surface and connects to the 60-degree sector of the inner turning zone.
6. Airport Operations Zone 6. This zone is depicted on Map “B” (shaded area No. 6) and begins from the outer boundaries of the sideline zone and extends out 5,000 feet perpendicular to the primary surface and connects to the 60-degree sector of the inner turning zone. [Ord. 4656 § 1 (Exh. O2), 2013.]

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

15.390.030 Uses, exceptions and limitations.

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

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

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

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

15.510.060 Secondary street standards.

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

A. Applicability. The standards herein shall apply to all nonresidential and multifamily development on designated secondary streets per ECC 15.510.040.

B. Storefront Standards. All storefront buildings along designated secondary streets shall comply with all building-related storefront street standards set forth in ECC 15.510.050.

C. Landscaped Frontage Standards for Secondary Streets.

1. Building Setbacks. Ten feet minimum or consistent with minimum requirements of the applicable zoning district (see ECC 15.320.030, ~~and 15.320.040, and 15.320.045~~), whichever is greater. Covered entries and other weather protection features may extend into this setback by up to six feet.
2. Building Entry. At least one building entry shall be visible from the sidewalk.
3. Weather Protection. Weather protection at least three feet deep shall be provided over all primary entries.
4. Transparency. Transparent window area shall be provided along at least 15 percent of the facade of the building (all vertical surfaces of the facade). Departures will be considered pursuant to ECC 15.210.060 and 15.510.120.
5. Landscaping. All areas between the sidewalk and the building shall be landscaped, except for walkways, porches, decks, and other areas meeting the definition of pedestrian-oriented space.

D. Parking Location. No more than 50 percent of the street frontage can be occupied by off-street parking and driveways (see Figure 15.510.060(B)). Departures will be considered pursuant to ECC 15.210.060 and 15.510.120.

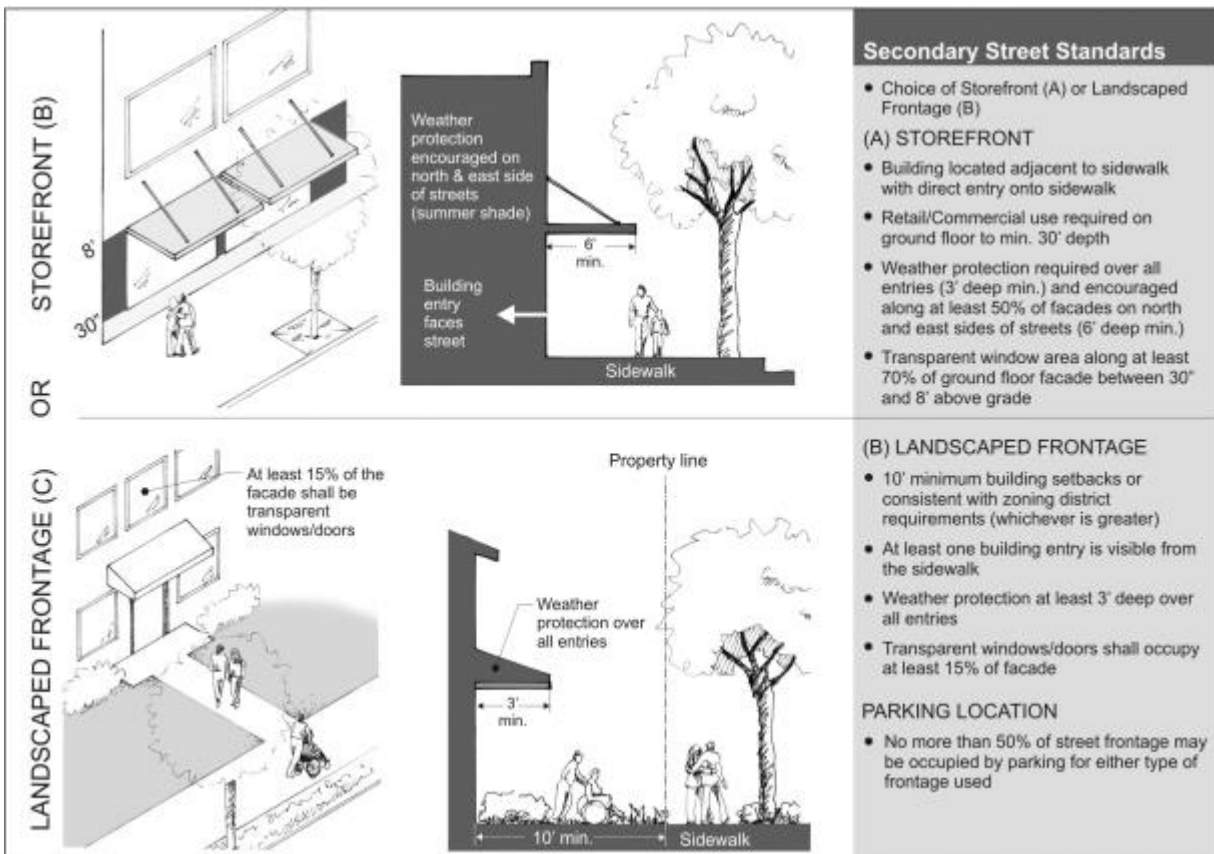


Figure 15.510.060(A). Summary of key secondary street standards.



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

[Ord. 4656 § 1 (Exh. O2), 2013.]

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

15.510.070 Gateway street standards.

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

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

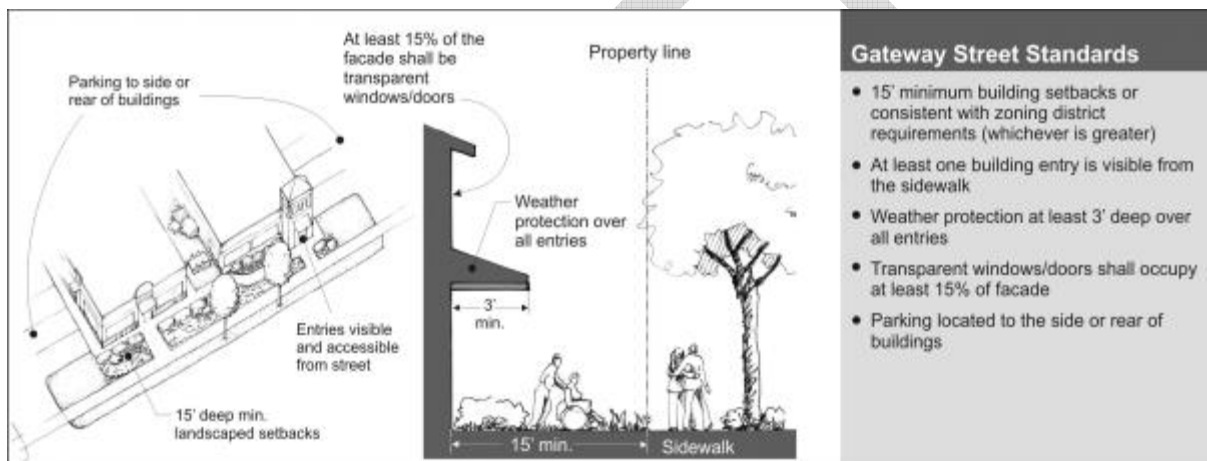


Figure 15.510.070. Summary of key gateway street standards.

[Ord. 4656 § 1 (Exh. O2), 2013.]

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

15.510.080 Landscaped street standards.

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

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

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

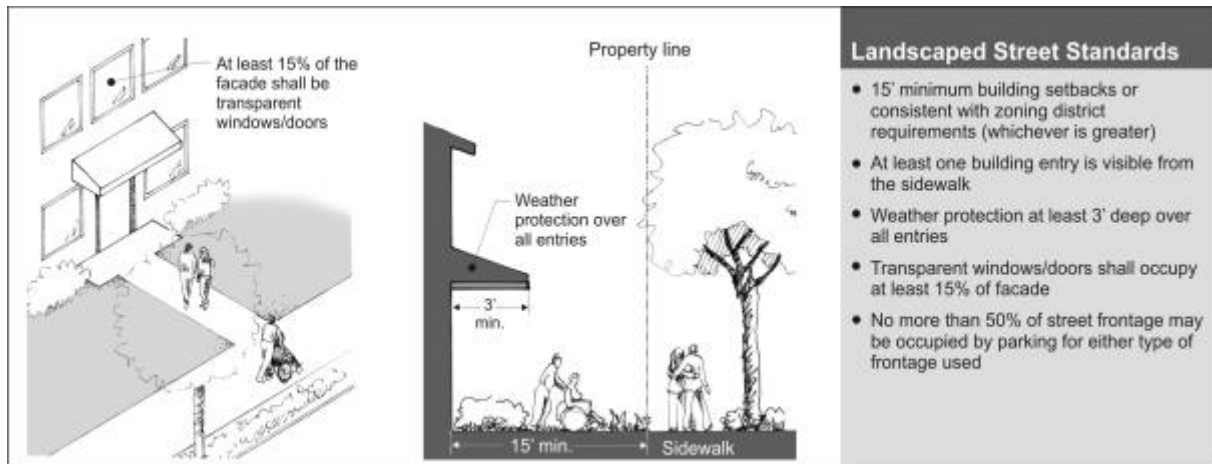


Figure 15.510.080. Summary of key landscaped street standards.

[Ord. 4656 § 1 (Exh. O2), 2013.]

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

15.530.040 Building elements and details.

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

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

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

1. Window and/or Entry Treatment.

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

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

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

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



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

decorative use of brickwork. The right image uses decorative wood beams over the entry, decorative windows and doors, and stonework.

D. High Visibility Street Corner Buildings. Buildings located at designated high visibility street corners (see subsection (D)(1) of this section) shall provide one or more of the elements listed in subsection (D)(2) of this section on the building corner. All corner building design elements must be sized to be proportional to the building and the size of the applicable intersection (for example, larger intersections warrant more substantial design treatments).

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



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



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



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

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



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

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

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

15.550.040 Computation of required off-street parking spaces.

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

restrooms. If the formula for determining the number of off-street parking spaces results in a fraction, the number of off-street parking spaces shall be rounded to the nearest whole number with fractions of 0.50 or greater rounding up and fractions below 0.50 rounding down.

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

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

Category of Land Use¹	Minimum Parking Spaces Required
Offices, banks, medical clinics, supermarkets, retail shops, department stores, or similar uses	1.0 per 300 square feet of gross floor area
General retail or service use with drive-in facility	Same parking for retail and service as provided herein, plus sufficient off-street drive-through stacking area to accommodate 3 vehicles without negatively impacting other required parking areas, ingress and egress into such parking areas, or traffic on public streets
Day care facility	1.0 per employee plus 1.0 temporary loading parking per each 8 full-day equivalent children
FOOD AND BEVERAGE	
Restaurant, taverns, or similar uses where patrons sit down for service	1.0 per 200 square feet of gross floor area for sit-down facilities with a minimum number of 5 spaces required
Drive-in restaurant	Same parking as restaurant plus sufficient off-street drive-through stacking area to accommodate 6 vehicles without negatively impacting other required parking areas, ingress and egress into such parking areas, or traffic on public streets
Drive-in coffee stand	2.0 per facility plus sufficient off-street drive-through stacking area to accommodate 6 vehicles without negatively impacting other required parking areas, ingress and egress into such parking areas, or traffic on public streets
PLACES OF ASSEMBLY	
Churches, funeral homes, mortuaries, clubs, lodges, museums, auditoriums, theaters, conference facilities, public or commercial recreational facilities, or similar uses	0.25 per person of maximum occupancy as established by the fire marshal with a minimum of 5 spaces required
INDUSTRIAL AND LAND CONSUMPTIVE USES	
Wholesale trade, warehousing (including miniwarehouse facilities), processing and manufacturing facilities, heavy equipment repair, lumber yard, car sales, or similar land consumptive but low traffic generation uses	1.0 per 1,500 square feet of gross floor area for structures up to 20,000 square feet in gross size with a minimum of 5 spaces required OR 1.0 per 2,000 square feet of gross floor area for structures greater than 20,000 square feet in gross size. NOTE: For vehicle sales lots, the sales area is not considered to be a parking facility and does not have to comply with the requirements of this chapter. However, all required parking must be designed and reserved for customer parking only.
PUBLIC AND QUASI-PUBLIC USES	
Hospital	1.5 per each 5 beds with a minimum of 5 spaces required
Elementary and junior high schools	1.0 per classroom, plus 1 per 50 students
High schools, college or university, trade school, or business school	1.0 per classroom, plus 1 per 10 students
Governmental office	1.0 per 350 square feet of gross floor area

Notes:

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

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

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

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

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

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

1. Amount of Bicycle Parking.

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

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

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

3. Parking Location and Design – Residential Uses. Bicycle facilities for residents shall be located within 100 feet of all building or individual unit entrances and located on the ground level in safe, visible areas that do not impede pedestrian or vehicle traffic flow. Proper lighting of area is required per Chapter 15.580 ECC.
4. Bicycle parking hardware shall be installed according to its manufacturer’s instructions, allowing adequate clearance for bicycles and their riders.
5. Projects in the C-C zone may contribute to a bicycle parking fund (subject to establishment by the city) maintained by the city in lieu of required parking set forth in Table 15.550.040(B). Calculation of the required fund contributions will be based on the cost to purchase, install, and maintain bicycle parking and associated improvements. The cost will be adjusted annually by the city. The fund will be used by the city to provide bicycle parking in the C-C zone and in other locations within the city.

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

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

Examples:

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

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

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

1. The location of the off-site parking shall be within 600 feet of any property line of the property for which the off-site parking is provided;
2. Off-site parking facilities are subject to applicable design provisions in this division, including site orientation standards in Chapter 15.510 ECC, site planning and design elements in Chapter 15.520 ECC, and landscaping standards in Chapter 15.570 ECC;
3. There shall be sidewalks or paved pedestrian paths between the off-site parking site and the use for which the off-site parking is provided;

4. There shall be adequate lighting to provide safe walking between the off-site parking and the use for which the off-site parking is provided;
5. The owner of the off-site parking property shall execute a covenant in a form acceptable to the city attorney that shall clearly:
 - a. Identify the legal description of the property that is to benefit from the off-site parking lot and the legal description of the off-site property that is to be encumbered in whole or in part by the covenant;
 - b. Specify the terms and conditions of such encumbrance; and
 - c. Clearly state that the terms of the covenant cannot be modified or revoked without the written consent of the city council.
 - d. The covenant shall be recorded with the Kittitas County auditor's office to run as a deed restriction on both the benefited and encumbered properties as long as the business requiring these off-street parking spaces is in operation. A copy of the recorded covenant shall be provided to the community development department.

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

K. Setback Areas.

1. Required off-street parking spaces are not allowed to extend within any required setback area or required open space area in the R-L, R-M, R-O, and R-H zoning districts, or in the front setback area in the C-T zoning district. Single-family residences located in any of the R-L, R-M, R-O, and R-H zoning districts are allowed to locate the minimum required two off-street parking spaces within the setback areas or required open space area. Any additional parking spaces must be located outside of the required open space and setback areas.
2. At locations where single-family residential parking is permitted within setback or required open space, provisions shall be made to prevent this parking from encroaching upon adjacent sidewalks. For the purposes of this requirement there shall be a minimum of 22 feet between adjacent structures and sidewalks to allow for parking clearance when required parking for single family residential development is sited on the required building setback(s) or open space.

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

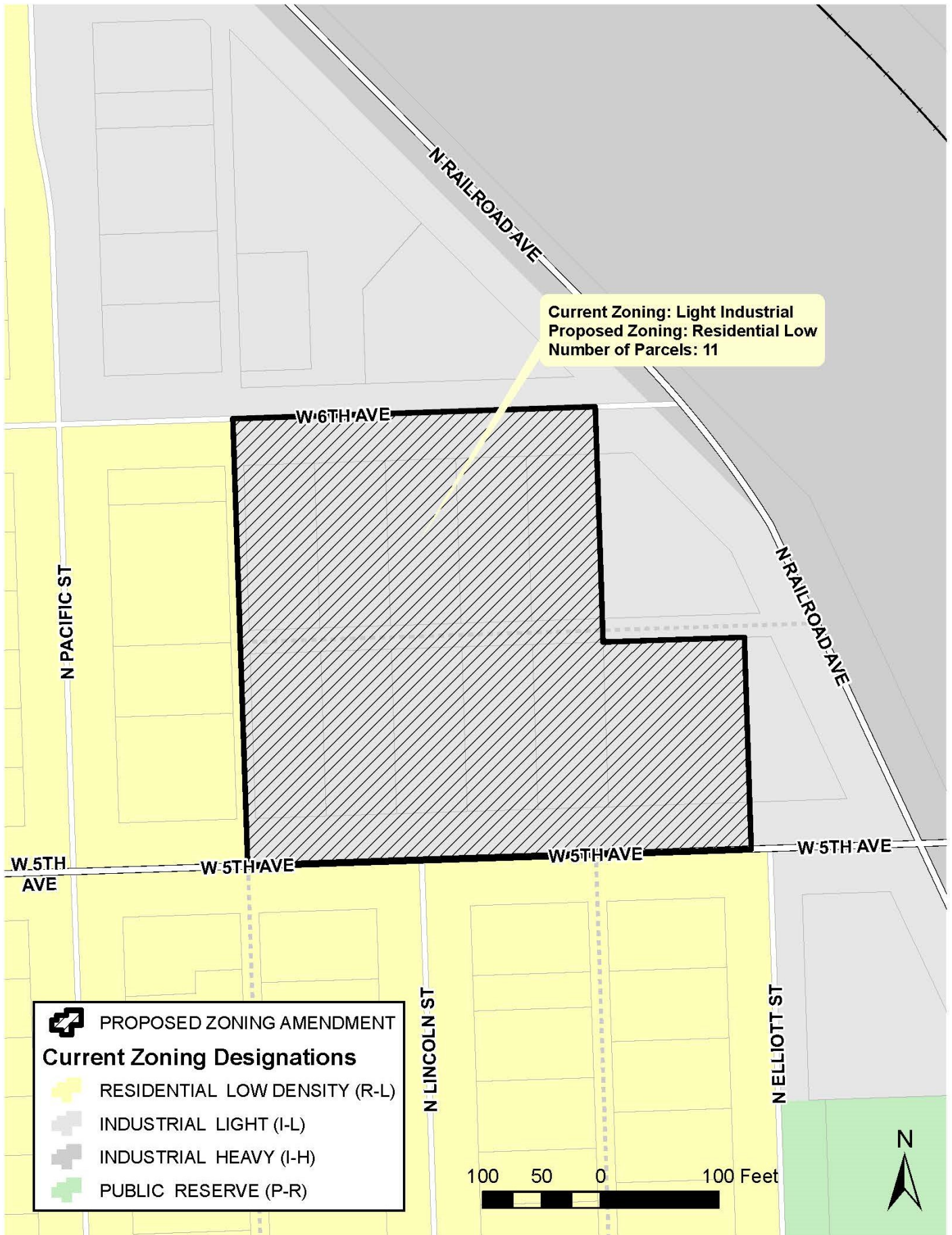
M. Handicapped Parking. Off-street parking and access for the physically handicapped shall be provided in accordance with the Uniform Building Code.

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

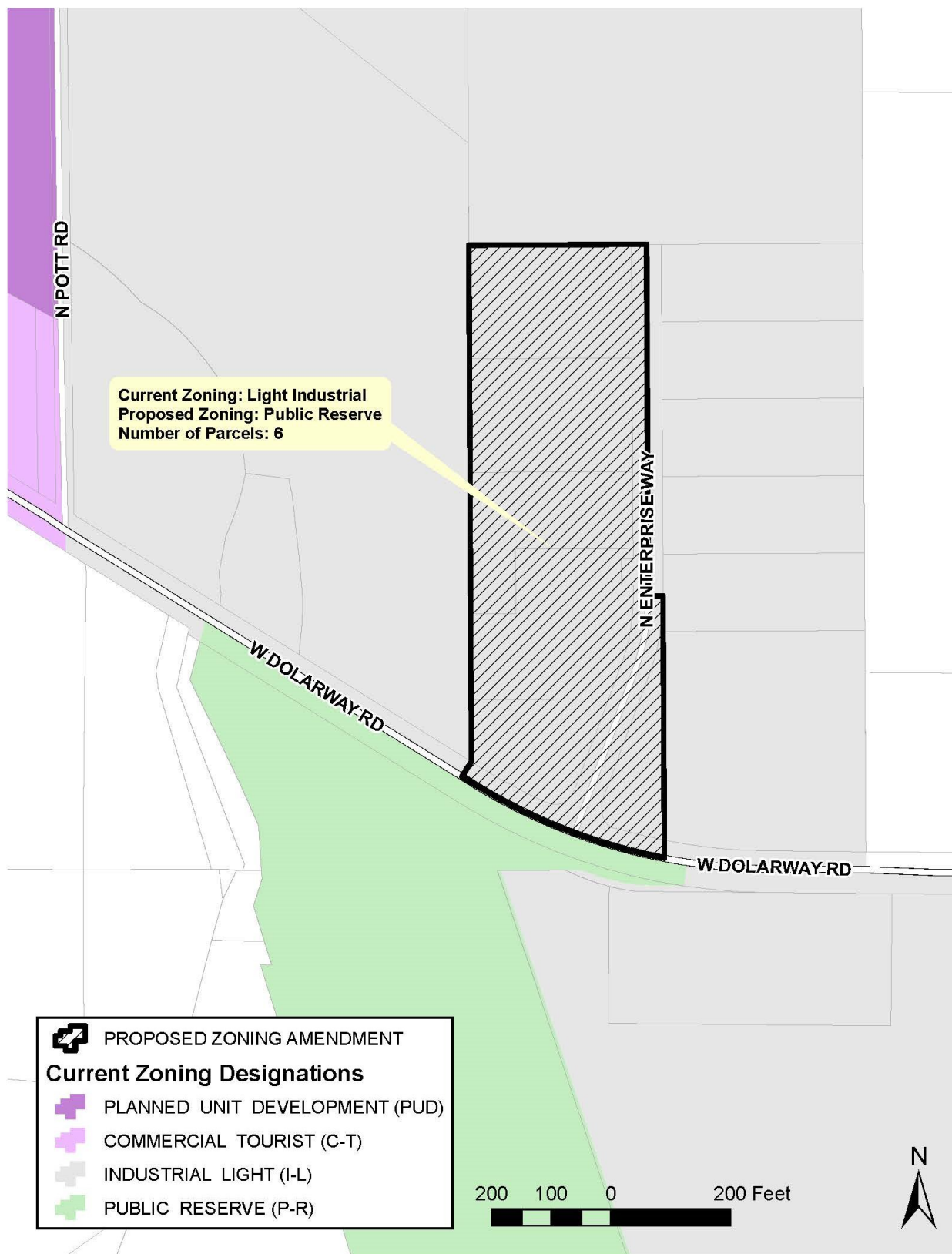
O. Changes in use to a different land use category shall provide the minimum off-street parking for the new general land use category. [Ord. 4810 § 2, 2018; Ord. 4807 § 59, 2018; Ord. 4656 § 1 (Exh. O2), 2013.]

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

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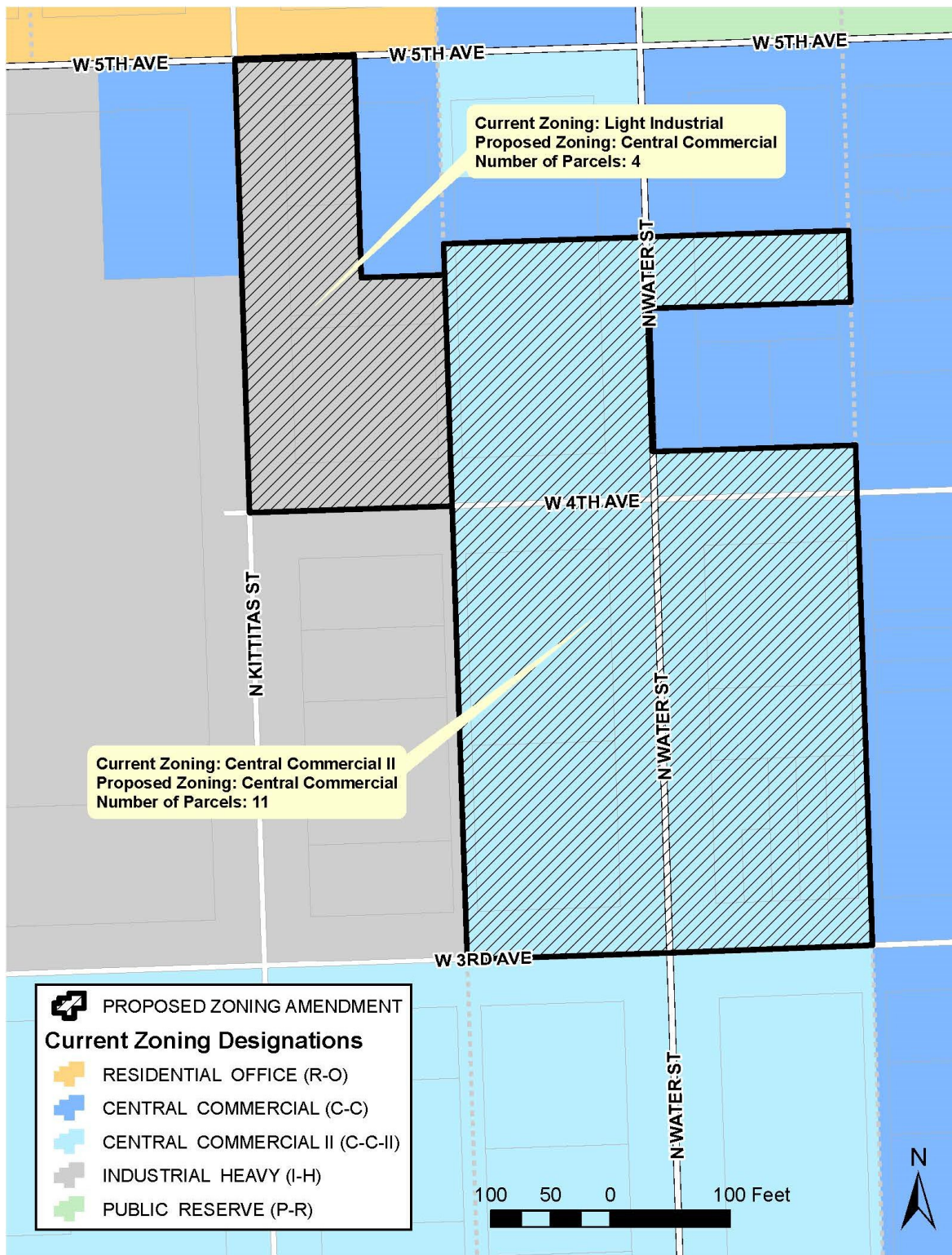


Section 36. The zoning district map of the Land Development Code of the Ellensburg City Code is hereby amended as follows to implement the Parks and Open Space comprehensive plan future land use designation consistent with future floodplain management projects:



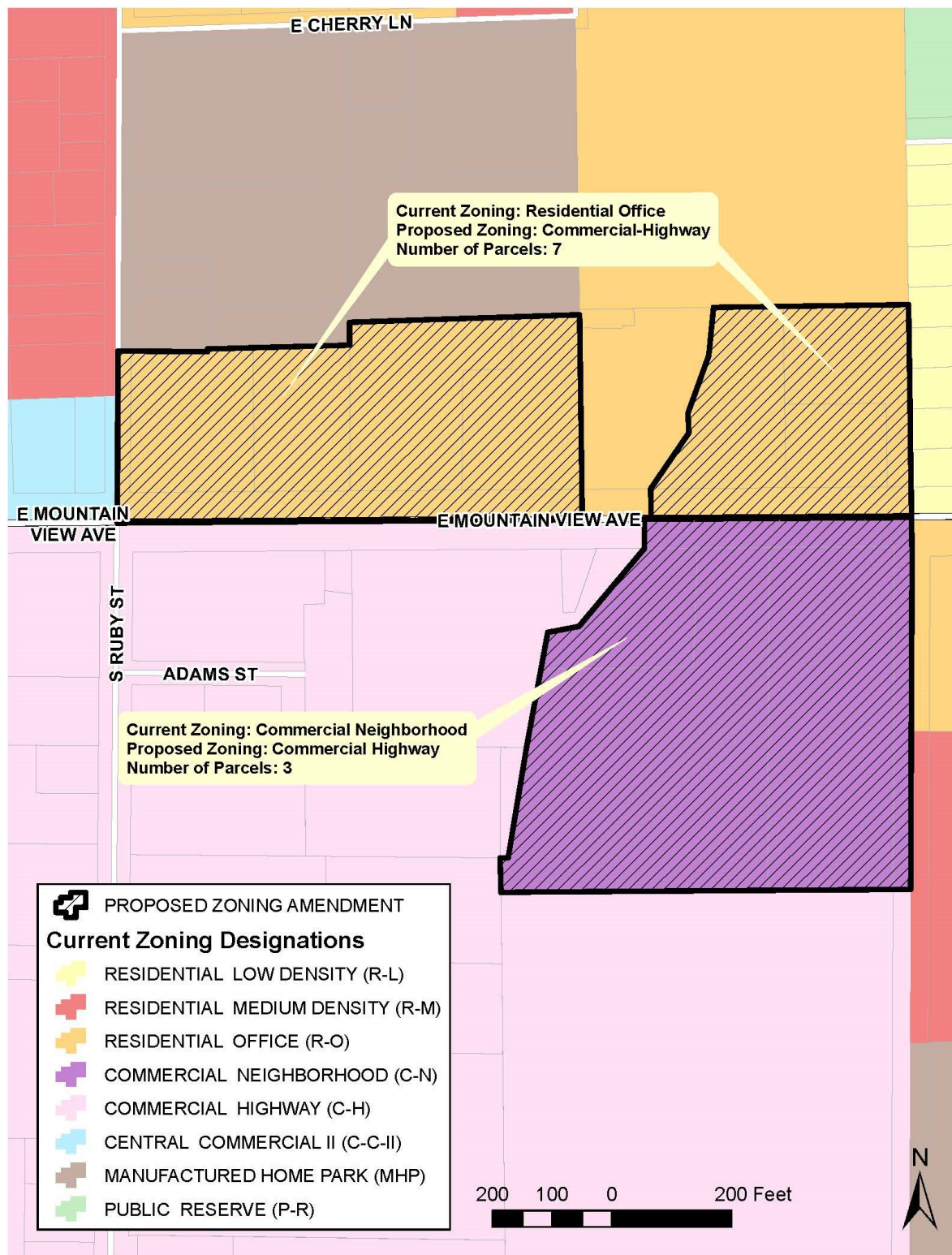
Section 37. The zoning district map of the Land Development Code of the Ellensburg City Code is hereby amended as follows to implement the Urban Center comprehensive plan future land use designation as confirmed through community outreach to provide for expansion of the downtown area that follows development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

DRAFT



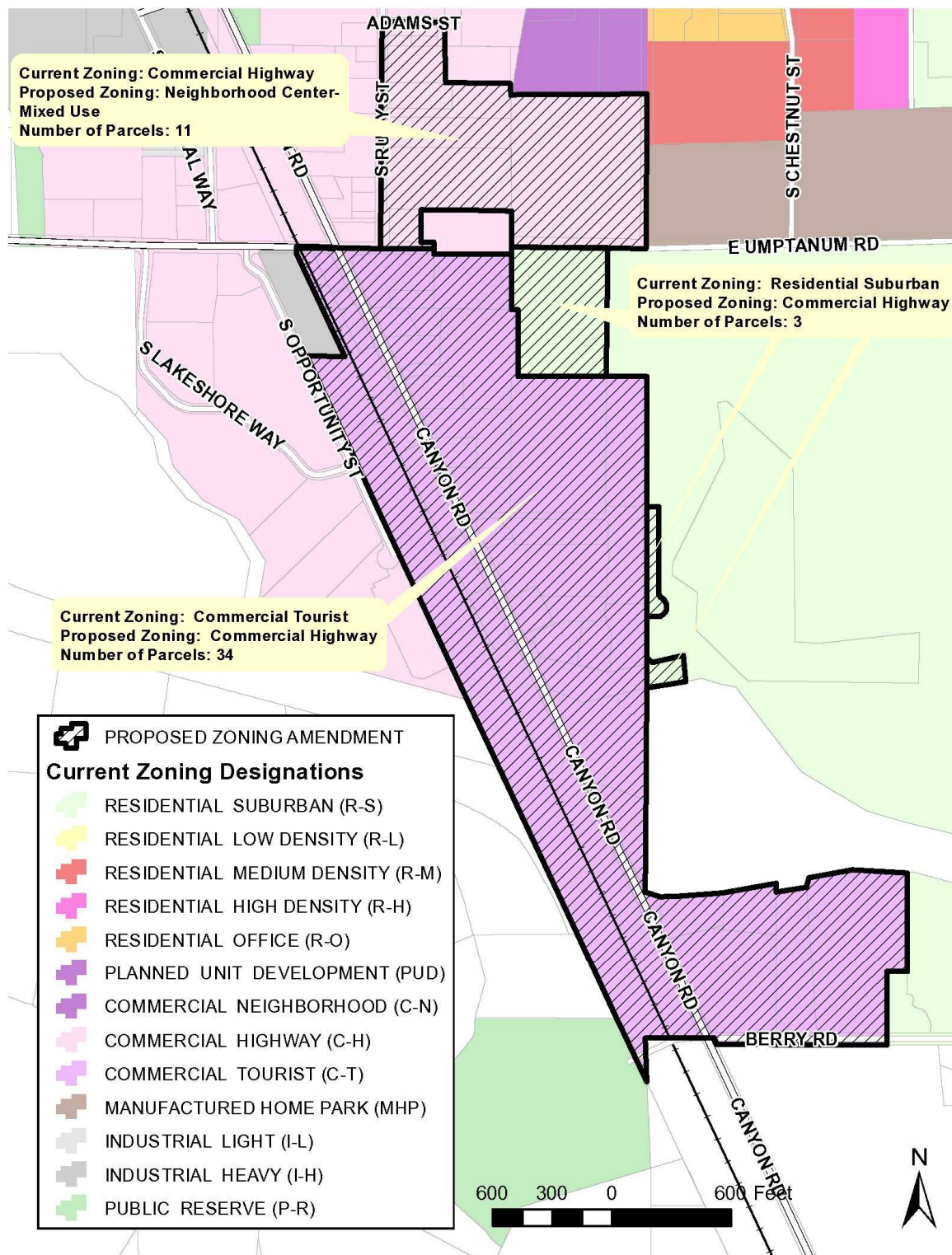
Section 38. The zoning district map of the Land Development Code of the Ellensburg City Code is hereby amended as follows to implement the Community Mixed Use comprehensive plan future land use designation as confirmed through community outreach to provide for more flexibility of commercial uses that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

Neighborhood zone; and implements comprehensive plan goals for a variety of shopping, entertainment, recreation, and employment uses that are accessible to neighborhoods:

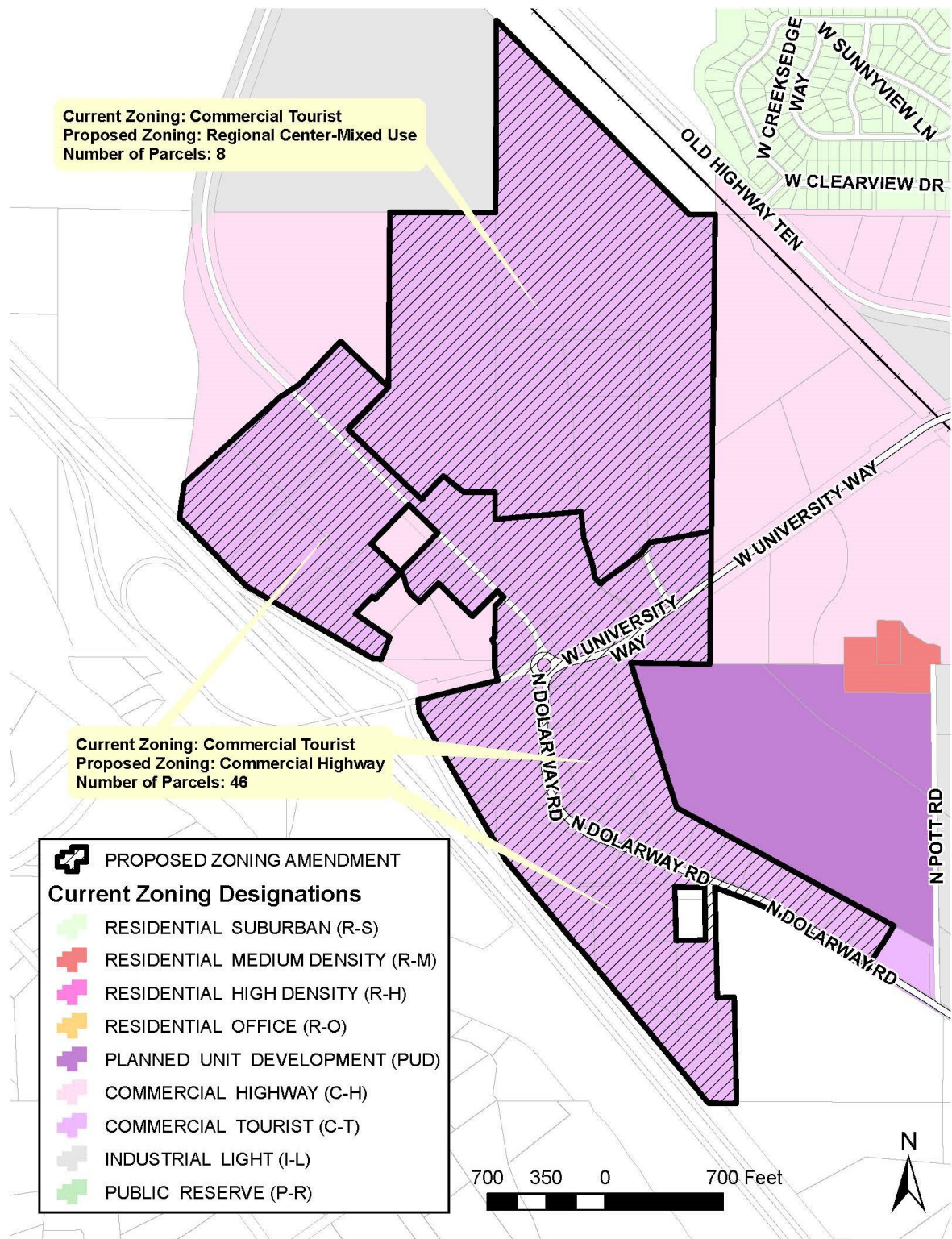


Section 39. The zoning district map of the Land Development Code of the Ellensburg City Code is hereby amended as follows to implement amendments to the Land Development Code provided herein to eliminate the Ord. ***** - Title 15 Land Development Code ECC - Page 53 of 56 (xx-xx-22)

Commercial Tourist zoning district and implement the Community Mixed Use comprehensive plan future land use designations, as confirmed through community outreach to provide for more flexibility of commercial uses that follows development patterns; and implements comprehensive plan goals to create a variety of shopping, entertainment, recreation, and employment uses accessible to residential areas, and support the development of compact, livable, and walkable mixed use centers:



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



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

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

The foregoing ordinance was passed and adopted at a regular meeting of the City Council on the ____ day of _____, 2022.

MAYOR

ATTEST:

City Clerk

Approved as to form:

CITY ATTORNEY

Publish:

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

BETH LEADER



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

STAFF REPORT

AGENDA REPORT

MEETING DATE: April 14, 2022

TO: Planning Commission

THRU: Jamey Ayling, Planning Manager of Community Development

FROM: Shannon Johnson, Senior Planner

SUBJECT: Open Record Public Hearing for Application P22-036, for a Supplemental P-R Rezone from P-R to I-L, Submitted by City of Ellensburg

1. GENERAL INFORMATION

Requested Action: The City of Ellensburg is seeking approval of a rezone in order to rezone a portion of Public Reserve (P-R) zoned property in accordance with Ellensburg City Code (ECC) 15.310.050(D), and pursuant to the terms and processes set forth in (ECC) 15.250.100.

The City of Ellensburg is proposing a rezone of P-R property which is no longer used for public purposes. Recognizing that over time some land and structures that are zoned P-R and are used for P-R purposes may change uses to non-public uses, or may become obsolete or surplussed out of active public use and occupancy, the property owner may in such situations seek a rezone out of P-R zoning pursuant to the terms and processes set forth in ECC 15.250.100.

The rezone applicant may request that the P-R zoned property be rezoned to any zoning district classification that abuts the subject property. This is a Type V process for a Supplemental P-R Rezone for a 4.57-acre parcel that currently has split zoning designations of Light Industrial and Public Reserve. The proposed rezone would result in the western 60 feet of the Northern 577.10 feet of parcel 955943 being zoned Light Industrial as shown in **Exhibit 1**. The City of Ellensburg became the owner of the property in December 2005 and does not plan to develop the property.

A boundary line adjustment is being processed concurrently (**Exhibit 2**) which when completed will transfer the western 60 feet to the Industrial zoned property to the west, for future development by a private property owner. The supplemental P-R rezone is proposed to establish consistency with the City's Land Development Code, Comprehensive Plan, and the current and future plans for the property.

In the submitted application narrative (**Exhibit 11b**), the City has provided the historic background of how Dolarway Road was identified and chosen as an industrial corridor to be developed as Ellensburg's primary industrial district during the 2006 Comprehensive Plan Update Project. This parcel site has been underutilized, and has become obsolete in terms of P-R purposes; therefore, the City seeks a Type V code amendment for a Supplemental P-R rezone to I-L for a portion of parcel 955943 as described above and shown on exhibits 2 & 3 in order to convey and merge this area to the abutting property parcel within the I-L zone for future development.

Location: The entirety of this 4.57-acre parcel is located on the south side of West Dolarway Road between North Prospect Street and North Enterprise Way in the City of Ellensburg, in Kittitas County, Washington, as shown on Tax map No. 17-18-03000-0004 as Assessor's tax parcel ID 955943 owned by the City of Ellensburg.

2. BACKGROUND AND SITE INFORMATION

Site History: The Comprehensive Plan Update in 2006 identified the need for additional industrial zoned land and slated Dolarway Road to be developed as Ellensburg's primary industrial district. Subsequently, in 2010, the City of Ellensburg initiated a zone change for several parcels along Dolarway Road including the one directly to the west of this site. The Planning Commission recommended approval of the rezone to City Council which resulted in the adoption of Ordinance # 4570 (**Exhibit 4**).

Site Characteristics: The site is relatively flat and is located entirely within the 100-year floodplain.

Zoning of Surrounding Properties: A zoning map of the parcel and surrounding properties is attached as **Exhibit 1**. The property is currently split zoned as Industrial Light (I-L) and Public Reserve (P-R). The zoning of the surrounding properties is discussed below.

Surrounding Properties:

North: Property to the north, on the opposite side of Dolarway Road, is inside an unincorporated island located within County Jurisdiction and is zoned Urban Residential.

South: The south extent of the property borders a large buffer of undeveloped land which includes Rotary Park further south within the City limits, and is zoned Public – Reserve (P-R).

East: Property directly to the east is within City limits, is zoned Light Industrial (I-L) and is developed with Charter Communications Facilities.

West: Property directly to the west is within City limits, is zoned Light Industrial (I-L) and is developed with light industrial use warehouses.

Comprehensive Plan Designation: A map of the future land use designations is attached as **Exhibit 3**. The future land use designation for this parcel is Public Reserve. As a part of the Type V Code Amendment request to change the underlying zoning from P-R to I-L, a coordinated future land use designation correction is also warranted. Staff has researched archived code language to find that at the time of the land development code update in 2013, Director Mike Smith had petitioned City Council to include a supplemental code mechanism for P-R zoned properties to change via a less restrictive, more efficient process. This process is included under ECC 15.310.050(D) Supplemental P-R Code Revisions, which states recognizing that over time some land and structures that are zoned P-R and are used for P-R purposes may change uses to non-public uses or may become obsolete or surplussed out of active public use and occupancy, the property owner may in such situations seek a rezone out of P-R zoning to any zoning district classification that abuts the subject property.

3. ENVIRONMENTAL (SEPA) REVIEW

The SEPA checklist was submitted as a requirement of the rezone from Public Reserve application process as follows:

SEPA Checklist Submitted:	12/02/21
Determination of Completeness:	12/06/21
Notice to Property owners:	12/07/21
SEPA Threshold Determination	01/10/22

A SEPA Determination of Non-Significance (DNS) was issued on January 10, 2022. (Exhibit 10)

4. AGENCY AND PUBLIC COMMENTS

Application Submitted:	03/18/22
Notice of Public Hearing:	03/24/22
Public Hearing:	04/14/22

Agency/Department Comments:

The Public Works and Electric Utility Departments commented during the coordinating non-project SEPA and Boundary Line Adjustment reviews that they will provide

comments for all future land development related to this site at the time of actual development (**Exhibit 8**).

Public Comments:

Notice of the April 14, 2022 open record public hearing was mailed to property owners within 300 feet of the proposed site on Wednesday, March 23, 2022 (**Exhibit 6**). Notice of the Public Hearing was also published in the legal section of the Daily Record on Thursday March 24, 2022 (**Exhibit 7**), and the site was posted with a land use action sign (**Exhibit 8**). At the time of this report, no comments from the public have been received.

5. PROJECT ANALYSIS

A. Ellensburg City Code Requirements for Type V rezone

Per Ellensburg City Code, a Supplemental P-R Rezone from P-R to I-L, requires a Type V review process. After holding an open record public hearing the Planning Commission provides a **recommendation** to City Council, the final decision-making body. In review of this proposal, it is important to consider the goals and policies of the comprehensive plan, applicable City Code requirements, as well as public and agency comments. The Planning Commission must find that the application is in compliance with the following decision criteria as per ECC 15.310.050 for the Rezone of P-R Property When No Longer Used for Public Purposes. Recognizing that over time some land and structures that are zoned P-R and are used for P-R purposes may change uses to non-public uses or may become obsolete or surplus out of active public use and occupancy, the property owner may in such situations seek a rezone out of P-R zoning pursuant to the terms and processes set forth in ECC 15.250.100, subject to the following:

The rezone applicant may request that the P-R zoned property be rezoned to any zoning district classification that abuts the subject property.

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

After review of the application and the decision criteria, the Planning Commission may recommend that City Council approve, or approve with modifications the rezone application P22-036, for a Supplemental P-R Rezone from P-R to I-L. The recommendation will be forwarded to Council as the final decision-making authority.

B. Analysis of the Decision Criteria for a Type V Supplemental P-R Rezone.

The applicant has submitted an application with a narrative and project design documents addressing the above criteria. The information submitted by the applicant is followed by staff analysis.

1. The rezone is in accordance with the comprehensive plan;

Applicant narrative and supporting application materials:

*The site abuts property that is designated as Light Industrial (I-L) within the Future Land Use Map (**Exhibit 3**) along the industrial corridor of Dolarway Road. On November 19, 2012 the Ellensburg City Council adopted Ordinance 2012-4627 (**Exhibit 5**) which included Comprehensive Plan Amendment 2012-02 recommended by the Planning Commission to provide policy direction for reversion of P-R zoned properties when no longer used for institutional/public uses. As a part of the policy direction, staff was directed to include language in the zoning code which was incorporated into the land development code update of 2013 and is currently contained within ECC 15.310.050 as follows:*

15.310.050 for the Rezone of P-R Property When No Longer Used for Public Purposes. Recognizing that over time some land and structures that are zoned P-R and are used for P-R purposes may change uses to non-public uses or may become obsolete or surplussed out of active public use and occupancy, the property owner may in such situations seek a rezone out of P-R zoning pursuant to the terms and processes set forth in ECC 15.250.100, subject to the following:

The rezone applicant may request that the P-R zoned property be rezoned to any zoning district classification that abuts the subject property.

Staff analysis: Staff finds that the proposed rezone thoroughly meets the intent of the Comprehensive Plan criteria as described in the applicant's narrative above. Additionally, staff finds the proposed rezone to meet the following goals, policies, and action items within the Comprehensive Plan:

Goal ED-2: Stimulate and diversify Ellensburg's economy

Policy D Encourage development of light industrial uses within the City of Ellensburg.

Program 1 Develop City-owned property off Dolarway Road for a light industrial park.

2. The rezone will not adversely affect the public health, safety or general welfare;

Applicant narrative and supporting application materials:

The Type V Supplemental Rezone requested will allow a portion of underutilized property to be conveyed to the neighboring property owner via a boundary line

adjustment. The City of Ellensburg has carefully considered the allotment of land available in this location so that it will not adversely affect the public health, safety or general welfare by subtracting vital land reserved for Public Reserve facilities. The rezone and conveyance of the currently vacant underutilized strip of land will add viability to the abutting industrially developed property, and add to the vitality of the Dolarway Road Industrial Corridor.

Staff analysis: Staff agrees that the rezone will not adversely affect the public health, safety or general welfare as described in the applicant's narrative above.

3. The rezone is not contrary to the best interest of the citizens and property owners of the city.

Applicant narrative and supporting application materials:

The City of Ellensburg has been working diligently since 2006 to improve and develop Dolarway Road as a primary industrial corridor. Several parcels with access to the Dolarway Road Corridor have begun development processes to construct light industrial use buildings, including the parcel which will benefit from this amendment. Careful consideration was taken in the planning of how much of the underutilized parcel could be allotted to the neighboring property to ensure that an adequate buffer of land is still available surrounding the industrially developed property for screening and City property access purposes.

Staff analysis: Staff agrees that the rezone will not adversely affect the public health, safety or general welfare as described in the applicant's narrative above.

1. RECOMMENDATION

Staff finds the proposal to be consistent with the criteria outlined in ECC 15.310.050 pertaining to a Supplemental P-R Rezone. As such, staff recommends that the Planning Commission recommend to the Ellensburg City Council approval of the Application, for a Supplemental P-R Rezone from P-R to I-L request with the following condition:

1. The applicant shall adhere to any requirements related to any future development approvals, including meeting all requirements of utility providers, city departments, and affected districts, as outlined in adopted City Codes and other regulatory documents.

EXHIBITS:

1. Current Zoning & Location Map
2. Draft Preliminary Boundary Line Adjustment Survey
3. Future Land Use Designation Map

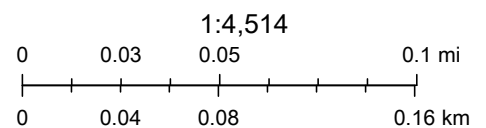
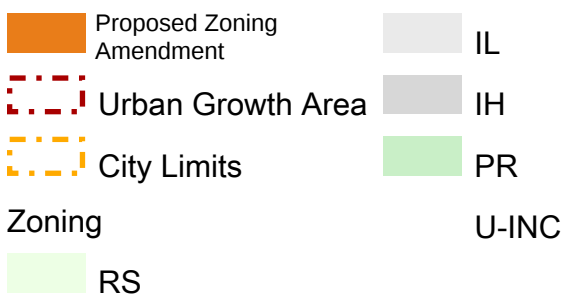
4. 2010 -Ordinance No. 4570
5. 2012- Ordinance No. 4627
6. Notice of Application, Area Notification Map, & 300-Foot Buffer Notification List
7. Affidavit of Publication - Legal Notice of Open Record Public Hearing
8. Affidavit of Posting & Photo Notice of Land Use Action Sign Posted on Property
9. Departmental Review Comments, Including:
 - a) Public Works Memo Comments
 - b) Electric Utility Memo Comments
10. SEPA DNS
11. Supplemental P-R Rezone application Materials Including:
 - a) Land Use Application Cover Page
 - b) Applicant's Project Narrative
 - c) Project Site Location Map

EXHIBIT 1

Map of Proposed Rezone Parcel 955943

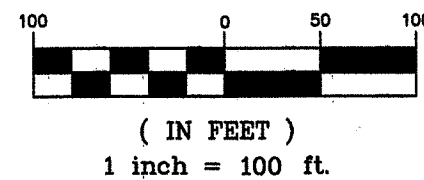


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GRAPHIC SCALE



LEGEND

- SET 5/8" REBAR W/ CAP
— "CRUSE 36815"
- FOUND PIN & CAP
- x— FENCE

LEGAL DESCRIPTIONS

ORIGINAL PARCEL DESCRIPTIONS

PARCEL C OF THAT CERTAIN SURVEY RECORDED FEBRUARY 13, 2018, IN BOOK 41 OF SURVEYS AT PAGE 100, UNDER AUDITOR'S FILE NO. 201802130015, RECORDS OF KITTITAS COUNTY, STATE OF WASHINGTON; BEING A PORTION OF GOVERNMENT LOT 2, SECTION 3, TOWNSHIP 18 NORTH, RANGE 18 EAST, W.M., IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON.

AND

PARCEL 4 OF THAT CERTAIN SURVEY RECORDED JULY 15, 2020, IN BOOK 43 OF SURVEYS AT PAGE 2, UNDER AUDITOR'S FILE NO. 202007150025, RECORDS OF KITTITAS COUNTY, STATE WASHINGTON; BEING A PORTION OF GOVERNMENT LOT 2, SECTION 3, TOWNSHIP 18 NORTH, RANGE 18 EAST, W.M., IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON.

NEW PARCEL DESCRIPTIONS

PARCEL C1

PARCEL C1 OF THAT CERTAIN SURVEY RECORDED SEPTEMBER __, 2021, IN BOOK 44 OF SURVEYS AT PAGE __, UNDER AUDITOR'S FILE NO. 202109 __, RECORDS OF KITTITAS COUNTY, WASHINGTON; BEING A PORTION OF PARCEL C OF THAT CERTAIN SURVEY RECORDED FEBRUARY 13, 2018, IN BOOK 41 OF SURVEYS AT PAGE 100, UNDER AUDITOR'S FILE NO. 201802130015, RECORDS OF SAID COUNTY; BEING A PORTION OF GOVERNMENT LOT 2, SECTION 3, TOWNSHIP 17 NORTH, RANGE 18 EAST, W.M., IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON.

PARCEL 4A

PARCEL 4A OF THAT CERTAIN SURVEY RECORDED SEPTEMBER __, 2021, IN BOOK 44 OF SURVEYS AT PAGE __, UNDER AUDITOR'S FILE NO. 202109 __, RECORDS OF KITTITAS COUNTY, WASHINGTON; BEING A PORTION OF PARCEL 4 OF THAT CERTAIN SURVEY RECORDED JULY 15, 2020, IN BOOK 43 OF SURVEYS AT PAGE 2, UNDER AUDITOR'S FILE NO. 202007150025, RECORDS OF SAID COUNTY; BEING A PORTION OF GOVERNMENT LOT 2, SECTION 3, TOWNSHIP 17 NORTH, RANGE 18 EAST, W.M., IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON.

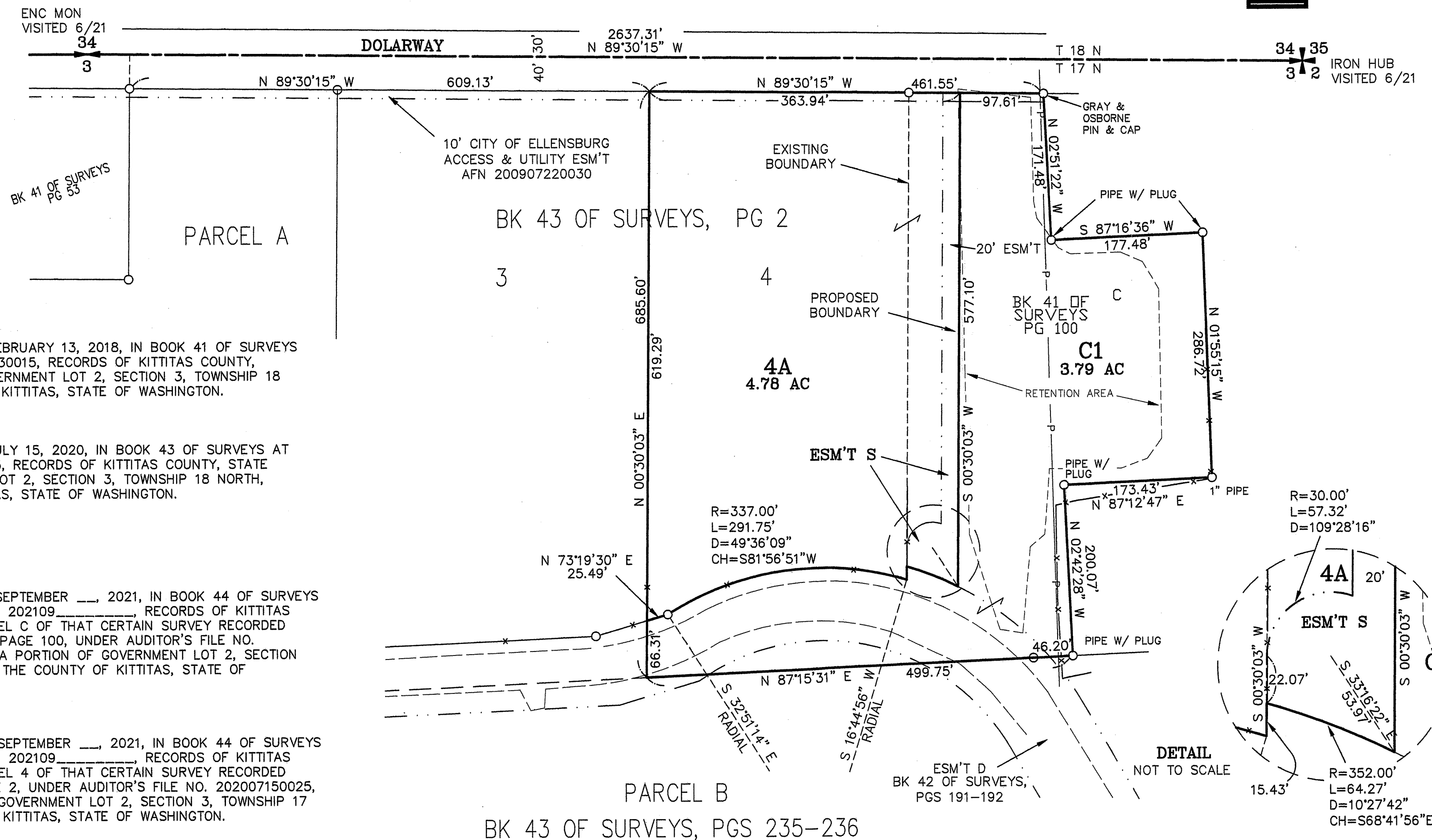
EASEMENT S

EASEMENT S AS DELINEATED ON THAT CERTAIN SURVEY RECORDED SEPTEMBER __, 2021, IN BOOK 44 OF SURVEYS AT PAGE __, UNDER AUDITOR'S FILE NO. 202109 __, RECORDS OF KITTITAS COUNTY, STATE OF WASHINGTON; BEING ACROSS A PORTION OF GOVERNMENT LOT 2, SECTION 3, TOWNSHIP 18 NORTH, RANGE 18 EAST, W.M., IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON; AFFECTING PARCEL 4A OF SAID SURVEY.

NOTES:

1. THIS SURVEY WAS PERFORMED USING A TOPCON GTS SERIES TOTAL STATION AND/OR SURVEY GRADE GPS. ACCURACY COMPLIES WITH THE REQUIREMENTS SPECIFIED IN WAC 332-130-080 AND 090.
2. THIS SURVEY MAY NOT SHOW ALL EASEMENTS OR IMPROVEMENTS WHICH MAY PERTAIN TO THIS PROPERTY.
3. FOR SECTION SUBDIVISION, CORNER DOCUMENTATION, BASIS OF BEARINGS AND ADDITIONAL INFORMATION, SEE BOOK 41 OF SURVEYS, PAGE 234 AND THE SURVEYS REFERENCED THEREON.
4. THIS PROPERTY IS LOCATED IN THE AO DEPTH 2 FLOOD ZONE ON FEMA FIRM MAP 530234 0001 C. AS SUCH, ANY FUTURE DEVELOPMENT MAY REQUIRE ADDITIONAL LAND USE PERMITS.
5. THE PURPOSE OF THIS SURVEY IS TO PROVIDE NEW PARCEL DESCRIPTIONS FOR A CITY OF ELLENSBURG BOUNDARY LINE ADJUSTMENT APPLICATION P-21-__

PART OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 17 NORTH, RANGE 18 EAST, W.M.



		X

SURVEYOR'S CERTIFICATE

This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Survey Recording Act at the request of CITY OF ELLENSBURG in JULY of 2021.

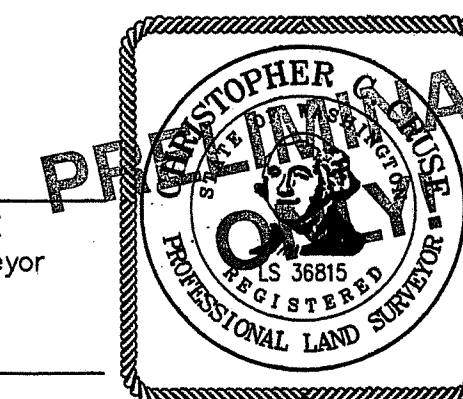
CHRISTOPHER C. CRUSE
Professional Land Surveyor
License No. 36815

DATE

AUDITOR'S CERTIFICATE

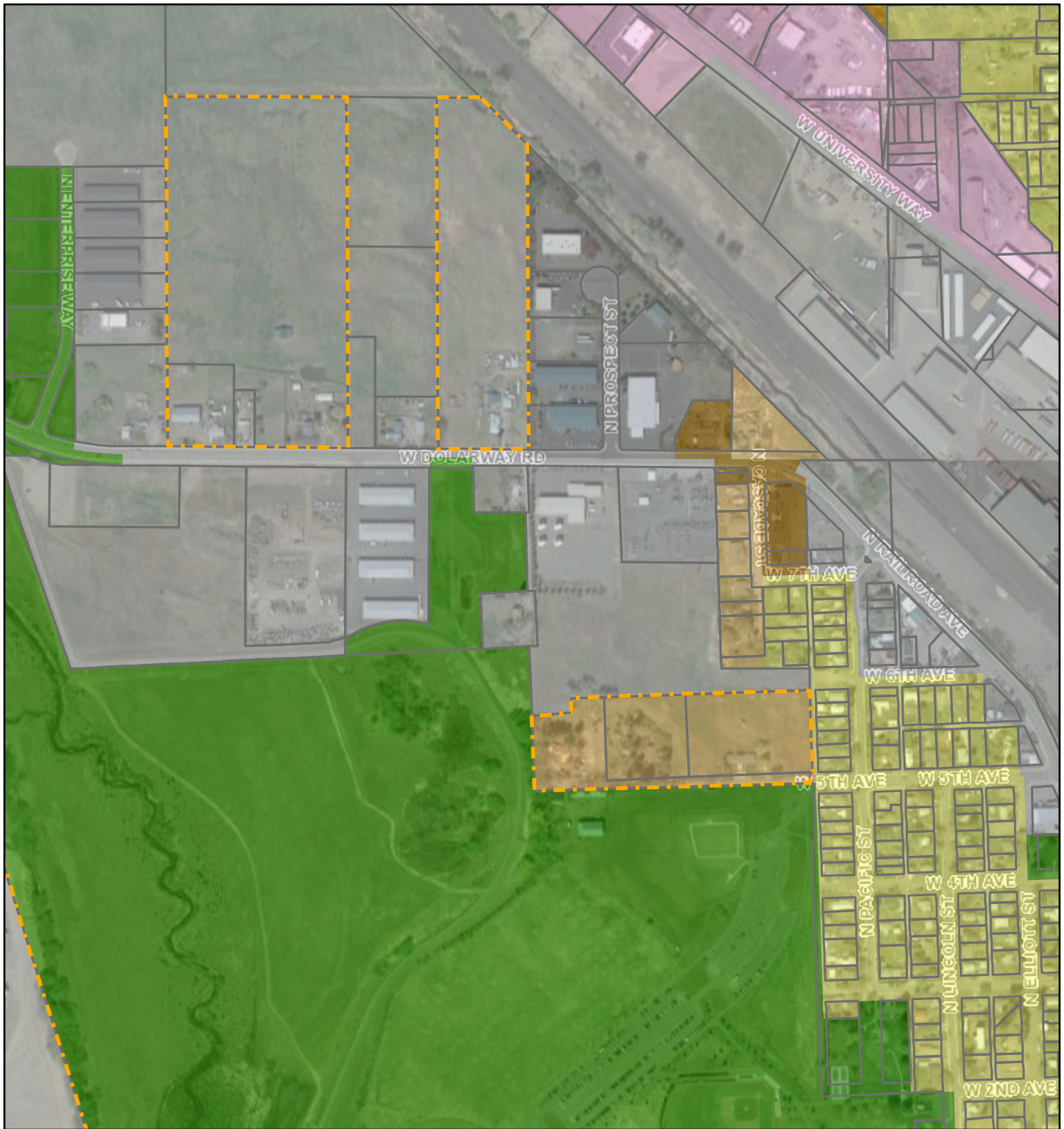
Filed for record this _____ day of _____, 2021, at _____ M., in Book 44 of Surveys at page(s) _____ at the request of Cruse & Associates.

JERALD V. PETTIT BY:
KITTITAS COUNTY AUDITOR



CRUSE & ASSOCIATES
PROFESSIONAL LAND SURVEYORS
217 East Fourth Street P.O. Box 959
Ellensburg, WA 98926 (509) 962-8242
CITY OF ELLENSBURG/SOLAR DOLAR

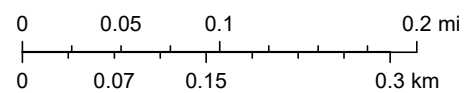
EXHIBIT 3 Future Land Use Designation Map



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- | | |
|---|---|
|  Urban Growth Area |  Neighborhood commercial |
|  City Limits |  Light industrial |
| Future Land Use Designations | |
|  Residential neighborhood |  Heavy industrial |
|  Blended residential neighborhood |  Public/institutional |
|  Urban neighborhood |  Parks and open space |



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EXHIBIT 4

ORDINANCE NO. 4570

AN ORDINANCE relating to zoning and amending Title 13 of the Ellensburg City Code by changing the zoning classification of certain property within the City of Ellensburg from Residential Suburban (R-S) to Public Reserve (P-R) and Light Industrial (I-L) classification.

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

Section 1. On August 2, 2010 the Ellensburg City Council approved Findings of Fact and Conclusions of Law in support of its approval of a rezone, and said Findings of Fact and Conclusions of Law are incorporated by reference and made a part of this Ordinance as if set out in full herein.

Section 2. Chapter 13.60 of the Ellensburg City Code be, and the same is, amended by changing the following described area, previously zoned Residential Suburban (R-S), to Public Reserve (P-R) to wit:

Lot 5 of Record of Survey/Boundary Line Adjustment recorded as Parcel # 228133 under Auditor's File # 200904140036, records of Kittitas County, State of Washington: being a portion of Section 3, Township 17 North, Range 18 East, W.M., and a portion of the SE Quarter of the SW Quarter of Section 34, Township 18 North, Range 18 East, W.M., ALL in the County of Kittitas, State of Washington:

EXCEPT : That part of Lot 5 lying south of the following described line: Commencing at the southeast corner of said Lot 5, Thence N 1°50'04"W 896.50 feet, to point A; a point on the east line of said Lot 5 from which the east quarter corner of Section 3, Township 17 North, Range 18 East W.M. bears N 1°50'04"W 437.15 feet; said point A is the true point of beginning of said line; Thence N 89°26'30"W for 2695.54 feet to the Right of Way of Interstate 90, the end of said line; with above described area consisting of 46 acres, more or less.

Lot 4 of Record of Survey/Boundary Line Adjustment recorded as parcel #955943 under Auditor's File #200904140036, records of Kittitas County, State of Washington: being a portion of Government Lot 2, Section 3, Township 17 North, Range 18 East, W.M., subject to a 30 foot wide easement appurtenant to Lot 5 East of and contiguous with the West lot line of Lot 4, ALL in County of Kittitas, State of Washington.

Section 3. Chapter 13.60 of the Ellensburg City Code be, and the same is, amended by changing the following described area, previously zoned Residential Suburban (R-S), to Light Industrial (I-L) to wit:

The south 46 acres, more or less, of Lot 5 of Record of Survey/Boundary Line Adjustment recorded as Parcel #228133 under Auditor's File # 200904140036, records of Kittitas County, State of Washington: being a portion of Section 3, Township 17 North, Range 18 East, W.M., and a portion of the SE Quarter of the SW Quarter of Section 34, Township 18 North, Range 18 East, W.M., ALL in the County of Kittitas, State of Washington; more particularly described as follows:

That part of Lot 5 lying south of the following described line:
Commencing at the southeast corner of said Lot 5, Thence N 1°50'04"W 896.50 feet, to point A; a point on the east line of said Lot 5 from which the east quarter corner of Section 3, Township 17 North, Range 18 East W.M. bears N 1°50'04"W 437.15 feet; said point A is the true point of beginning of said line; Thence N 89°26'30"W for 2695.54 feet to the Right of Way of Interstate 90 and the end of said line; with above described area consisting of 46 acres, more or less.

Lot 1 of Record of Survey/Boundary Line Adjustment recorded as Parcel #955940 under Auditor's File #200904140036, records of Kittitas County, State of Washington: being a portion of Government Lot 3, Section 3, Township 17 North, Range 18 East, W.M., ALL in the County of Kittitas, State of Washington.

Lot 2 of Record of Survey/Boundary Line Adjustment recorded as Parcel #955941 under Auditor's File #200904140036, records of Kittitas County, State of Washington: being a portion of Government Lots 2 and 3, Section 3, Township 17 North, Range 18 East, W.M., ALL in the County of Kittitas, State of Washington.

Lot 3 of Record of Survey/Boundary Line Adjustment recorded as Parcel #955942 under Auditor's File #200904140036, records of Kittitas County, State of Washington: being a portion of Government Lot 2, Section 3, Township 17 North, Range 18 East, W.M. subject to a 30 foot wide easement appurtenant to lot 5 West of and contiguous with the East line of Lot 3, ALL in the County of Kittitas, State of Washington.

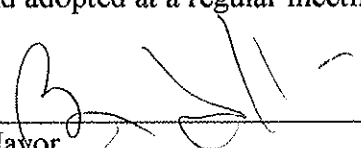
Lot 6 of Record of Survey/Boundary Line Adjustment recorded as Parcel #158133 under Auditor's File #200904140036, records of Kittitas County, State of Washington: being a portion of Sections 2, 3, and 10, Township 17 North, Range 18 East, W.M., subject to a 60 foot wide easement appurtenant to Lot 5, recorded separately, ALL in the County of Kittitas, State of Washington.

Section 4. Except as modified herein, each and every provision of the City Zoning Code, Chapter 13, as amended, shall remain in full force and effect.

Section 5. That the official zoning map of the City of Ellensburg shall be amended to incorporate the land use classification herein provided.

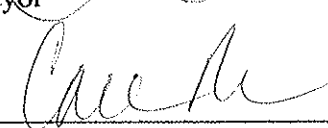
Section 6. This ordinance shall take effect and be in force five (5) days after its passage, approval and publication.

The foregoing ordinance was passed and adopted at a regular meeting of the City Council on the sixteenth day of August, 2010.



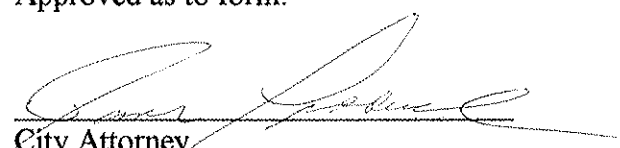
Mayor

Attest:



City Clerk

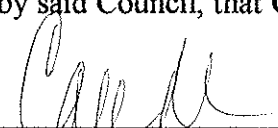
Approved as to form:



City Attorney

Publish: August 19, 2010

I, Coreen M. Reno, City Clerk of said City, do hereby certify that Ordinance No. ~~4570~~ is a true and correct copy of said Ordinance of like number as the same was passed by said Council, that Ordinance No. ~~4570~~ was published as required by law.



COREEN M. RENO, CMC

EXHIBIT 5

ORDINANCE NO. 4627

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON AMENDING THE ELLENSBURG MUNICIPAL CODE relating to planning and amending the Comprehensive Plan adopted by Ordinance No. 3997 as last amended by Ordinance No. 4607 and set out in Chapter 3.32 of the Ellensburg City Code.

WHEREAS, the City Council has heretofore by adoption of Ordinance No. 3997, adopted that certain document, the title page of which reads “CITY OF ELLENSBURG FINAL PLAN/EIS – JULY 1995” as the official Comprehensive Plan for the City of Ellensburg; and

WHEREAS, the City Council has heretofore by adoption of Resolution 1997-10 and Ordinance No. 4116 as amended by Ordinance No. 4176, established a policy and procedure for the annual review of proposals to amend the Comprehensive Plan; and

WHEREAS, the City Council has heretofore by adoption of Ordinance No. 4474, adopted and substituted that document entitled “City of Ellensburg Comprehensive Plan: Vision and Path, Ellensburg’s Next Legacy” for the “City of Ellensburg Final Plan/EIS” bearing the same reference, and

WHEREAS, on July 2, 2012 the City Council reviewed all of the proposed Comprehensive Plan amendments for the 2012 annual amendment cycle and moved to docket proposed amendments 12-01 thru 12-22 and then forwarded the docketed amendments to the SEPA Responsible Official for SEPA review and to the Planning Commission for review and recommendation; and

WHEREAS, on August 10, 2012 the City Community Development Department mailed the required 60-Day Notice of Intent to Adopt Comprehensive Plan Amendments to the WA Department of Commerce, which notice was received by the Department of Commerce on August 15, 2012; and

WHEREAS, the SEPA Responsible Official reviewed a SEPA checklist, comments from agencies and the public, and other information in the record and issued a Determination of Non-Significance which became final on August 28, 2012 for the docketed 2012 Comprehensive Plan Amendments; and

WHEREAS, the Ellensburg City Planning Commission held public meetings on August 9th, August 23rd and September 13th, heard testimony in favor and against the proposed amendments, and after closing the public hearing moved to:

- recommend that City Council approve proposed amendments 12-01, 12-02 and 12-03 as originally submitted;
- recommended that City Council not approve amendments 12-04, 12-08, 12-10, 12-12, 12-13, 12-14, 12-15, 12-16, 12-18, 12-19, 12-20, 12-21, 12-22;
- recommend that City Council not approve amendment 12-05 as written, but do recommend approval with the following change:
 - 1) Change Comprehensive Plan Figure 4.9 designation to Central Commercial of the area encompassing the former Northern Pacific Depot and the north side 3rd Ave. from and including the Depot, to Kittitas St. to the depth of one parcel. All other language from the originally submitted amendment proposal is deleted.

- recommend that City Council approve amendment 12-06 with the following language change:
 “.....and the Northern Pacific railroad (now the Burlington Northern Santa Fe railroad).....”
- recommend that City Council not approve amendment 12-07 as written, but do recommend approval with the following language change:
 Add sentence to second full paragraph on the first page of the transportation section: "The Burlington Northern Santa Fe railroad, using the historic Northern Pacific right of way, continues to function as a significant corridor for exporting the region's products."
 All other language from the originally submitted amendment proposal is deleted.
- recommend that City Council not approve amendment 12-09 as written, but do recommend approval with the following language change:
 Amend the Non-Motorized Transportation Plan, Figure 3a, whereby a Depot to Downtown Bicycle trail would loop from the River to Rodeo Trail at Fifth & Wenas to the Depot to Ruby and back to Fifth Ave.
 All other language from the originally submitted amendment proposal is deleted.
- recommend that City Council not approve amendment 12-11 as written, but do recommend approval with the following language change:
 1. Add to the Land Use Chapter, Areas Warranting Special Handling (p. 45), and the paragraph following Downtown Historic District: "Closely linked to the Downtown Historic District is the historic Northern Pacific Depot at the end of the Third Ave. corridor. It has the potential to become a retail and cultural center and qualifies as an inter/multi-modal transportation hub. The city may devise strategies to facilitate this development."
 2. Add to the Transportation Chapter, Priority Projects (p. 124): "Northern Pacific Depot--Study measures necessary for using the historic depot as an inter/multi-modal transportation hub."
 All other language from the originally submitted amendment proposal is deleted.
- recommend that City Council not approve amendment 12-17 as written, but do recommend approval with the following language change:
 Add to Transportation Chapter, Goal T-6, C-1 (p. 112): Prepare corridor plans for Canyon Road, University Way and Third Ave., recognizing each corridor's unique qualities, opportunities and contributions to Ellensburg's character."; and

WHEREAS, the City Council held a public hearing on the matter of adopting the docketed 2012 Comprehensive Plan amendments at its Regular Meeting on October 1, 2012 and, after hearing public testimony both in favor and against adoption of the proposed amendments, Council entered into the public hearing record the Agenda Report for Council's October 1, 2012 Regular Meeting along with Attachments A thru I, J1 thru J22 prior to closing the public hearing, after which City Council determined that it is in the best interests of the City of Ellensburg that:

- City Council accepts the Planning Commission recommendations on all proposed 22 amendments;
- the historic downtown fire suppression system implementation project be added to the Comprehensive Plan's 6 Year Capital Improvement Plan; and,

WHEREAS, all portions of the "City of Ellensburg Comprehensive Plan: Vision and Path, Ellensburg's Next Legacy" shall remain in full force and effect except as specifically amended herein;

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

Section 1. (AMD #12-01) That document attached to this ordinance as Exhibit “A” and entitled CITY OF ELLENSBURG CAPITAL FACILITY PLANS 2012 is hereby adopted and incorporated by reference in the “City of Ellensburg Comprehensive Plan: Vision and Path, Ellensburg’s Next Legacy” as an Appendix to Chapter 6 - Capital Facilities and Utilities.

Section 2. (AMD#12-02) Chapter 4 of the “City of Ellensburg Comprehensive Plan: Vision and Path, Ellensburg’s Next Legacy” is hereby amended to read as follows:

Amend Page 40 – the continued Institutional section as follows:

There are also several administrative offices and public services in the community. County facilities include the courthouse, jail and various support yards and shops. The Washington State Department of Transportation (WSDOT) maintains an operations yard in Ellensburg, and the United States Forest Service (USFS), Natural Resources Conservation Service (NRCS) and many other state and federal agencies maintain offices or facilities in town, including the Ellensburg School District and the Kittitas County Public Hospital District No. 1 that owns and operates the Kittitas Valley Community Hospital and several physician clinics.

Amend Page 43 – Institutional demand section as follows:

Institutional

Central Washington University, Kittitas Valley Community Hospital, the Kittitas County facilities, Ellensburg’s parks, and the various schools and offices of the Ellensburg School District are some of the community’s most visible institutions. There are other institutions, however, that are also important in establishing and maintaining the sense of community Ellensburg residents treasure; these include the library, the food bank, houses of worship, the post office, and other non-profit or government-sponsored institutions. As Ellensburg grows, land and resources will need to be dedicated to each of these uses to ensure the new residents can enjoy the same level of service that current residents do. In addition, provisions need to be made in the City zoning code to enable these public/institutional properties to revert to non-public/institutional uses when the need arises.

Amend Table 4.2 pertaining to the Implementing Zones for Comp Plan designations Open Space and Public/Institutional as follows:

P-R or per Zoning Code.

Amend Page 50 Public/Institutional discussion as follows:

Open Space (OS) – The open space designation applies to large tracts of undeveloped or undevelopable land dedicated to recreation or its natural condition. It should be noted, however, that over time there may be a need for such open space uses to cease on such properties and it is both expected and appropriate for such properties to be able to revert back to non-open space uses in a manner that minimizes impacts to the surrounding neighborhood or development pattern.

Public/Institutional (PI) – Public and institutional uses, including hospitals, treatment centers, city offices, schools, parks, and churches populate this land use designation. The designation is applied to parcels of land now owned by public or private institutions entities or otherwise and are limited to open space or institutional use. It should be noted, however, that such Public/Institutional uses may over time cease on such properties and it is both expected and

appropriate for such properties to be able to revert back to non-public/institutional uses in a manner that minimizes impacts to the surrounding neighborhood or development pattern.

Amend Figure 4.9 – Preferred Land Use Designation Map to add additional implementing zone language to the Open Space and Public/Institutional Designations as follows:

Open Space P-R, or per Zoning Code

Public/Institutional P-R, or per Zoning Code

Amend Goal LU-1, Policy B by adding a new program #10

Goal LU-1 - Achieve a harmonious, compatible arrangement of all land uses

B Recognize importance of land use Interrelationships

10 Adopt zoning regulations that enable public/institutional zoned properties to convert to non-public/institutional zoning designations that are compatible with the surrounding neighborhood and development pattern or to non-public/institutional zoning designations that may be different from the surrounding neighborhood and development pattern provided that any identified negative impacts to that surrounding neighborhood or development pattern have been addressed through appropriate mitigation

Section 3. (AMD #12-03) Chapter 8 of the “City of Ellensburg Comprehensive Plan: Vision and Path, Ellensburg’s Next Legacy” is amended as follows:

Amend page 219 Economic Development Goals and Policies as follows:

Economic Development Goals and Policies

This chapter provides one (1) preferred economic development scenario and vision that reflects comments and determinations made during this plan update process. Ellensburg citizens are most concerned with the provision of jobs in the community and with the City’s ability to continue providing services to maintain the community’s quality of life. Residents want to be able to earn more per household to be able to afford to buy into the community’s housing market, and they want to be able to earn enough to be able to stay in-town. Residents also want to be able to shop in Ellensburg and enjoy the economic benefits that an increased retail tax base would provide.

While it is nearly impossible to predict what specific businesses will develop in the community, it is possible to create an environment that encourages the types of enterprises the community would like to see. These economic development goals, policies and programs are designed to work in concert with the plan’s other elements to help stimulate a productive and sustainable economic development environment.

In addition, the City has adopted an Energy Efficiency and Conservation Strategy (EECS) that contains a number of goals related to the City’s continued efforts to reduce overall energy consumption, thereby fostering cost savings, economic development, and long term sustainability. That EECS is hereby incorporated by reference in the Comp Plan.

The following table provides the goals, policies and programs that will help the City implement its Economic Development strategies. The programs are intended to be specific and task-oriented, allowing the City Council and City Manager to assign responsibility to various staff members or

commissions for completion. Systematic undertaking and completion of the various programs will ensure that policies are implemented and will help achieve plan goals.

Add New Goal ED 8 as follows:

Goal ED-8 – Foster resource sustainability and economic development through energy efficiency and the use of renewable energy.

Policy A – Maintain City leadership role in energy conservation and renewable energy production.

Program 1 – Maintain electric and gas utility conservation and weatherization programs for industrial, commercial and residential customers.

Program 2 – Continue to make energy-saving improvements to city buildings and infrastructure.

Program 3 – Continue to develop solar, wind and other generating capacity at the Community Renewables Park

Policy B – Ensure City codes and policies foster energy conservation and the production of renewable energy.

Program 1 – Streamline permitting processes to enable implementation of sustainable building practices.

Program 2 – When drafting policy, consider the impact on energy efficiency, conservation and renewable energy production.

Policy C – Create community-wide opportunities for energy conservation and renewable energy production.

Program 1 – Encourage and consider opportunities to partner with local businesses, educational institutions, and other local partners to conduct workshops and community action campaigns.

Program 2 – Consider providing incentives and flexibility in permitting to encourage conservation and use of renewable energy technologies.

Program 3 – Provide technical assistance to local businesses and residents who wish to implement conservation and renewable energy and waste reduction technologies and strategies.

Policy D – Maximize the benefits of existing Tier 1 power pricing.

Program 1 – Consider alternative pricing strategies to provide additional incentive to conserve or shift energy, specifically during periods of peak demand.

Section 4. (AMD #12-05) Chapter 4 of the “City of Ellensburg Comprehensive Plan: Vision and Path, Ellensburg’s Next Legacy” is amended as follows:

Amend Comprehensive Plan Figure 4.9 to indicate a designation of Central Commercial for the area encompassing the former Northern Pacific Depot and the north side of 3rd Ave. from and including the Depot, to Kittitas St. to the depth of one parcel.

Section 5. (AMD #12-06) Chapter 5 of the “City of Ellensburg Comprehensive Plan: Vision and Path, Ellensburg’s Next Legacy” is amended as follows:

Existing Transportation System

The community originally developed along the Canyon Road and University Way corridors and the Northern Pacific railroad (now the Burlington Northern Santa Fe railroad) and the railroad, establishing a grid system of streets. The grid continued to spread outward, with municipal plat additions emulating the original street patterns. That street system is characterized by relatively wide rights-of-way with alleys serving the rear of lots. It is a classic Victorian era subdivision pattern, replicated in hundreds of Western towns founded in the age of the railroad.

Section 6. (AMD #12-07) Chapter 5 of the “City of Ellensburg Comprehensive Plan: Vision and Path, Ellensburg’s Next Legacy” is amended as follows:

Chapter 5 Transportation

This chapter outlines how the City’s transportation system can help achieve the plan’s goals. The transportation system ensures reliable movement of goods and people, provides access to property, and occupies almost 20% of the community’s land area. It provides a critical urban function and creates a public realm where Ellensburg’s people move, meet, and mingle. This chapter’s goals, policies and programs will help the City manage and, in some ways, transform its transportation system to meet the community’s needs.

Ellensburg lies along Interstate 90, just west of the freeway’s intersection with Interstate 82. Since its completion in the 1970’s, I-90 has had a huge impact on the community, spurring intense development interest at the interchanges and increasing Ellensburg’s prominence as a tourist and visitor stopping point. The two state highways (now Canyon Road and University Way) that had earlier been Ellensburg’s connections to the region have developed as community retail and service corridors. The Burlington Northern Santa Fe railroad, using the historic Northern Pacific right of way, continues to function as a significant corridor for exporting the region’s products.

Section 7. (AMD #12-09) The City of Ellensburg Non-Motorized Transportation Plan is amended as follows:

Figure 3a is amended to include a Depot to Downtown Bicycle trail that loops from the River to Rodeo Trail at Fifth & Wenas to the Depot to Ruby and back to Fifth Ave.

Section 8. (AMD #12-11) Chapters 4 and 5 of the “City of Ellensburg Comprehensive Plan: Vision and Path, Ellensburg’s Next Legacy” are amended as follows:

Page 45

Downtown Historic District (2) – The Downtown Historic District has been Ellensburg’s primary focus since the town’s founding. It is unique, and it is a source of tremendous community pride. The downtown’s rapid and enduring reconstruction after the 1889 fire has become an

enduring symbol of Ellensburg's collective will and sense of accomplishment. Like many other traditional downtown shopping districts, Ellensburg's is in transition. Its importance as a regional retail, services, cultural and institutional center is shifting. Though it still retains the county courthouse, many museums, a library, and abundant general retail and office uses, its popularity among shoppers appears to be on the decline. The distance between new homes and existing commercial and institutional services is growing, leaving many residents car-dependent. Closely linked to the Downtown Historic District is the historic Northern Pacific Depot at the end of the Third Ave. corridor. It has the potential to become a retail and cultural center and qualifies as an inter/multi-modal transportation hub. The city may devise strategies to facilitate this development.

Page 124

Priority Projects: Preferred Scenario

Northern Pacific Depot--Study measures necessary for using the historic depot as an inter/multi-modal transportation hub.

Section 9. (AMD #12-17) Chapter 5 of the "City of Ellensburg Comprehensive Plan: Vision and Path, Ellensburg's Next Legacy" is amended as follows:

Page 119

Goal T-6, C-1

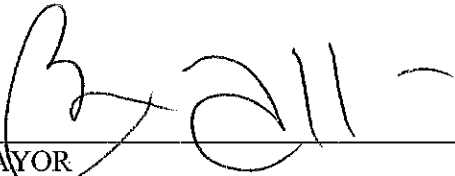
Prepare corridor plans for Canyon Road, and University Way and 3rd Avenue, recognizing each corridor's unique qualities, opportunities, and contributions to Ellensburg's character

Section 10. All portions of the "City of Ellensburg Comprehensive Plan: Vision and Path, Ellensburg's Next Legacy" shall remain in full force and effect except as specifically amended herein.

Section 11. If any portion of this ordinance is declared invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance.

Section 12. This ordinance shall take effect and be in full force five (5) days after publication of a summary, consisting of the title.

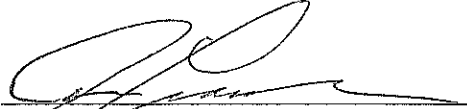
The foregoing ordinance was passed and adopted at a regular meeting of the City Council this 19 day of NOV, 2012.


MAYOR

ATTEST:


CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY

Publish: 11-23-12

I, Coreen M. Reno, City Clerk of said City, do hereby certify that Ordinance No. 4627 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, and that Ordinance No. 4627 was published as required by law.

COREEN M. RENO, CMC

TABLE CP-1 LONG-RANGE CAPITAL PLANS 2013-2030						
Page 1	WATER	SEWER	SHOP	GAS	ELECTRIC	PARKS & REC
1st 6 Years	<u>Amount:</u> \$7.75 mm	<u>Amount:</u> \$3.95 mm		<u>System Expansion</u> \$0.38mm	<u>Line Extensions to New Developments</u> \$1.4mm	
	<u>Source:</u> Utility Rev. Bonds	<u>Source:</u> Utility Rev. Bonds		<u>System Upgrade</u> \$0.165mm	<u>Feeder Improvements</u> \$1.9mm	<u>Existing Park & Rec. Facility Improve.</u> \$1.0-mm
				<u>Developments</u> \$0.472mm	<u>CWU</u> \$0.05mm	
	<u>CBD Fire Main Extensions</u> \$0.5mm			<u>Northern Feeder</u> \$0.83mm	<u>Road Relocation</u> \$0.30mm	<u>Rotary Park Park and Trails</u> \$0.50mm
2013	<u>Source:</u> CERB Grants CDBG Grants Private Development or Councilmanic			<u>High Pressure Line</u> \$8.34mm	<u>Substation Improvement</u> \$2.7mm	<u>John Wayne Trail</u> \$2.3mm
thru				<u>New Tap Station</u> \$0.86mm		
2018				<u>New City Gate Station</u> \$0.47mm		<u>New Park Acquisition</u> \$0.4 mm
				<u>Regulator Stations</u> \$0.60mm	<u>Solar/Wind</u> \$0.2mm	<u>New Senior/Recreation Center Building</u> \$3.0 mm
				<u>Source:</u> Operating Capital Private Development Utility Revenue Bonds	<u>Conservation</u> \$0.6 mm	<u>Yakima River Trail</u> \$0.75mm
					<u>Source:</u> Utility Rev. Bonds Operating Capital Private Development Private Grants, BPA	<u>Source:</u> Impact Fees; IAC Grants; Land Sale; Risk Mgmt.; Sales Tax Rev.; Donations; G.O. bonds; Councilmanic; Inter-jurisdictional Cost Share; or Private Development
2nd 6 Years	<u>Amount:</u> \$2.70 mm	<u>Amount:</u> \$3.85 mm	<u>Expansion</u> \$0.25 mm	<u>Regulator Station</u> \$0.85mm	<u>Line Extensions to New Developments</u> \$1.3mm	<u>Two New Parks</u> \$1.00 mm
	<u>Source:</u> Utility Rev. Bonds	<u>Source:</u> Utility Rev. Bonds	<u>Source:</u> Rent Revenue	<u>New Distribution Pipeline</u> \$0.825mm	<u>Feeder Improvements</u> \$1.3mm	<u>Source:</u> Impact Fees; IAC Grants; Land Sale; Risk Mgmt.; Sales Tax Rev.; Donations G.O. Bonds; or Councilmanic
				<u>System Expansions</u> \$0.60mm	<u>CWU</u> \$0.03mm	
				<u>System Upgrades</u> \$0.15 mm	<u>Road Relocation</u> \$0.30mm	
2019				<u>Developments</u> \$1.0 mm	<u>Substation Improvement</u> \$0.68mm	
thru				<u>Source:</u> Operating Capital Private Development Utility Revenue Bonds		
2024					<u>Solar/Wind</u> \$0.2mm	
					<u>Conservation</u> \$0.6 mm	
					<u>Source:</u> Utility Rev. Bonds Operating Capital Private Development Private Grants, BPA	
3rd 6 Years			<u>Expansion</u> \$2.55 mm	<u>New Distribution Pipeline</u> \$0.6 mm	<u>Line Extensions to New Developments</u> \$0.94mm	<u>Two New Parks</u> \$1.00 mm
			<u>Source:</u> Rent Revenue	<u>System Expansion</u> \$0.5mm	<u>Feeder Improvements</u> \$0.47mm	<u>Source:</u> Impact Fees; IAC Grants; Land Sale; Risk Mgmt.; Sales Tax Rev.; Donations G.O. Bonds; or Councilmanic
				<u>System Upgrades</u> \$0.25mm	<u>CWU</u> \$0.03mm	
2025				<u>Developments</u> \$0.75mm	<u>Road Relocation</u> \$0.30mm	
thru				<u>Source:</u> Operating Capital Private Development	<u>Substation Improvements</u> \$0.61mm	
2030					<u>Solar/Wind</u> \$0.2mm	
					<u>Conservation</u> \$0.6mm	
					<u>Source:</u> Utility Rev. Bonds; Operating Capital; Private Dev.; Private Grants, BPA	

TABLE CP1 (As amended 12/3/2012, Ord. No. 4627)

TABLE CP-1 LONG-RANGE CAPITAL PLANS					
Page 2	LIBRARY	STREET	POLICE	PUBLIC FACILITIES	INFORMATION TECHNOLOGY
1st 6 Years	<u>Parking Lot Improvements</u> \$0.35 mm <u>Source:</u> Councilmanic, Sales Tax Rev., Rent Rev., Sidewalk Imp. Dist., or Hal Homes Trust	<u>Amount</u> \$43.6mm (Local - \$2.3mm) <u>Source:</u> Grants; Gas Tax; Local; Sales Tax; G. O. Bonds; or Councilmanic <u>West Ellensburg Flood Control Project</u> \$2.10 mm <u>Source:</u> Grants; G.O. Bonds or Councilmanic	<u>Update/Remodel Public Safety Building</u> \$1.0 mm <u>Source:</u> Inter-jurisdictional cost sharing; General Fund; Impact Fees; G.O. Bonds; Voter Approved Bonds; or Councilmanic <u>Police Firing Range</u> \$1.8 mm - 3.0 mm <u>Source:</u> Grants; G.O. Bonds or Councilmanic	<u>City Hall Re-Roof</u> \$0.25 mm <u>Source:</u> Grants; General Fund; G.O. Bonds or Councilmanic	<u>Desktop Systems</u> \$0.30 mm <u>Network Systems</u> \$0.30mm <u>GIS System</u> \$0.5 mm <u>Permitting System</u> \$0.10 mm <u>Electronic Security</u> \$0.50mm <u>Source:</u> General Fund; Utility Operating Capital; Impact Fees; G.O. Bonds; Voter Approved Bonds; or Councilmanic
2nd 6 Years		<u>Amount</u> \$49.1mm (Local - \$2.5mm) <u>Source:</u> Grants; Gas Tax; Local; Sales Tax; G. O. Bonds; or Councilmanic <u>Wilson Creek Flood Control Project</u> \$8.90 mm <u>Source:</u> Grants; Local; Sales Tax; G.O. Bonds or Councilmanic			<u>Desktop Systems</u> \$0.30 mm <u>Network Systems</u> \$0.30mm <u>GIS System</u> \$0.2 mm <u>Permitting System</u> \$0.10 mm <u>Source:</u> General Fund; Utility Operating Capital; Impact Fees; G.O. Bonds; Voter Approved Bonds; or Councilmanic
3rd 6 Years		<u>Amount</u> \$55.3mm (Local - \$2.8mm) <u>Railroad Overpass</u> \$30.0mm <u>University Way/BNSF Overpass Structure Replacement/Widening</u> \$20.0mm <u>Source:</u> Grants; Gas Tax; Local; Sales Tax; G. O. Bonds or Councilmanic			<u>Desktop Systems</u> \$0.30 mm <u>Network Systems</u> \$0.30mm <u>GIS System</u> \$0.2 mm <u>Permitting System</u> \$0.10 mm <u>Source:</u> General Fund; Utility Operating Capital; Impact Fees; G.O. Bonds; Voter Approved Bonds; or Councilmanic

TABLE CP1 (As amended 12/3/2012, Ord. No. 4627)

EXHIBIT 6

DOYLE, LEONARD G
1405 W DOLARWAY RD
ELLENSBURG, WA 98926-9314

SOLAR DOLAR LLC
1410 W DOLARWAY ROAD STE 301
ELLENSBURG, WA 98926

SUN LAKES PROPERTIES LLC
1206 N DOLARWAY STE 206
ELLENSBURG, WA 98926

LARSON, DALE E ETUX
1316 W DOLARWAY RD
ELLENSBURG, WA 98926

MCCULLUGH, JEFFREY D
1314 W DOLARWAY RD
ELLENSBURG, WA 98926

WEEKS, ISABELLE B TRUSTEE
1315 W DOLARWAY RD
ELLENSBURG, WA 98926-9324

CITY OF ELLENSBURG CITY HALL
501 N ANDERSON ST
ELLENSBURG, WA 98926-3147

DIRECTV INC ATTN PROPERTY TAX DEPT
1010 PINE ST, 9E-L-01
SAINT LOUIS, MO 63101-2070

BARTON, JEROLD D & DIANE
1501 W DOLARWAY RD
ELLENSBURG, WA 98926-9313

P22-036
CERTIFICATE OF TRANSMITTAL

On this day, the undersigned sent to
the addressee(s) the original
document(s) by U.S. Mail.

I certify under penalty of perjury
under the laws of the State of WA
that the forgoing is true and correct.

Date

Signed

3/23/22

Alicia Miles



COMMUNITY DEVELOPMENT DEPARTMENT

501 N. Anderson St., Ellensburg WA 98926

Land Use Permitting (509) 962-7231

Construction Permitting (509) 962-7239

Kirsten Sackett, Director

Phone: (509) 962-7232 Fax: (509) 925-8655 E-Mail: sackettk@ci.ellensburg.wa.us

March 24, 2022

RE: Notice of Application and Open Record Public Hearing for a Type V Supplemental P-R Rezone, Case # P22-036, submitted by City of Ellensburg, Property Owner

Dear Property Owner,

Notice is hereby given that the City of Ellensburg is processing a rezone for the following project that may be of interest to you. As a property owner within three hundred feet (300') of this proposal you are invited to comment on it.

Date of application: March 18, 2022

Date of notice of complete application: March 21, 2022

Comments due date: April 13, 2022

Project Applicant: Submitted by City of Ellensburg, Property Owner.

Project Description: Case # P22-036; a Type V Supplemental P-R Rezone from Public Reserve (P-R) to Light Industrial (I-L). The City of Ellensburg is proposing a rezone of P-R property which is no longer used for public purposes as per Ellensburg City Code (ECC) 15.310.050(D).

NOTICE IS HEREBY GIVEN that an **Open Record Public Hearing** has been scheduled before the Ellensburg Planning Commission for **Thursday, April 14, 2022 at 5:45 pm** to consider Rezone Application, P22-036. The hearing will be held both remotely via Zoom and in Council Chambers for those wishing to attend in person.



Project Location: The parcel is located on the south side of West Dolarway Road between North Prospect Street and North Enterprise Way in the City of Ellensburg, in Kittitas County, Washington, Kittitas County Assessor's tax parcel ID 955943, as seen in the map above.

Materials Available for Review: The submitted application and file documents may be examined by the public by visiting the **City of Ellensburg Community Development Department webpage** at <https://www.ci.ellensburg.wa.us/623/Public-NoticesCurrent-Projects>

Written Comments: The public is encouraged to review and comment on the proposed project. **Comments must be submitted in writing by 5:00 pm on Wednesday, April 13, 2022 by either:**

Mail delivery postmarked by the deadline, addressed to:

- 1) City of Ellensburg Community Development Department
501 N Anderson Street, Ellensburg, WA 98926 or
- 2) Via email by 5:00 pm on the deadline, to the staff contact listed below

NOTICE IS FURTHER GIVEN that all persons interested in this matter may participate in the Hybrid meeting by contacting Staff no later than 5:00 pm on Wednesday, April 13, 2022. An email link, or phone number will be provided which will allow for electronic participation in the public hearing.

Staff contact: Shannon Johnson, Senior Planner. Email: johnsons@ci.ellensburg.wa.us

Sincerely,



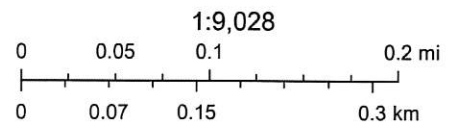
Shannon D. Johnson
Senior Planner

eburg map



3/21/2022, 1:01:07 PM

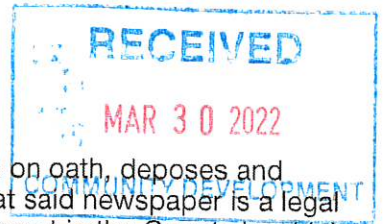
- Urban Growth Area
- City Limits



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EXHIBIT 7

AFFIDAVIT OF PUBLICATION



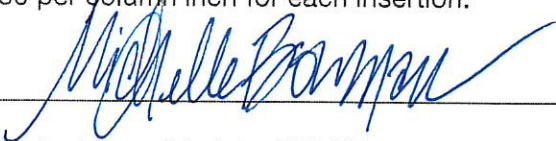
State of Washington, County of Kittitas, ss: The undersigned being first duly sworn on oath, deposes and says: That he/she is the representative of The Daily Record, a daily newspaper. That said newspaper is a legal newspaper and has been approved as a legal newspaper by order of the superior court in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

CITY OF ELLENSBURG-CITY CLERK
N/PUBLIC HEARING P22-036

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

03/24/22

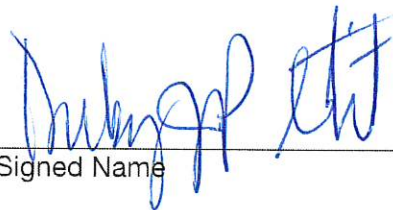
All dates inclusive and that such newspaper were regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is the sum of \$158.15 the rate of \$8.80 per column inch for each insertion.



Subscribed to me this date: 03/24/22



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



Signed Name

Legals

Public Notice
Kittitas County, Ellensburg WA

STATEMENT OF QUALIFICATIONS

ARCHITECTURAL DESIGN WITH CIVIL SITE DEVELOPMENT SERVICES SUPPORTING KITTITAS COUNTY SEARCH AND RESCUE OPERATIONS AND EMERGENCY MANAGEMENT OPERATIONS FACILITY DEVELOPMENT IN CLE ELUM, WASHINGTON

All submittals received after April 1, 2022, at 5:00 PM local time will be discarded.

PURPOSE:

Siting of a permanent facility supporting the Sheriff's Office Search and Rescue Program and Emergency Management Operations.

SCOPE OF PROJECT:

The selected consultant will provide engineering and architectural design services supporting site development including: water, sewer, access, building, site security and storage areas.

PROCEDURES FOR SUBMITTAL:

If you wish to be considered for work under this Statement of Qualifications (SOQ), you must be a registered consultant on the Municipal Research and Service Center of Washington - Shared Small Works and Consultant Roster (www.mrscwa.org).

If interested in providing engineering and architectural design support services to the County, submit a sealed envelope to Mark R. Cook, Kittitas County Public Works Director at 411 N. Ruby St. Suite 1, Ellensburg WA 98926. Submittals shall include three copies of your SOQ response pursuant to response requirements stated in this solicitation.

For your records, the County will provide a confirmation email to the contacts provided in the submittal confirming receipt of your interest in the proposal. Submittals received after April 1, 2022, at 5 PM local time will be disregarded. The County reserves the right to reject one or more submittals.

SELECTION PROCESS AND PROPOSED SCHEDULE:

Kittitas County selection will be based on:

1. Response to this solicitation's scoring criteria.
2. Consensus for selection by members of the selection committee (two members from the Sheriff's Office and one member from Public Works).

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

Award Timeline:

Anticipated Dates and Tasks:

- April 1, 2022 - Deadline for SOQ submittals
- April 15, 2022 - Selection of Firms to Interview
- April 27, 2022 - Interviews and Reference Checks
- May 3, 2022 - Selection of firms and prepare contracts
- May 17, 2022 - BOCC Award of Contracts

The above noted schedule is tentative and may be changed based on the number of proposals submitted. Proposals will be evaluated immediately with final selection targeted for May 3, 2022.

AGREEMENT OF SERVICES:

The selected consultant(s) will be expected to enter into a standard Kittitas County Professional Services Agreement. Insurance requirements are included in that agreement. The contract period shall be mid May 2022 to March 31, 2023. Bid, ready construction documents will be delivered on or before, 5 PM local time on March 31, 2023.

Persons with disabilities may request this information be prepared and supplied in alternate forms by calling collect (509-962-7523).

Kittitas County reserves the right to accept or reject one or more statements or any items or part thereof or to waive any information or irregularities in the provided response. Kittitas County shall have the sole discretion to determine the most responsible responder.

CONSULTANT SOQ SCORING CRITERIA:

1. Demonstrate a thorough knowledge of Search and Rescue Operations and Emergency Management Operations and associated dispatch issues: 30 points.
2. Team demonstrated experience in delivering metal skin building and out-building design: 30 points
3. Demonstrated experience delivering PS&E packages supporting site construction: 30 points.
4. Experience delivering similar projects on time and on budget: 30 points.

INQUIRIES:

Direct all inquiries regarding this Statement of Qualifications to Mark Cook, Director of Public Works, at (509) 962-7523, or via e-mail at mark.cook@co.kittitas.wa.us.

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

Mandy Bushholz
Clerk of the Board-Deputy

PUBLISH: North Kittitas County Tribune: March 10, 17, & 24, 2022

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PUBLISH: Daily Record: March 10, 17, & 24, 2022 / LEGAL #: 211715

CITY OF ELLENSBURG PLANNING COMMISSION
NOTICE OF PUBLIC HEARING
FOR SUPPLEMENTAL P-R REZONE
(P22-036)

NOTICE IS HEREBY GIVEN that the City of Ellensburg Planning Commission will hold an open record public hearing on Thursday, April 14, 2022 during its regular meeting at 5:45 pm, held both in person in the Council Chambers AND virtually via Zoom, to consider a Type V rezone application.

The Commission shall consider the application for a Supplemental P-R Rezone from P-R to L-L, Submitted by City of Ellensburg. The City is proposing a rezone of P-R property which is no longer used for public purposes as per Ellensburg City Code (ECC) 15.310.050(D).

Permit application: March 18, 2022
Determination of completeness: March 21, 2022
Notice of application: March 24, 2022
Comment due date: April 13, 2022

The parcel is located on the south side of West Dolarway Road between North Prospect Street and North Enterprise Way in the City of Ellensburg, in Kittitas County, Washington. Assessor's tax parcel ID 955943.

Materials Available for Review: The submitted application and file documents may be examined by the public by visiting the City of Ellensburg Community Development Department webpage at <https://www.ci.ellensburg.wa.us/623/Public-Notices/Current-Projects>.

Written Comments from interested persons will be accepted by email up until 5:00 p.m. on April 13, 2022 by sending them to johnson@ci.ellensburg.wa.us. Written comments sent via USPS must arrive by the same deadline.

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

Staff contact: Shannon Johnson, Senior Planner.

NOTICE IS FURTHER GIVEN that all persons interested in this matter may participate in the REMOTE meeting by contacting Staff no later than 5:00 pm on Wednesday, April 13. An email link, or phone number will be provided which will allow for electronic participation in the public hearing.

The City of Ellensburg strives to make our services, programs, and activities readily accessible and usable by individuals with disabilities. Reasonable accommodations will be made upon request. A "Request for Accommodation" form may be obtained from the City Clerk Beth Leader by calling 509-925-8514.

PUBLISH: Daily Record: March 24, 2022 / LEGAL #: 216983

CITY OF ELLENSBURG PLANNING COMMISSION
NOTICE OF PUBLIC HEARING
LAND DEVELOPMENT CODE AMENDMENTS

NOTICE IS HEREBY GIVEN that the City of Ellensburg Planning Commission will hold an open record public hearing on Thursday, April 14, 2022 during its regular meeting at 5:45 pm, held both in person in the Council Chambers AND virtually via Zoom. The purpose of the public hearing is to consider proposed amendments to the Ellensburg City Code (ECC), with a focus on updating Chapter 15 (Land Development Code) for alignment with various goals of the Comprehensive Plan.

The proposed amendments include: adding two new mixed-used zoning districts, elimination of the Commercial Tourist zoning district, revision of certain zoning district boundaries, new and revised definitions, and updates to the permitted use categories in the land use chart.

Copies of the proposed amendments and related documents are available for review at the City of Ellensburg Community Development Offices located at 501 North Anderson Street, Ellensburg, WA, and are also available online through the department webpage at <https://www.ci.ellensburg.wa.us/623/Public-Notices/Current-Projects>.

NOTICE IS FURTHER GIVEN that all persons interested may appear at such time and place to provide verbal and written testimony during the hearing, or written comments may be filed with the Ellensburg Community Development Department at 501 North Anderson Street, or via email to sackel@ci.ellensburg.wa.us, prior to 5:00 pm April 14, 2022. Those wishing to attend the meeting remotely may do so by contacting staff to receive an email link or phone number to participate in the public hearing.

The City of Ellensburg strives to make our services, programs, and activities readily accessible and usable by individuals with disabilities. Reasonable accommodations will be made upon request. A "Request for Accommodation" form may be obtained from the City Clerk Beth Leader by calling 509-925-8514.

PUBLISH: Daily Record: March 24, 2022 / LEGAL #: 217399

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EXHIBIT 8



COMMUNITY DEVELOPMENT DEPARTMENT

501 N. Anderson St, Ellensburg WA 98926

Land Use Permitting (509) 962-7231

Construction Permitting (509) 962-7239

Kirsten Sackett, Director

Phone: (509) 962-7232 Fax: (509) 925-8655 E-Mail: sackettk@ci.ellensburg.wa.us

AFFIDAVIT OF POSTING

The Ellensburg City Code requires that all Type IV Projects (such as site-specific Rezones) shall have a notice posted at the site of the project. Per ECC 15.220.050, the following shall apply:

1. The posting of a weather-resistant sign posted on the subject property, visible to members of the public who may be passing on nearby public rights-of-way, and free from obstructions.
2. If the project abuts more than one public right-of-way, more than one sign may be required as determined by the responsible official.
3. The responsibility for the posting of the sign shall be upon the project applicant.
4. The sign shall be at least two feet by three feet in size, have a written description of the proposal, include a site drawing which shows the proposed project, have the date listed when comments are due, and where comments are to be mailed.

DATE: March 28, 2022	PLANNER: Jamey Ayling, Planning Manager
PROJECT NAME: Rezone of Parcel 955943, from P-R to I-L	FILE NUMBER: P22-036

PLEASE COMPLETE THE FOLLOWING:

I, _____, certify that I am the landowner and/or authorized agent responsible for the posting of this land use project site and further certify that the site has been posted as required by Ellensburg City Code. I understand that the that the posting period begins immediately and ends after the ending of the appeal period on the final decision by the City Council and the sign(s) will be posted at the site until this time. **Please post the site and return this form to the Community Development Department in a timely manner.**



Signature

3-28 20 22

Date

Please return the above affidavit and a photograph of the posted sign(s) to Jamey Ayling, Planning Manager, by email: aylingj@ci.ellensburg.wa.us; mail; or deliver to: Community Development Dept., City Hall, 501 N. Anderson St., Ellensburg, WA 98926.



EXHIBIT 10



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

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

Proponent: Jamey Ayling

Location: The entirety of this 4.57 acre parcel is located on the south side of West Dolarway Road between North Prospect Street and North Enterprise Way in Ellensburg, Washington.

Description: Case # P21-150; a SEPA Environmental checklist for the proposed non-project rezone of a portion of parcel ID #955943, that currently has split zoning designations of Light Industrial and Public Reserve.

Lead Agency: City of Ellensburg

File #: P21-150

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

This **Determination of Non-Significance (DNS)** is issued under WAC 197-11-355; There is no further comment period on the DNS. Any action to set aside, enjoin, review, or otherwise challenge this administrative SEPA action on the grounds of noncompliance with the provisions of Chapter 43.21C RCW shall be made to the Hearings Examiner within 14 days of this decision.

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

Date: Jan. 10, 2022 **Signature:** Kirsten Sackett

Appeals: Following the issuance of this DNS, is a 14-day appeal period. Pursuant to ECC 15.270.200, appeals must be submitted as required by the City of Ellensburg's administrative appeal procedures for Type II permits per ECC 15.230.040(B), and shall be made to the Hearing Examiner and meet all requirements contained in Chapter 15.230 ECC.



Land Use Application Cover Sheet


Community Development Department

501 N. Anderson, Ellensburg, WA 98926

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

INSTRUCTIONS – PLEASE READ FIRST AND ANSWER ALL QUESTIONS COMPLETELY.

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

PART I – GENERAL INFORMATION

1. Applicant's Information:	Name:	City of Ellensburg							
	Mailing Address:	501 N Anderson Street							
	City:	Ellensburg	St:	WA	Zip:	98926	Phone :	(509) 925-8653	
	E-Mail:								
2. Applicant's Interest in Property:	Check One:	☒ Owner	☐ Agent	☐ Purchaser	☐ Other				
3. Property Owner's Information (If other than Applicant):	Name:	City of Ellensburg							
	Mailing Address:	501 N. Anderson Street							
	City:	Ellensburg	St:	WA	Zip:	98926	Phone :	()	
	E-Mail:								
4. Subject Property's Assessor's Parcel Number(s): 60 feet of parcel 955943									
5. Legal Description of Property. (if lengthy, please attach it on a separate document) See attached									
6. Property Address:									
7. Property's Existing Zoning: ☐ RS ☐ RL ☐ RM ☐ RH ☐ RO ☐ CN ☐ CH ☐ CT ☐ CC ☐ CCH ☐ MHP ☐ IL ☐ IH ☒ PR ☐ PUD									
8. Type Of Application: (Check All That Apply)									
☐ Final Plat Application			☐ Environmental Checklist (SEPA Review)			☐ Conditional Use Permit			
☐ Type (II) Review			☐ Landmarks COA			☒ Rezone			
☐ Boundary Line Adjustment			☐ Landmarks Demolition			☐ Shoreline			
☐ Short Plat Alteration			☐ Commercial Wireless Communication			☐ Critical Areas Review			
☐ Preliminary Short Subdivision			☐ Appeal to HE / City Council			☐ Variance/Admin. Variance			
☐ Preliminary Long Subdivision			☐ Code Interpretation			☐ Temporary Use Permit			
☐ Plat Vacation			☐ Regional Retail Master Plan			☐ Design Review Major/Minor			
☐ Plat Alteration			☐ Design Review Departure			☐ Binding Site Plan			
☐ Master Plan P-R Use			☐ Comprehensive Plan Amendment			☐ Essential Public Facility			
☐ Annexation			☒ Development Code Amendment			☐ Site Development Permit			
9. PART II – PROJECT DESCRIPTION AND SITE PLAN (See attached page)									
10. I certify that the information on this application and the required attachments are true and correct to the best of my knowledge.									
Property Owner's Signature 					Date 3-18-22				
Applicant's Signature					Date				
FILE/APPLICATION(S)# P22-036									
DATE FEE PAID:		RECEIVED BY:		AMOUNT PAID:		RECEIPT NO:			

EXHIBIT 11b

Narrative for Parcel 955943 Rezone from P-R

On November 19, 2012, the Ellensburg City Council adopted Ordinance 2012-4627 which included Comprehensive Plan Amendment 2012-02 recommended by the Planning Commission to provide policy direction for reversion of P-R zoned properties when no longer used for institutional/public uses. As a part of the policy direction, staff was directed to include language in the zoning code which was incorporated into the land development code update of 2013 and is currently contained within ECC 15.310.050.

The City of Ellensburg is proposing a rezone of P-R property which is no longer used for public purposes. Recognizing that over time some land and structures that are zoned P-R, and are used for P-R purposes, may change uses to non-public uses or may become obsolete or surplussed out of active public use and occupancy, the property owner may in such situations seek a rezone out of P-R zoning pursuant to the terms and processes set forth in ECC 15.250.100. The rezone applicant may request that the P-R zoned property be rezoned to any zoning district classification that abuts the subject property.

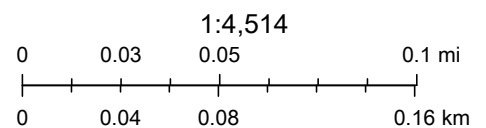
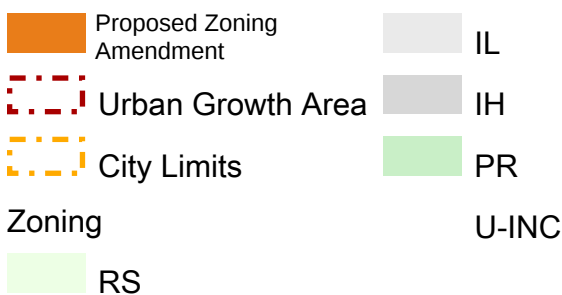
This is a Type V application for a Supplemental P-R Rezone for a 4.57-acre parcel that currently has split zoning designations of Light Industrial and Public Reserve. The site abuts property that is designated as Light Industrial (I-L) within the Future Land Use Map along the industrial corridor of Dolarway Road. The proposed rezone would result in the western 60 feet of the Northern 577.10 feet of parcel 955943 being zoned Light Industrial. The City of Ellensburg became the owner of the property in December 2005 and does not plan to develop the property. The city has been working diligently since 2006 to improve and develop Dolarway Road as a primary industrial corridor. Several parcels with access to the Dolarway Road Corridor have begun development processes to construct light industrial use buildings, including the parcel which will benefit from this amendment. Careful consideration was taken in the planning of how much of the underutilized parcel could be allotted to the neighboring property to ensure that an adequate buffer of land is still available surrounding the industrially developed property for screening and City property access purposes.

EXHIBIT 11c

Map of Proposed Rezone Parcel 955943



11/29/2021, 3:04:52 PM



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