

**CITY OF ELLENSBURG
COUNCIL AGENDA
Council Chambers
501 North Anderson Street
Tuesday, January 21, 2020
7:00 p.m. – Regular Meeting**

	Pledge of Allegiance	
1.	Call to Order & Roll Call	
2.	Proclamations	
3.	Awards and Recognitions	
4.	Approval of Agenda	
5.	CONSENT AGENDA	
	Items listed below have been distributed to Councilmembers in advance for study and will be enacted by one motion. If separate discussion is desired on an item, that item may be removed from the Consent Agenda and placed on the Regular Agenda at the request of a Councilmember or at the request of a member of the public with concurrence of a Councilmember. Requests to remove items should be made under Item 4 Approval of Agenda.	
	A. Approve Minutes – January 6, 2020, Regular Meeting	1
	B. Acknowledge Minutes of Boards and Commissions	
	(1) Arts Commission – December 5, 2019	4
	(2) Ellensburg Business Development Authority – December 11, 2019	6
	(3) Public Transit Advisory Committee – November 19, 2019	8
	C. Repeal and Replace Resolution 2019-38 for Inclusion of Transit Manager Position and Revising Assistant City Engineer/Transit Manager	11
	D. Approve January 21, 2020 Voucher Listing	18
6.	Petitions, Protests and Communications	
	A. Board and Commission Applications	19
	B. Petition from Our Environment asking City Council to Pledge that the City will be powered by 100% Clean Renewable Energy by 2035	27
	C. Review Council Assignments to Boards and Commissions and Liaison Positions	38
7.	Citizen Comment on Non-agenda Issues	
8.	Business Requiring Public Hearings	
	A. Public Hearing (Legislative) and Proposed Ordinance for Annexation of 260 parcels, referred to as Currier Creek Area	43
	B. Public Hearing (Closed) and Proposed Ordinance for Site Specific Rezone Request of Parcel 17827, located on Bull Road	99
9.	Introduction and Adoption of Ordinances and Resolutions	
10.	Unfinished Business	
11.	New Business	
	A. Staff Demonstration of New Online Agenda Preparation Software	
12.	Miscellaneous	
	A. Manager’s Report	213
	B. Councilmembers’ Reports	
13.	Executive Session	
14.	Adjournment	



CITY OF ELLENSBURG

Date of Meeting

Time of Meeting

Place of Meeting

Minutes of Council Meeting, Regular Session

January 6, 2020

7:00 p.m.

Council Chambers, 501 North Anderson Street

Oaths given for councilmembers Miller, Tabb, Engel and Lamb

Nominations for Mayor

Councilmember Morgan nominated Councilmember Tabb for Mayor. Councilmember Miller nominated himself for Mayor. Council voted for Councilmember Tabb as Mayor.

Nomination for Mayor Pro-Tempore

Councilmember Engel nominated Councilmember Miller for Mayor Pro Tempore and he declined. Councilmember Miller nominated Councilmember Goodloe and she accepted. Council voted for Councilmember Goodloe as Mayor Tempore unanimously.

1. Roll Call Present: Engel, Goodloe, Lamb, Lillquist, Miller, Morgan and Tabb.

Others present were City Manager Akers; Assistant City Manager/City Attorney Weiner; City Clerk Leader; Executive Assistant Gigstead; Finance Director Pascoe and approximately twenty-five members of the audience.

2. Proclamations

None

3. Awards & Recognitions

Jerica Pascoe, Finance Director, introduced Scott Davis, part-time Meter Reader and Beau Matthews, part-time Utility Clerk.

The Mayor recognized Ellensburg High School student Ethan Price, who won the First Congressional App Challenge

4. Agenda Approval

Councilmember Morgan moved to approve the Agenda as presented. Councilmember Lillquist moved to amend the agenda & pull item 5E to 11A. **Motion Approved 7-0.**

Councilmember Engel moved to approve the Agenda as amended. **Motion Approved 7-0.**

5. Consent Agenda

Councilmember Lillquist moved to approve the Consent Agenda as amended. **Motion Approved 7-0.**

6A. Board and Commission Applications

Taylor Crouch and Geraldine O'Mahony introduced themselves and spoke regarding their interest in serving on the Planning Commission.

Councilmember Morgan moved to approve re-appointment of Jared Vallejo, Grant Clark and James Jankowski to serve on the Ellensburg Business Development Authority Board. **Motion Approved 7-0.**

7. Citizen Comment on Non-Agenda Issues

None

8A. Public Hearing and Proposed Resolution to Declarer City Property, Parcel 541133, as Surplus for the Public Benefit of Affordable Housing

The Mayor opened the public hearing. Terry Weiner, City Attorney/Assistant City Manager, presented the staff report and provided background information.

Luis Byerly, 100 E Countryside Ave, inquired about what the property would be utilized for and what has been discussed regarding traffic impacts.

Councilmember Engel inquired whether traffic impacts would be discussed during the SEPA process.

Councilmember Morgan moved to adopt Resolution 2020-01, declaring Parcel No. 541133 as surplus for the purpose of using for affordable housing. **Motion Approved 7-0.**

9A. Second Reading and Adoption of Ordinance 4846 Chapter 15.395 Wireless Communication Facilities

Terry Weiner, City Attorney/Assistant City Manager, presented a staff report and explained the background of the regulations of the infrastructure.

Councilmember Lillquist moved to conduct second reading and adoption of Ordinance 4846. **Motion Approved 7-0.**

10. Unfinished Business

None

11A. Interlocal Agreement for Professional Services and Lease Agreement with EBDA dba CenterFuse

Councilmember Lillquist questioned the Interlocal Agreement and the deliverables noted in the agreement. Mayor Tabb asked if a workplan included would suffice. City Attorney Weiner

explained the EBDA would be adopting their strategic plan and will present at a future Council meeting.

Councilmember Lillquist moved to approve the Interlocal Agreement for Professional Services and authorize the Mayor to sign on the City's behalf. **Motion Approved 7-0.**

Councilmember Lillquist moved to approve the Lease Agreement with EBDA for the Business Incubator and authorize the Mayor's to sign on the City's behalf. **Motion Approved 7-0.**

12A. Manager's Report.

A closed record public hearing has been set on January 21, 2020 for a site specific rezone of Parcel 17827, located on Bull Road.

An open record public hearing has been set on January 21, 2020 for Petition for Annexation of Currier Creek Area.

Boards and Commission Assignments was provided for Council to review for the January 21st meeting.

Council will need to schedule a Council Retreat in the next month or so. Discussion of the Community Center will be one topic.

The Manager of Racquet and Recreation Center will retire February 2nd. Discussion will need to take place on future of staffing.

Executive Session authorized by RCW 42.31.10.(1)(i) for pending litigation, and will take 5 minutes. No Action will be taken

12B. Councilmembers' Reports

No Reports

13. Executive Session

Per RCW 42.31.10(1)(i) Council went into executive session to discuss pending litigation at 8:06 p.m.

14. Adjourn

Councilmember Morgan moved to adjourn at 8:11 p.m. **Motion Approved 7-0.**

Mayor

ATTEST:

City Clerk



ELLENSBURG ARTS COMMISSION MINUTES
December 5, 2019 4:00pm
Public Works Conference Room

Commissioners Present: Alex Eyre, Brian Kooser, Jerry Dougherty, Cassandra Town, Laura Bobovski, and Monica Miller

Commissioners Absent: Arlein Anderson

Others Present: Council Liaison Mary Morgan, Council Member David Miller, Staff Carolyn Honeycutt, and Community Development Director Kirsten Sackett

Call to Order: Chair called the meeting to order at 4:00 pm

Approval of Agenda

Motion to approve agenda for December 5, 2019 meeting of the EAC, Bobovski; second Town.

Approved.

Approval of Minutes

Motion approve the minutes of the November 14, 2019 meeting of the EAC, Town; second Miller.

Approved

Financial Report – Staff is following up on the outstanding 2019 Grant report submissions.

New Business

- **Strategic Planning** – Subcommittees will meet prior to the January 9 regular meeting to discuss 1-3 year projects and goals. The January 9 meeting will be extended to 6:00 pm to accommodate time to share and discuss plans.

Subcommittee Reports

1. **Funding** – Staff shared that the city commissions who have grant programs will get together with the city attorney to discuss whether or not commissioners should be able to apply for funding and create a consistent policy. This rule has been part of the arts commission grants for many years but may not be appropriate.
2. **Public Art**
 - Bus Shelters: Staff will work on a contract to pay the artists for usage of the artwork.
 - Elliott installation – installation complete. Staff will contact Michelle Bibich to schedule ribbon cutting/dedications – one for the students and one for the public. This will be included in the press release. Staff will attend the January council meeting with an update on the Elliott installation and city hall installations.
 - Poet Laureate – no update
 - Plaques – Eyre completed several plaques and installed them with the artwork. More to come.

- Eyre will contact Jason Clifton to discuss the potential public art project at the skate park.
- 3. **Advocacy** – Arts & Heritage day is February 5th.
- 4. **Art Walk** – Bobovski and staff will get together in January to bill current venues and start planning a meeting with all of the venues. They will also look at the online mapping.

Old Business

- **Town Center Project** – no updates

Unscheduled Business:

- none

Adjourned Chair adjourned the meeting at 5:10 pm.

Next Meeting Thursday, January 9, 2020, 4:00 – 6:00 pm.

Drafted: 12/10/19

Approved: 1/9/2020

ELLENSBURG BUSINESS DEVELOPMENT AUTHORITY
dba CenterFuse
BOARD OF DIRECTORS MEETING MINUTES

REGULAR MEETING
Wednesday, December 11, 2019 - 4:00 pm
City Hall – Council Conference Room
501 N. Anderson Street, Ellensburg

In attendance: John Perrie, Jamie Rosen, Jared Vallejo, Linda Schactler, Garrett Poshusta, Grant Clark, James Jankowski, and staff Carolyn Honeycutt.

Excused absence: Steve Townsend, Bill Provaznik

1. Chair Schactler called the meeting to order at 4:00 PM.
2. **Motion to approve December 11, 2019 Agenda**, Vallejo; second Clark.
Approved.
3. **Motion to approve October 9, 2019 Regular Meeting Minutes**, Poshusta; second Perrie.
Approved.
4. **Board Business**
 - A. Board Member Vacancies.
Vallejo nominated Grant Clark to a three year term on the CenterFuse Board.
Approved.
Poshusta nominated James Jankowski to a three year term on the CenterFuse Board.
Approved.
Perrie nominated Jared Vallejo to a three year term on the CenterFuse Board.
Approved.
Staff will forward these names to Council for confirmation and reach out and meet with the other candidates.
 - B. 2020 Slate of Officers for January Election.
Schactler nominated Jared Vallejo for Chair
Perrie nominated Linda Schactler for Vice Chair
Schactler nominated John Perrie for Secretary
Schactler nominated Grant Clark for Treasurer
Slate of Officers will be nominated and voted on at the January 2020 CenterFuse Board Meeting:
 - C. Review and Approve Interlocal and Incubator Lease.
Motion to adopt the Interlocal with amendments, removing sections 2.2 F #3, #4, #5, #6, and #7, and forward to City Council for adoption. Schactler; second Vallejo.
Approved.
Motion to accept Incubator Lease as presented. Clark; second Perrie.
Approved.
 - D. Board discussed Board Assessment Survey results.

E. Board reviewed 2019 Committee and Board Accomplishments and 2020 Workplans.

5. January Planning Retreat – Rosen, Poshusta, Vallejo, and Schactler volunteered to be on the Planning Retreat Committee, with Jankowski as an alternate.
6. Budget Approval and Resolution – Board discussed support of removal of the sunset for the .09 funding, which happens in 2023.

Motion to approve CenterFuse endorsing .09 funding sunset removal. Perrie;
second Clark.

Approved.

Motion to approve 2020 budget and resolution adding \$50,000 to Due from Government Income and \$50,000 Professional Fees Expenses for PWB.

Broadband Feasibility Study. Clark; second Rosen.

Approved.

7. **Executive Director Report** – Staff provided updates on the airport land lease with the county, Chamber Legislative Day (December 16, not the 9th), Incubator tenants, PWB approval of \$50,000 grant for broadband feasibility study, and airport building tour with David Chamberlain. Correction on report – one of the distilleries mentioned in the report (Applejax) is not a CWU group, as they have no affiliation with the university.

Adjournment: Meeting adjourned 5:15

Drafted: 12/17/19

Approved: 1/8/2020



Ellensburg Business Development

ITEM IIIa



**Public Transit Advisory Committee Meeting Minutes
November 19, 2019
City Council Conference Room**

Members Present: Josh Hackney, CWDR; Bruce Tabb, COE; Greg Steger; Jack Frost; Jason Berthon-Koch, CWU (by telephone);

Members Absent: Representative, ASCWU; Bob Mersinger;

Also Present Josh Mattson, COE; Bruce Sackron, COE; Margaret Reich, COE; John Raymond, HopeSource

- I. **Call to Order:** Chair Tabb called the meeting to order at 3:34 p.m.
- II. **Introductions;** All parties at the table.
- III. **Approval of minutes:** Motion and second (Frost / Hackney) to approve the minutes of the September 17, 2019 regular meeting. Motion affirmed.
- IV. **Approval of Agenda:** Motion and second (Frost / Hackney) to approve agenda of the October, 2019 regular meeting, Motion Affirmed.
- V. **Consent Agenda:**
 - a. October 2019 Central Transit Statistics
 - i. Motion to approve and second (Hackney / Frost), Motion affirmed
 - 1. Kittitas County Connector Ridership
 - 2. Paratransit Ridership and Applications
 - 3. October Ridership graphs for review

VI. Ellensburg Central Transit Service Change – Routes and Stops:

- a. Time Stops:
 - i. Additional time stops added to Route 12, 13 and 14 on November 3.
- b. Beech and Elmview stop.
 - i. Better data is still needed to be of use in analyzing the system
- c. Passenger comments received by transit division.
 - i. HopeSource to provide comment cards to the city as received.
 - 1. Will add place for contact information to respond to the passenger.
 - ii. HopeSource to report to PTAC with actual times Route 13 arrives at Elm View and Beech and the number of riders using the stop.
 - 1. Information was not available in time for the November meeting.
 - a. Will be available for discussion at the December meeting.
 - b. Information will be used to determine if the bus arrives in time for CWU students to attend aviation classes.
 - c. Margaret mentioned the Dean of the Aviation program would like the bus arrival to coincide with the start of their classes.
- d. Fixed Route Ridership
 - i. Staff needs PTAC members input to determine what data and format to present Ridership information to the committee.
- e. Cabulance Ridership with cost per ride moved to this section
- f. Discussion on received comments and responses
 - i. HopeSource is editing the comment cards to encourage writers to leave contact information

VII. Ellensburg Central Transit Service Change – Marketing and Outreach:

- a. New simplified Route Maps were presented to PTAC.
- b. Staff to look into tactile maps after approval of improved route map designs.
- c. Rider/non Rider survey started November 18
- d. Chair to speak with ASCWU board to provide volunteers to take survey responses onboard the Central Transit buses.

VIII. Bus and Bus Shelters:

- a. PTAC members do not approve of using magnetic Central Transit signs over the HopeSource Dial-A-Ride wraps. Need a better solution.
- b. HopeSource did not receive a grant from WSDOT for expansion or replacement CT buses.
 - i. WSDOT submitted for a FTA 5339 grant to fund bus purchases for several transit agencies across Washington. The Central Transit buses are included in the grant request.
 - 1. If awarded, HopeSource will need a 20% match for FTA funds. State grants require only a 5% match.
 - 2. Award date is not currently known.
- c. Central Transit buses now have functional header /destination signs to show route and direction the bus is heading.
- d. New buses for the Kittitas County Connector are scheduled for a December delivery
 - i. One may be used as a CT backup.
- e. The City has received a budgetary quote for the 10 shelters and amenities.
 - i. Do not have a current estimate for the entire project

IX. **Other:**

- a. Chair is working with Don Chartock from WDOT to resurrect the Kittitas County Public Transit Benefit Area.
 - i. Would require voter approval.
- b. On November 26 an injunction hearing is scheduled to make an initial determination if the I-976 initiative is constitutional.

X. **Next PTAC meeting:** The next regular PTAC meeting to be held on Tuesday December 17, 2019 at 3:30 pm in the City Council Conference room.

XI. Motion to adjourn and second (Berthon-Koch / Frost) affirmed

XII. Meeting ended at 4:50 PM.



CITY COUNCIL AGENDA REPORT

Meeting Date: January 21, 2020

Submitted by: Ryan Lyyski, Public Works and Utilities Director
Cindy Smith, HR Director

Must Approve: ☒ City Attorney ☒ Finance  City Manager

Additional Approvals: ☐ Choose Department ☐ Other Department

Agenda Subject: Repeal Resolution 2019-38 with a new 2020 Payroll Resolution to Include Transit Manager Position and Revise the Assistant City Engineer/Transit Manager Title

Action Requested (check all that apply):	Ord. 1 st reading ☐	Ord. 2 nd reading ☐	Legislative Hrg. ☐	Quasi-Judicial Hrg. ☐	Appeal Hrg. ☐
	Adopt Resolution ☒	Approve contract ☐	Approve budget adjustment ☐	Approve – other ☐	Review Report or Study ☐
	Direction to staff ☐	Discussion only ☐	Bid Award ☐	Other ☐ (describe):	

BACKGROUND/SUMMARY: The City's non-represented job classifications and pay ranges for 2020 were approved by Council Resolution 2019-38. Staff is requesting Council adopt a new resolution replacing Resolution 2019-38, and to authorize adding the Transit Manager position as a job classification for the City and approve the revision of the title Assistant City Engineer/Transit Manager to Assistant City Engineer/Capital Projects Manager.

PREVIOUS COUNCIL ACTION: In December of 2018, the payroll resolution was amended to convert the Transit Manager position to an Assistant Transit Manager position, while adding additional transit duties to the Assistant City Engineer's position.

ANALYSIS: With recent staffing changes in the Transit Division, staff is requesting to add the Transit Manager position back into the City's job classifications. The Transit Manager is the sole employee in the Transit Division. Staff is also requesting to revise the Assistant City Engineer/Transit Manager position to Assistant City Engineer/Capital Projects Manager, as the City continues to have a volume of large annual capital projects. With Council authorization, staff will begin the recruitment process to fill the vacant transit position. There will be no increase in number of authorized full time employees for the City.

FINANCIAL IMPACT: The Transit Manager position is currently budgeted in the 2020 Transit Division Budget.

RECOMMENDED ACTION OR MOTION: Adopt the proposed resolution.

Attachments: Payroll Resolution

RESOLUTION NO. 2020 -

A RESOLUTION to repeal and replace Resolution 2019-38, establishing a pay plan for Fiscal Year 2020 for each position in the City service not covered by a valid union contract.

WHEREAS, the City Manager has prepared and submitted to the City Council of the City of Ellensburg a standard schedule of pay; and

WHEREAS, this Resolution will reestablish the classification of “Transit Manager” and revise the job title of the Assistant City Engineer/Transit Manager to “Assistant City Engineer/Capital Projects Manager”; and

WHEREAS, the City Council of said City desires to adopt such pay plan;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. Resolution 2019-38 is hereby repealed in its entirety.

Section 2. That the Pay Plan Schedule be and the same is hereby adopted as hereinafter set forth in Appendix A, and provided that the said plan be effective January 1, 2020.

Section 3. Effective January 1, 2020, the pay range assignment for each non-union class title shall be as follows:

<u>CLASS TITLES</u> <u>BY DEPARTMENT</u>	<u>PAY</u> <u>RANGE</u>
<u>CITY MANAGER</u>	
City Manager	10,206- 13,608
Construction Project Manager - Temporary	7,874- 10,499
Communications/Government Relations Officer	5,624- 7,498
Executive Assistant – CM	4,051- 5,401
Assistant City Manager/City Attorney	9,695- 12,927
Assistant City Attorney	6,768- 9,024
Executive Assistant/Deputy City Clerk	4,051- 5,401
IT & Telecommunications Manager	6,260- 8,346
IT Systems Administrator	5,438- 7,251
IT Systems Administrator - SQL	5,438- 7,251
Network/Desktop Analyst	4,786- 6,381
Human Resources Director	7,018- 9,357
HR Specialist	4,308- 5,744
Civil Service Secretary/Chief Examiner	150
<u>COMMUNITY DEVELOPMENT DEPARTMENT</u>	
Community Development Director	7,261- 9,681
Economic Development Manager	6,261- 8,348
Building Official	5,426- 7,234
Planning Supervisor	5,426- 7,234

Assistant Building Official	5,101- 6,801
Building Inspector II	4,580- 6,106
Building Inspector	4,195- 5,593

FINANCE DEPARTMENT

Finance Director	7,943- 10,591
Accounting Manager	5,420- 7,227
Senior Financial Analyst/Budget Officer	5,420- 7,227
Application Specialist	5,420- 7,227
Accountant II	4,761- 6,348
Utility Services Supervisor	4,761- 6,348
City Clerk	4,575- 6,100
Accounting Analyst	4,273- 5,697

LIBRARY

Library Director	7,018- 9,357
Public Services/Internal Ops Librarian	4,273- 5,697
Librarian	4,273- 5,697
Part-time Library Substitute	13.50- 15.00/hourly

PARK AND RECREATION DEPARTMENT

Parks and Recreation Director	6,881- 9,174
Aquatic & Recreation Supervisor	4,513- 6,018

Part-time/Seasonal Hourly Recreation positions:

Min. Wages \$13.50	I	II	III	IV	V	VI
Senior Van Driver	17.00	17.85	18.74			
Lifeguard	13.60	14.28	14.99			
Instructor	13.60	14.28	14.99			
Recreation Aide	13.60	14.28	14.99	15.74		
Custodian	13.60	14.28	14.99			
Sports Officials I-V	13.50	14.85	16.20	17.82	24.95	
Sports Officials VI Gym/Field Supervisor						16.20

POLICE DEPARTMENT

Police Chief	7,675- 10,233
Police Captain (2 positions)	6,768- 9024
Animal Shelter Manager	4,100- 5,466
Police Records Supervisor	4014- 5,352

PUBLIC WORKS AND UTILITIES DEPARTMENT

Public Works & Utilities Director	9,695- 12,927
Assistant Utilities Director	7,881- 10,508
City Engineer Services Manager	7,881- 10,508
Operations Supervisor – Electric	7,633- 10,177
Sr. Electrical Engineer	7,506- 10,008
Project Engineer (2 Positions)	7,416- 9,888
Assistant Public Works Director	6,877- 9,169
Gas Engineer	6,877- 9,169
Assistant City Engineer/Capital Projects Manager	6,877- 9,169
Power and Gas Manager	6,437- 8,583
Stormwater Utility Manager	6,262- 8,349
Transit Manager	6,262- 8,349
Assistant Transit Manager	6,018- 8,024
Civil Engineer	5,284- 7,045
Rate Analyst	4,551- 6,068
Sr. Operations Analyst	4,486- 5,981
Operations Analyst – ES	4,273- 5,697
Operations Analyst	4,273- 5,697
Executive Assistant	3,850- 5,133
Executive Assistant - ES	3,850- 5,133

All other City positions are covered by Union contracts. This resolution has no application to such positions.

Section 3. The Pay Plan set forth herein shall be administered in accordance with applicable provisions of the Personnel Policies Manual and as further provided herein:

- (a) Initial employment: Employees shall be paid within the limits of the wage range to which their positions are assigned. Usually, new employees will begin employment at the beginning wage rate for respective classifications. However, a new employee may be employed at a higher rate than the beginning wages when the employee's experience, training or proven capability warrant, or when prevailing market conditions require a starting rate greater than the established beginning rate. Additionally, the City Manager may negotiate and authorize leave accrual rates and balances for a new employee above entry-level rates.
- (b) Anniversary date, employee performance review and performance based or merit raises: After an employee has been certified as having successfully completed the appropriate trial period, his or her anniversary date of employment will be retroactive to the date first employed on a full-time basis. A performance-based raise or merit pay is an increase in pay of one or two steps in the appropriate pay range and is for the purpose of recognizing reliable achievement over time by the

employee which meets and frequently exceeds supervisory expectations. Such raises shall be based on tangible results which clearly demonstrate the employee is continuing to add value to the City and City services. An increase to a higher step in the Salary Schedule would normally occur if the employee receives a performance evaluation demonstrating the employee meets and frequently exceeds expectations.

If an employee's performance is unsatisfactory, no performance-based raise will be given for a stipulated period of time during which improvement must be shown or until the employee's job performance is again satisfactory or better, unless a different process is provided in the employee's bargaining agreement. Performance based raises are normally provided at the beginning of each budget year. However, a department director may request a step increase be approved at the end of a trial period within the first year of employment, or upon the assumption of substantially increased duties and/or responsibilities.

Performance-based raises are within the sole discretion of the City Manager, are not automatic, and are subject to the availability of budgeted funds.

Section 4. Exempt Leave. In recognition of the performance of professional responsibilities of employees who work beyond the regularly scheduled work day, who are not compensated for overtime regardless of the time required to perform assigned tasks, and who are classified as "exempt" under the Fair Labor Standards Act, up to forty (40) hours of paid exempt leave may be granted each calendar year subject to review and approval by the City Manager or his/her designee. Persons first employed in any month after January will be granted a pro-rata exempt leave bank through December of their first year of employment. Exempt leave must be used during the year in which it is granted; it cannot be carried over from year to year, and it may not be cashed out. Exempt leave may only be taken in increments greater than two (2) hours.

Section 5. Personal Time Off (PTO). In order to modernize the City's approach to the allocation of employee benefits, the PTO program was established in 2016. The PTO program merges vacation and sick leave into a single leave category and combines leave accrual rates for non-represented staff.

As a condition of implementation of the PTO program employees will receive annually in their paycheck for the January 1-15 payroll period the sum of \$360.00. This amount shall be reviewed by the City Manager in November of each year and adjusted as necessary and appropriate by the City Manager.

Section 6. PTO accrual cash out. If an employee is unable to take PTO leave due to circumstances dictated by special needs of the City, the City Manager may authorize the cash out of any portion of an employee's accrued PTO hours in excess of the maximum allowable accrued PTO hours identified in the Personnel Manual.

Section 7. Cell Phone Allowances. Employees required to carry a cell phone for City business may be provided a cell phone by the City for official use, or with the approval of the city manager, may be provided a cell phone allowance to compensate for the use of a private cell phone for City business.

Section 8. Life Insurance. Employees covered under this resolution shall be provided with a \$25,000 life insurance policy at City expense.

ADOPTED by the City Council of the City of Ellensburg on this 21st day of January, 2020.

Mayor

Attest: _____
City Clerk

VOUCHER APPROVAL

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


AUDITING OFFICER

1/13/2020
DATE

CLAIMS VOUCHERS AUDITED AND CERTIFIED BY THE AUDITING OFFICER HAVE BEEN RECORDED ON THE ATTACHED LISTING, WHICH HAS BEEN MADE AVAILABLE TO THE COUNCIL AS OF THIS **21ST DAY OF JANUARY 2019**. THE COUNCIL, BY A VOTE, HAS APPROVED FOR PAYMENT THE VOUCHERS INCLUDED IN THE ABOVE LIST AND FURTHER DESCRIBED AS FOLLOWS:

Claims Fund				Total Amounts
Check #'s	147065	TO	147294	\$ 1,644,939.37
EFT #'s	3979	TO	4008	\$ 1,447,625.79

Payroll Fund				Total Amounts
Check #'s	95003	TO	95023	\$ 39,537.38
Direct Deposits	54140	TO	54347	\$ 344,331.34

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

ATTEST: _____
CITY CLERK



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: January 21, 2020

Submitted by: Laurie Gigstead, Executive Assistant to the City Manager

Must Approve: ☐ City Attorney ☐ Finance ☒ City Manager

Additional Approvals: ☐ Choose Department ☐ Other Department

Agenda Subject: Board and Commission Applications and Appointments

Action Requested (check all that apply):	Ord. 1 st reading ☐	Ord. 2 nd reading ☐	Legislative Hrg. ☐	Quasi-Judicial Hrg. ☐	Appeal Hrg. ☐
	Adopt Resolution ☐	Approve contract ☐	Approve budget adjustment ☐	Approve – other ☐	Review Report or Study ☐
	Direction to staff ☐	Discussion only ☐	Bid Award ☐	Other ☒ (describe): Conduct Introductions and Consider Appointments	

BACKGROUND/SUMMARY: Three people have recently applied to serve on various City boards and commissions.

PREVIOUS COUNCIL ACTION: The two applicants were introduced at the January 6, 2020 Council meeting.

ANALYSIS: As directed by Council, applications are presented to Council for consideration. The attached chart shows all current vacancies and applicants. Copies of the applications for appointment are attached to the agenda report.

FINANCIAL IMPACT: N/A

RECOMMENDED ACTION OR MOTION: Conduct introduction of Maurice Blackson.
Consider appointments.

Attachments: Applications for Appointment.

Boards and Commissions	Affordable Housing Commission	Arts Commission	Building Appeals Board	Civil Service Commission	Ellensburg Business Development Authority Board	Environmental Commission	Landmarks and Design Commission	Library Board	Lodging Tax Advisory Committee	Parks and Recreation Commission	Planning Commission	Public Transit Advisory Committee	Senior Citizens Advisory Commission	Utility Advisory Committee
MEMBERS	7	7	5	3	9	7	7	7	5	7	7	7	7	7
Residency Requirements	Y	N	N	Y	N	Y	Y	Y	N	Y	Y	N	N	Y
Current Members within City Limits	6	2	1	3	2	5	4	5	3	7	5	7	4	5
Current Members Outside City Limits	1	5	3	0	7	1	1	1	1	0	1	0	3	0
Current Members Outside but in UGA	0	0	0	0	0	0	0	0	0	0	0	0	0	1
VACANCIES	0	0	1	0	0	1	2	1	1	0	1	0	0	0
APPLICANTS														
Maurice Blackson		2 nd					1 st			3 rd				
Taylor Crouch							2 nd			3 rd	1 st			
Geraldine O'Mahony						2 nd					1 st			

Laurie Gigstead

From: noreply@civicplus.com
Sent: Friday, January 10, 2020 10:05 AM
To: Laurie Gigstead
Subject: [Ext] Online Form Submittal: Application for Appointment

Application for Appointment

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

Boards & Commissions	Landmarks and Design Commission
Name of Applicant:	Maurice Blackson
Address	310 Indiana Ave.
Mailing Address (If Different)	P.O. Box 852
City	Ellensburg
State	WA
Zip	98926
Email Address	maurice.blackson@gmail.com
Phone Number	907-738-0010
Length of Residence in Ellensburg	8 years
Do you live within the city limits?	Yes
If applying for the Sr. Citizens' Advisory Board, are you at least 55 years of age?	<i>Field not completed.</i>
Occupation Status and Background:	I am Senior Lecturer in Archives and Special Collections at Brooks Library of Central Washington University. I have been in this position since 2014. My job entails working with researchers and authors looking for historic documents and photographs. I have a bachelors degree in History and masters degrees in Education and Information Science.

Organization Affiliations: I currently participate in the following organizations and boards:
Academy of Certified Archivist Exam Development Committee,
Cascade Association of Museums and History, Ellensburg
Morning Rotary Club, Ellensburg Public Library Board,
Ellensburg Film Festival Board, Northwest Archivists, Roslyn-
Ronald- Cle Elum Heritage club, Society of American Archivists

Why are you seeking appointment? I am seeking appointment to the Landmarks and Design Commission because I want to be more engaged in the community. My knowledge and background will be useful to help protect historic buildings while enhancing the visual appearance of Ellensburg.

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

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

Boards & Commissions Arts Commission

Boards & Commissions Parks and Recreation Commission

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

Laurie Gigstead

From: noreply@civicplus.com
Sent: Thursday, December 26, 2019 10:10 AM
To: Laurie Gigstead
Subject: [Ext] Online Form Submittal: Application for Appointment

Application for Appointment

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

Boards & Commissions	Planning Commission
Name of Applicant:	Taylor Crouch
Address	1201 E. Helena Ave Unit #10202
Mailing Address (If Different)	<i>Field not completed.</i>
City	Ellensburg
State	WA
Zip	98926
Email Address	taylor.crouch@co.kittitas.wa.us
Phone Number	2537970625
Length of Residence in Ellensburg	5 years
Do you live within the city limits?	Yes
If applying for the Sr. Citizens' Advisory Board, are you at least 55 years of age?	<i>Field not completed.</i>
Occupation Status and Background:	Currently Clerk of the Board to the Kittitas County Commissioners. I graduated from CWU in 2018 and have decided that Ellensburg is my forever home.
Organization Affiliations:	This would be my first Committee I have served on. Looking to be a part of my community.

Why are you seeking appointment?

I am seeking appointment because I know that the planning of this City will need strong voices in the next coming years as Ellensburg goes through an exciting expansion. I am looking at the long term health of this community and the benefits I could bring to this Commission. I am a smart individual who is willing to put in the work for this committee to make this community the best it can be for those who call it home.

Will you be able to attend meetings regularly if appointed?

Yes

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

Boards & Commissions

Landmarks and Design Commission

Boards & Commissions

Parks and Recreation Commission

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

Laurie Gigstead

From: noreply@civicplus.com
Sent: Sunday, December 22, 2019 9:43 PM
To: Laurie Gigstead
Subject: [Ext] Online Form Submittal: Application for Appointment

Application for Appointment

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

Boards & Commissions Planning Commission

Name of Applicant: Geraldine O'Mahony

Address 400 S PEARL ST

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

City ELLENSBURG

State WA

Zip 98926

Email Address gerthelovely@gmail.com

Phone Number 6087705976

Length of Residence in
Ellensburg 6.5 years

Do you live within the city
limits? Yes

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

Occupation Status and
Background: Assistant Professor, Political Science. I have taught/worked
within administration at CWU for the last 6.5 years. Before
graduate school I worked for a local council in London.

Organization Affiliations: N/A

Why are you seeking
appointment?

I live in the city and have two small children and so am
invested in seeing the city grow and develop in a sustainable
manner.

Will you be able to attend
meetings regularly if
appointed?

Yes

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

Boards & Commissions

Environmental Commission

Boards & Commissions

Field not completed.

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

WHAT IS AT RISK

- Energy Infrastructure failure including natural gas, crude and refined oil pipelines
- Possible stranded investments in natural gas
- Human health across the nation
- Community resilience in a changing climate

COLLAPSE OF THE POWER GRID

Current infrastructure in the US is “woefully underprepared”: “Most of the critical infrastructures identified by the Department of Homeland Security are not built to withstand these altered conditions.”

United States Army War College Report, August 1, 2019.

“The power grid that serves the United States is aging and continues to operate without a coordinated and significant infrastructure investment. Vulnerabilities exist to electricity-generating power plants, electric transmission infrastructure and **distribution system components.**”

United States Army War College Report, April 1, 2019.

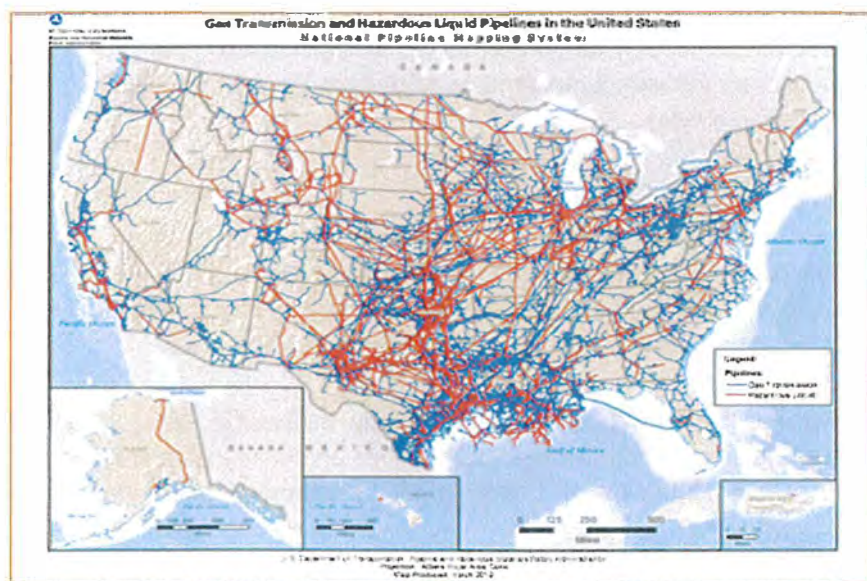
Too Dirty, Too Dangerous: Why Health Professionals Reject Natural Gas



REASONS TO PHASE OUT THE USE OF NATURAL GAS

- Infrastructure vulnerability and risk of collapse due to location and altered climate conditions. *US Army War College Report*
- Stranded investments in natural gas as renewable energy prices decline and municipalities and states refuse access to build up. *Rocky Mountain Institute Report, NEJM,*
- Methane accelerates climate disaster due to having an even greater global warming potential than CO₂. *Physicians for Social Responsibility*
- Fracking water is so contaminated in the process, that conventional water treatment facilities cannot purify it. *PSR*
- The natural gas industry exposes 15 million or more Americans to toxic substances used in and around drilling sites. *PSR*
- Methane leakage occurs across the natural gas supply chain, including processing, transport, storage facilities and final distribution. *PSR*

Network of natural gas (blue), and crude and refined oil (red) pipelines



WHERE TO BEGIN: The First Four Years



TRANSPORTATION

- Seek out and apply for grants that will aid us in building the necessary infrastructures for electric transportation in city fleet, including buses.

PARTNERSHIPS

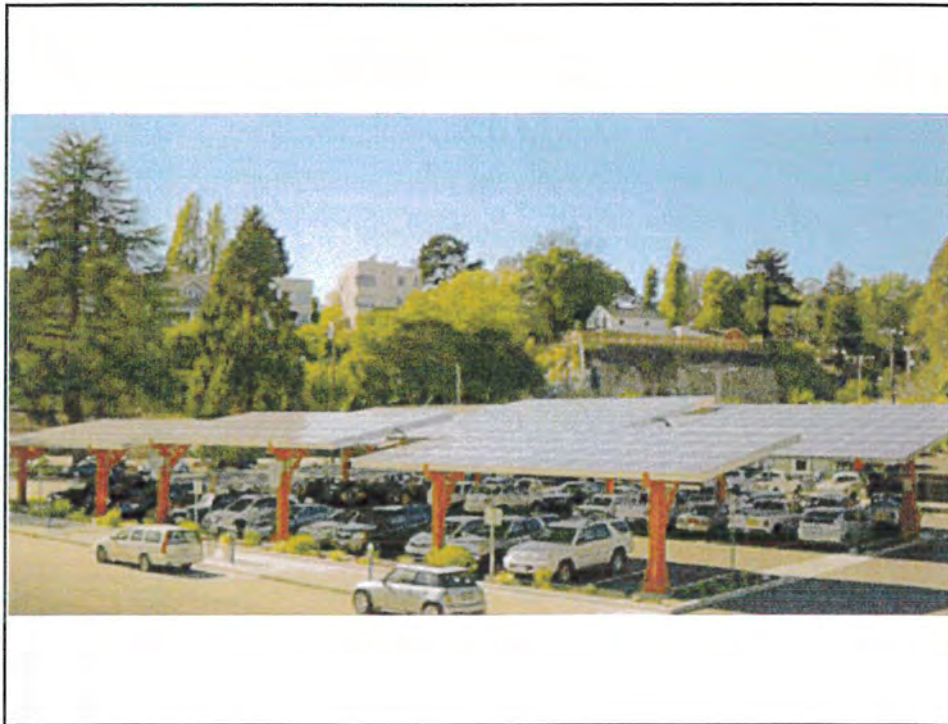
- Actively seek partnerships with land owners and others to expand the city's solar grid, and actively seek grants and other means to expand the existing solar park and diversity in renewables.
- Form a climate change committee directly responsible for researching smart industries and services and sustainable energy, knowledge, and capacity development that reports directly to the city council.

NEW CONSTRUCTION BUILDING AND OTHER CODES

- Require all new buildings to be solar ready.
- Adopt zoning changes, land use reforms, and municipal code that prohibit and prevent any new fossil fuel storage, refining, or handling facilities.
- Establish effective and fair alternatives and incentives to those currently served by natural gas and other fossil fuels to reduce their use or replace.

Ban natural gas from new construction and mandate that gas furnaces, as they wear out, be replaced with electric systems.

- Multi-dwelling units, dependent on size, could be required to add two or more solar panel topped charging stations for electric vehicles that contributes and feeds the city grid when not in use or underused.
- Parking lots such as CWU has built should be required to have a larger number of solar panel covered parking stations with substantially more charging stations, that contributes to the city grid when not in use or underused.











SOURCES:

1. *Australia's heat wave triggers power outages as fire rages*, Irish Times, Jan. 25, 2019.
2. Bernton, H. and Beekman, D., *Natural gas industry preps for fight over future in Northwest*, Seattle Times, Dec. 22, 2019.
3. *Chew On This: Farmers Are Using Food Waste to Make Electricity*, National Public Radio, Nov. 30, 2019.
4. Collier, Kiah, *As oil and gas exports surge, West Texas becomes the world's "extraction colony"* The Texas Tribune, October 11, 2018.
5. Dolsky, Ken. NJ Draft EMP (Energy Master Plan) Comments, 2019. kdolsky@optonline.net
6. Dyson, Mark, J. Farbes, and A. Engel. *The Economics of Clean Energy Portfolios: How Renewables and Distributed Energy Resources Are Outcompeting and Can Strain Investment in Natural Gas-Fired Generation*. Rocky Mountain Institute, 2018.
7. Fehling, David, *Once Largely Ignored, Oil and Gas 'Gathering' Pipelines Become A Concern in Texas*, Houston Public Media, and *The Self-Off in Energy Stocks and What It Means to Houston*. Houston Public Media, August 12, 2019.
8. Gottlieb, Barbara, and Dyrszka, Larysa, MD. *Too Dirty, Too Dangerous: Why health professionals reject natural gas*, a report from Physicians for Social Responsibility, Feb. 2017.
9. *If the U.S. military is facing up to the climate crisis, shouldn't we all?* The Guardian, Nov. 12, 2019.
10. *Implications of Climate Change for the U.S. Army*, United States Army War College, August 1, 2019.
11. Krauss, Clifford, *Natural Gas Boom Fizzles as a U.S. Glut Sinks Profits*, New York Times, December 11, 2019.
12. Landrigan, Philip J., M.D., Frumkin, H., M.D., Lundberg, B.E., M.D., *The False Promise of Natural Gas*, New England Journal of Medicine, December 4, 2019.

13. Law, Tara. *The Climate Crisis Is Global, but these 6 Places Face the Most Severe Consequences*, Time.com, Sept. 30, 2019.
14. Liam, Denning, *Bad Week for Energy Stocks? Wait Till Next Year*, Bloomberg Opinion, August 2, 2019.
- Massive Explosion Rips Through Texas Chemical Plant*, National Public Radio, Nov. 27, 2019.
15. *Port of Neches Residents Asked to Leave Their Homes Near Site of Explosion*, National Public Radio, Dec. 5, 2019.
16. *'Silent Spills, Parts I, II, III'*, Houston Chronicle, May 17, 2018.
17. *'U.S. Military Could Collapse Within 20 Years Due to Climate Change'*, Vice, Oct. 24, 2019.
18. Vivian Wang and Michael Adno, *New York Rejects Keystone-Like Pipeline in Fierce Battle Over the State's Energy Future*, New York Times, May 15, 2019.



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: January 21, 2020

Submitted by: John Akers, City Manager

Must Approve: ☐ City Attorney ☐ Finance  City Manager

Additional Approvals: ☐ Choose Department ☐ Other Department

Agenda Subject: Review Council Assignments to Boards and Commissions and Liaison Positions

Action Requested (check all that apply):	Ord. 1 st reading ☐	Ord. 2 nd reading ☐	Legislative Hrg. ☐	Quasi-Judicial Hrg. ☐	Appeal Hrg. ☐
	Adopt Resolution ☐	Approve contract ☐	Approve budget adjustment ☐	Approve – other ☐	Review Report or Study ☐
	Direction to staff ☐	Discussion only ☐	Bid Award ☐	Other ☒ (describe): Consider Assignments	

BACKGROUND/SUMMARY: Council annually reviews and updates their assignments to boards and commissions. Attached is the grid and list of the current Council assignments to boards and commissions and liaison positions for review and consideration of updates.

FINANCIAL IMPACT: N/A

RECOMMENDED ACTION OR MOTION: Consider Council Assignments

Attachments: Grid of Current Assignments
Board and Committee Assignments

	NICOLE	BRUCE	NANCY L.	NANCY G.	DAVID	MARY	STACEY
Affordable Housing Commission				X			
City Finance Committee		X			X		
Lodging Tax Advisory Committee	X						
Utility Advisory Commttee			X	x			
KITTCOM Administrative Board						X	
Airport Advisory Committee							X
KCCOG	X					X	
EMS and Trauma Care Council							X
Homelessness Committee					X		
Law and Justice Council							X
Fire Relief & Pension Board		X (Mayor)					
Developmental Disabilities Board			X				
Disability Board (LEOFF)		X (Mayor)					
Yakima Basin Fish and Wildlife Recovery Board			X				
Solid Waste Advisory Committee							X
Public Transit Advisory Committee		X					
Kittitas Co. Community Network Coalition					X		
Kittitas County Health Network		X(Mayor)					
LIAISON POSITIONS							
	NICOLE	BRUCE	NANCY L.	NANCY G.	DAVID	MARY	STACEY
Chamber of Commerce Legislative Comm.		X	X				
ASCWU-BOD					X		
Arts Commission						X	
Ellensburg Business Development Auth. Bd.		X					
Environmental Commission			X				
Landmarks and Design Commission					X		
Library Board						X	
Parks and Recreation Commission	X						
Planning Commission				X			
Senior Citizens Advisory Commission	X						
* Mayor Liaison Alternate							1/8/2019

1/8/2019

Council Board & Committee Assignments January 2019

BOARD OR COMMITTEE	MEETING TIME	REPRESENTATIVE
Affordable Housing Commission 501 N. Anderson Street Ellensburg, WA 98926 Kirsten Sacket 962-7232	1 st Wednesday Every Month (3 rd as needed) 4:30 p.m. Council Chambers	Goodloe
Chamber of Commerce Liaison 609 N. Main Street Ellensburg, WA 98926 925-2002	4 th Tuesday Every Month 7:30 a.m. Chamber	Tabb/Lillquist
City Finance Committee Jerica Pascoe, Finance Director 501 N. Anderson Street Ellensburg, WA 98926 962-7205	Quarterly (Jan., Apr., July, Oct.) 3 rd Wednesday 4:00 p.m.	Miller Tabb
Lodging Tax Advisory Committee Laurie Gigstead 501 N. Anderson Street Ellensburg, WA 98926 962-7221	1 st Wednesday Every Month 2:00 p.m. Council Chambers	Klauss
Utility Advisory Committee Darren Larsen 501 N. Anderson Street Ellensburg, WA 98926 962-7227	3 rd Thursday Every Month 3:30 p.m. Council Conference Room	Lillquist Goodloe
KITTCOM Administrative Board Darlene Mainwaring 700 Elmview Road Ellensburg, WA 98926 925-8530	2 nd Thursday Every Month 1:30 p.m.	Morgan
Kittitas County Airport Advisory Committee Kittitas County Public Works 411 N. Ruby Street Ellensburg, WA 98926 962-7699 (Candy Leader)	2 nd Wednesday Every Month 5:30 p.m. Council Public Works Office 411 N. Ruby Street, Suite 1	Engel
Kittitas County Conference of Governments Kathy Boots 962-7506	3 rd Wednesday 6:00 p.m. Location alternates between Upper and Lower County	Klauss Morgan

<u>BOARD OR COMMITTEE</u>	<u>MEETING TIME</u>	<u>REPRESENTATIVE</u>
Kittitas County EMS and Trauma Care Council Cheryl Burrows PO Box 821 Cle Elum, WA 98922 674-2932	1 st Thursday Even Months 7:00 p.m. Location alternates between Upper and Lower County	Engel
Kittitas County Homelessness & Affordable Housing Committee 205 W. 5 th Street, Suite 108 Ellensburg, WA 98926 Taylor Crouch 962-7508	Last Wednesday 3:30 p.m. BOCC Auditorium	Miller
Kittitas County Law and Justice Council Kittitas County Courthouse 205 W. 5 th Street Ellensburg, WA 98926	3 rd Wednesday Every Month 8:00 a.m. BOCC Auditorium	Engel
Fire Relief & Pension Board Beth Leader, City Clerk 501 N. Anderson Street Ellensburg WA 98926 925-8614	AS NEEDED	Mayor (Tabb)
Kittitas County Developmental Disabilities Advisory Committee 205 W. 5 th Street Ellensburg WA 98926 Kasey Knutson 925-7029	1 st Tuesday Every Other Month 7:00 p.m.	Lillquist
Kittitas County Disability Board (LEOFF) Sarah Gann 962-7025	4 th Wednesday Each Month 8:00 a.m. BOCC Conference Room	Mayor (Tabb)
Yakima Basin Fish and Wildlife Recovery Board Alex Conley 1200 Chesterly Drive, Suite 280 Yakima, WA 98902 509-453-4104	One Thursday Afternoon Every Other Month 2:00 p.m.	Lillquist

<u>BOARD OR COMMITTEE</u>	<u>MEETING TIME</u>	<u>REPRESENTATIVE</u>
Kittitas County Solid Waste Advisory Committee Patti Johnson 925 Industrial Way Ellensburg WA 98926 962-7070	AS NEEDED (Generally 2 times per yr.) 6:30 p.m.	Engel
ASCWU-BOD Liaison 400 East University Way Ellensburg, WA 98926 963-1693		Miller
Kittitas County Community Network 507 N. Nanum Street Ellensburg, WA 98926 Ann Riley 962-9775	Quarterly – 3 rd Monday (Jan., Apr., July, Oct.) 11:30 a.m.	Miller
Public Transit Advisory Committee 501 N. Anderson Street Ellensburg, WA 98926 Josh Mattson 925-8699	3 rd Tuesday 3:30 p.m.	Tabb
Kittitas County Health Network 700 E. Mountain View Avenue, Suite 501 Ellensburg, WA 98926 Susan Grindle 509-925-1448	3 rd Wednesday 4:00 p.m.	Tabb (Mayor)

COUNCIL LIAISONS TO BOARDS AND COMMISISONS

Arts Commission – Mary Morgan	2 nd Thursday at 4:00 p.m.
Ellensburg Business Development Authority Board – Bruce Tabb	2 nd Wednesday at 4:00 p.m.
Environmental Commission – Nancy Lillquist	3 rd Wednesday at 5:15 p.m.
Landmarks and Design Commission – David Miller	1 st and 3 rd (as needed) Tuesday at 5:15 p.m.
Library Board – Mary Morgan	2 nd Tuesday at 4:30 p.m.
Parks and Recreation Commission – Nicole Klauss	2 nd Wednesday at 5:30 p.m.
Planning Commission – Nancy Goodloe	2 nd Thursday at 5:45 p.m.
Senior Citizens Advisory Commission – Nicole Klauss	2 nd Tuesday at 1:00 p.m.

* Mayor alternate for all liaison assignments



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: January 21, 2020

Submitted by: Kirsten Sackett, Community Development Director

Must Approve: ☒ City Attorney ☒ Finance  City Manager

Additional Approvals: ☐ Choose Department ☐ Other Department

Agenda Subject: Legislative Public Hearing to Consider a Petition for Annexation of 260 Parcels Referred to as the Currier Creek Area Annexation Area, Located in Northwest Ellensburg and first reading of an Ordinance approving the Petition for Annexation P19-075

Action Requested (check all that apply):	Ord. 1 st reading ☒	Ord. 2 nd reading ☐	Legislative Hrg. ☒	Quasi-Judicial Hrg. ☐	Appeal Hrg. ☐
	Adopt Resolution ☐	Approve contract ☐	Approve budget adjustment ☐	Approve – other ☐	Review Report or Study ☐
	Direction to staff ☐	Discussion only ☐	Bid Award ☐	Other ☐ (describe):	

BACKGROUND/SUMMARY:

In March 2017, the City of Ellensburg and Kittitas County reached an agreement in which the County agreed to help fund the Washington State Department of Transportation (WSDOT) Dolarway and University Way roundabout project. In return, the City committed to facilitate annexation of properties located in the University Way and Reecer Creek intersection area.

The City began outreach to property owners in the proposed annexation area with an informational letter mailed in February 2019, followed by a public meeting held on March 7, 2019. Approximately 60 people attended the March 7 meeting. A brochure was developed to address frequently asked questions and comments; the brochure was mailed to property owners in the proposed annexation area on April 8, 2019.

Per Chapter 35A.14 of the Revised Code of Washington (RCW), on City Council held a public meeting consider the proposed annexation on June 17, 2019. The meeting was attended by 35 persons, and approximately one dozen commented on the proposed annexation. Following the discussion, City Council made the following determinations:

1. City Council geographically modified (reduced) the proposed annexation area. (The geographic boundary set at the June 17, 2019 meeting can potentially be

reduced, but cannot be expanded in the proposed ordinance). Boundaries set by City Council are depicted in *Exhibit 1*.

2. The City shall require the simultaneous adoption of zoning designations for the parcels proposed to be annexed.
3. The City shall require the proportional assumption of all, or part of, existing City indebtedness by the area, if annexed.

As a Type V legislative decision, the annexation required a public hearing and recommendation by the Planning Commission, which is reviewed below. Per RCW 35A.14.340, City Council must hold two legislative public hearings at least 30 days apart before acting on the annexation request and simultaneous adoption of zoning designations.

PREVIOUS COUNCIL ACTION:

On June 17, 2019 City Council set the boundaries of the annexation, required simultaneous adoption of zoning designations for the annexation area, and required the assumption of a proportional share of existing City indebtedness upon annexation.

ANALYSIS:

The Growth Management Act calls for logical growth patterns. Annexation of areas in the City's urban growth area is one tool that will extend the City's land use regulations, assuring orderly growth through subdivision regulations, design standards, and other relevant regulations in the City's Land Development Code. The proposed boundaries of the Currier Creek Annexation Area would remove several irregular City limit boundaries, including creating contiguous City limits for the entirety of University Way. University Way currently has a section under County jurisdiction that is bordered on both sides by City jurisdiction.

Under the RCW, using the direct petition method for annexation requires property owner signatures representing at least 60 percent of the total assessed property value. The total property valuation of the area proposed to be annexed is \$48,183,940. Property owner signatures for the petition, together with the Petition for Annexation forms signed by the Mayor on behalf of property owners with utility extension agreements, represent a total assessed property value of \$42,743,310, or 88.7% of the total proposed annexation area.

The Petition for Annexation was sent to the Kittitas County Assessor on December 12, 2019. On December 18, 2019, the Assessor determined the petition to be sufficient with regard to legal description and corresponding owner of record at the time of petition.

City Utilities. The City must be able to provide municipal services to annexed areas. Of the 260 parcels proposed to be annexed, 217 have utility extension agreements. The majority of the parcels with utility extension agreements are located in the Currier Creek

subdivision, with other parcels located south of the Currier Creek subdivision between Highway 10 and Reecer Creek Road, and one parcel located on Dry Creek Road.

Once the properties are annexed, further development of parcels that are not currently served by City utilities will necessitate connection to City utilities. City utilities would be available to serve the proposed annexation area.

Zoning Designations. The current City zoning designations bordering the annexation area are shown in *Exhibit 2*, the current Kittitas County zoning designations of the annexation are shown in *Exhibit 3*, and proposed zoning designations for the annexation area are shown in *Exhibit 5*. The proposed annexation area is generally bordered on the eastern side by Residential-Suburban zoning; on the southern side by a combination of Light-Industrial, Heavy-Industrial, and Commercial-Highway zoning; and on the west side by Commercial-Tourist and Planned Unit Development zoning.

The Comprehensive Plan designations for the proposed annexation area are depicted in *Exhibit 4* and described as follows:

- **Residential Neighborhood:** Currier Creek subdivision
- **Blended Residential Neighborhood:** east side of Reecer Creek Road and either side of Dry Creek Road.
- **Community Mixed Use:** either side of University Way.
- **Mixed Business Park:** parcels bordering Highway 10 and between Highway 10 and Reecer Creek Road.

Upon annexation, staff recommends a combination of zoning designations as shown in *Exhibit 5* and described as follows:

- **Residential-Suburban:** Currier Creek subdivision, west side of Reecer Creek Road, and northwest end of Dry Creek Road.
- **Residential-Low:** southeast end of Dry Creek Road.
- **Residential-Medium:** two parcels south of University Way with access from Pott Road.
- **Commercial-Highway:** either side of University Way, and parcels between Highway 10 and Reecer Creek Road.

These proposed zoning designations are intended to be compatible with the respective neighboring properties, and are supported by the previously listed Comprehensive Plan future land use designations.

Procedural Requirements. The Planning Commission held a legislative public hearing on December 12, 2019 to consider the petition for annexation. Approximately 20 members of the public were in attendance at the Planning Commission public hearing, with eight members of the public providing testimony. Paul McBride spoke as one of 8 neighboring property owners on Dry Creek Road who had submitted a petition, dated December 12, 2019, requesting that their properties be removed from the annexation

boundaries. Other signers of the petition also testified against inclusion in the annexation, including Gabrielle Stryker, Jordan Richter and Fabian Kuchen. Mr. Kuchen also expressed concerns that his property at 1404 Dry Creek Road would lose the Light Industrial Zoning currently set by the County, as the City recommendation is to assign R-S zoning.

Tami Sawyer and her mother Mrs. Sawyer, who own property within the annexation area, also testified against inclusion in the annexation. John Woods, as a neighboring property owner to the annexation area, testified against the annexation and shared concerns about flooding and the new FEMA flood maps. Myron Linder, as owner of one 38-acre parcel, spoke in favor of his property being annexed.

At the conclusion of the hearing, the Planning Commission unanimously recommended Council approve the request for annexation with the boundaries as previously set by City Council, with staff's proposed zoning regulations, as presented.

A legal advertisement for this January 21 City Council public hearing was published in the Daily Record on January 4, 2020 (*Exhibit 6*), and on that same date five (5) land use action signs were posted in various locations along the perimeter of the annexation area (*Exhibits 7 & 8*). On January 3, 2020 notice of the public hearing was also mailed to property owners within the annexation area, as well as to property owners within 300 feet of the proposed annexation area (*Exhibits 9 thru 11*).

In response to the City Council public hearing notification, two written comments have been received from the public as of the date of this staff report. The first response, dated January 13, 2020, is another petition from property owners on Dry Creek Road, stating their opposition to the inclusion of their properties in the annexation. They are requesting to have their properties removed from the boundaries of the annexation. This petition was submitted by Paul McBride and Gabrielle Stryker, who own property at 1407 Dry Creek Road, but was also signed by 8 other property owners along Dry Creek Road, and one addressed off of 15th Ave. Please refer to *Exhibit 12* for a further description of their request. On January 14, 2020, a written comment was submitted via email by Gabrielle Stryker, depicted as *Exhibit 13*. She again expresses her opposition to the inclusion of the properties on Dry Creek Road, and also provides additional information regarding the wetlands found within the properties and the associated concerns about flooding in the vicinity.

FINANCIAL IMPACT: None at this time.

RECOMMENDED ACTION OR MOTION:

1. Hold an open record legislative public hearing;
2. Approve Petition for Annexation P19-075 for 260 parcels referred to as the Currier Creek Annexation Area, with simultaneous approval of zoning as proposed by City staff; and
3. Conduct first reading of the ordinance (attached).

EXHIBITS:

1. Map of proposed annexation area
2. Map of current City of Ellensburg zoning designations
3. Map of current Kittitas County zoning designations
4. Map of City of Ellensburg Comprehensive Plan land use designations
5. Map of current and proposed zoning designations for proposed annexation area
6. Confirmation of publication for legal notice of January 21, 2020 City Council public hearing
7. Affidavit of posting Land Use Action signs
8. Photos of City Council Public Hearing Land Use Signs
9. Notification of January 21, 2020 City Council public hearing sent to property owners within 300 feet of proposed annexation and to property owners within annexation boundaries
10. Notification Map – properties within 300 feet of proposed annexation area.
11. Mailing Labels for property owners within annexation area and within the 300-foot buffer
12. McBride/Stryker January 13, 2020 Comment Letter / Petition on behalf of 9 property owners within annexation boundaries
13. Gabrielle Stryker January 14, 2020 Comment Letter

Attachments: Ordinance

EXHIBIT 1
Map of Proposed Annexation Area

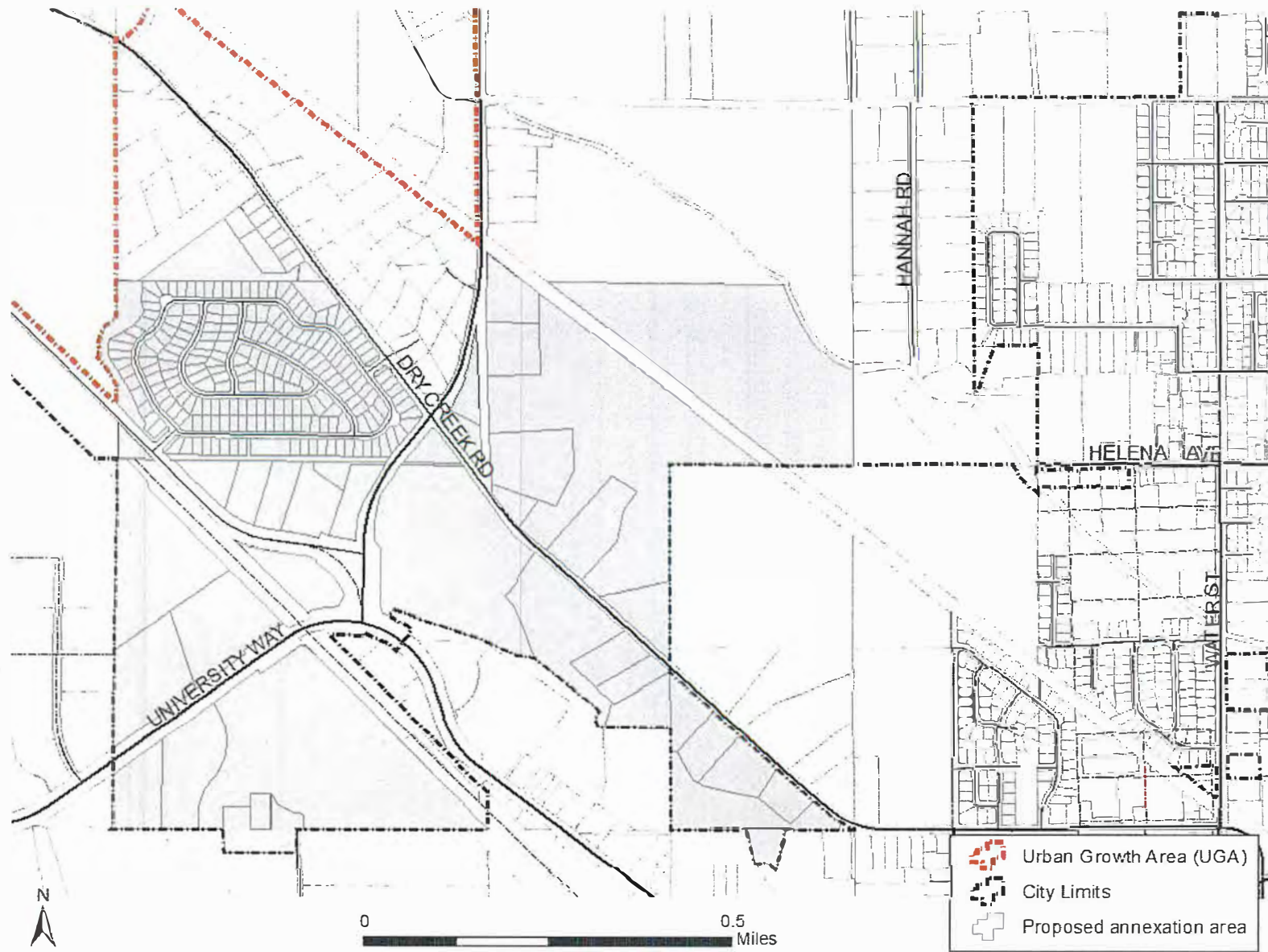


EXHIBIT 2
Map of Current City Zoning Designations



EXHIBIT 3
Map of Current Kittitas County Zoning Designations

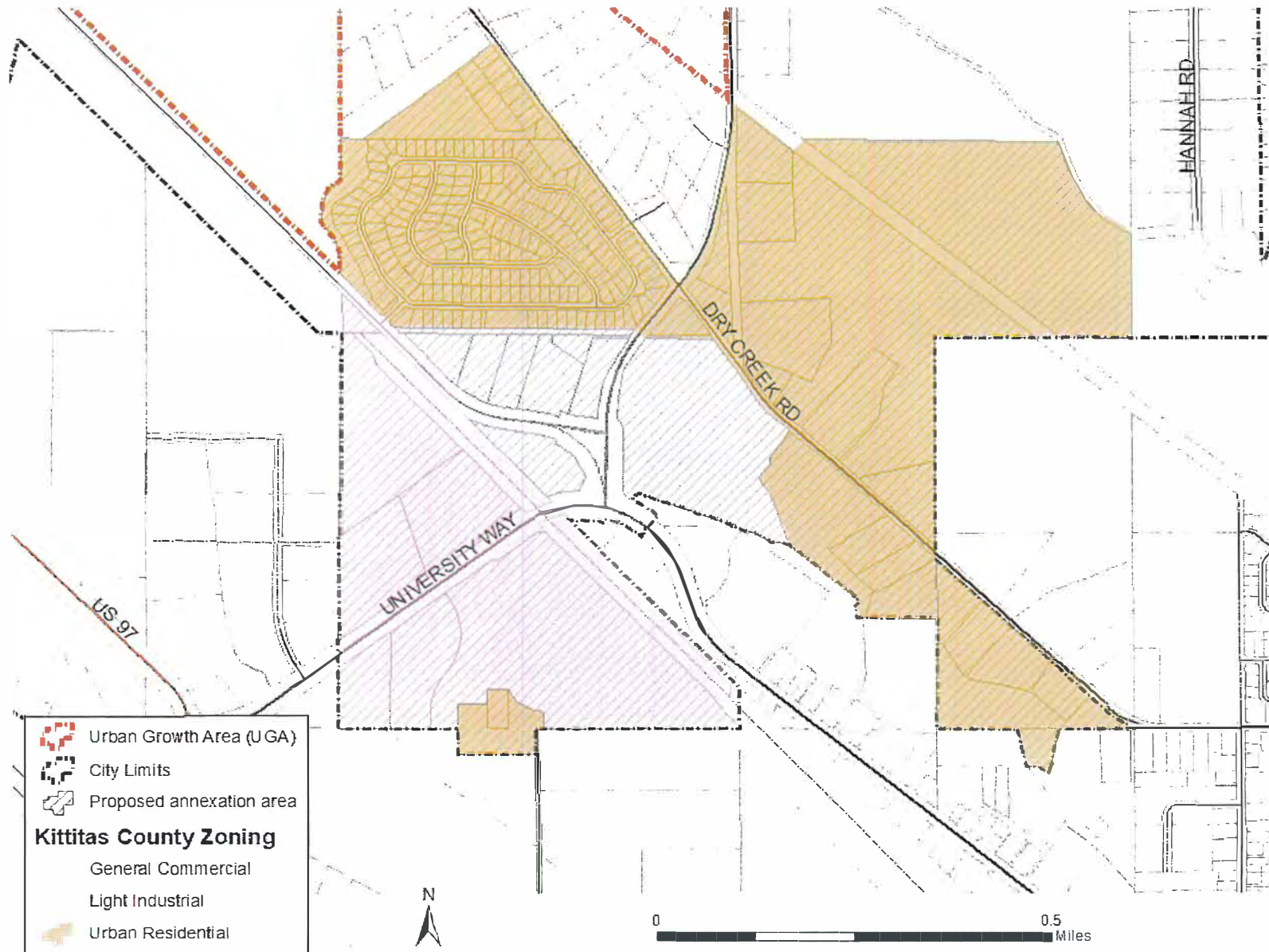


EXHIBIT 4 Map of Comprehensive Plan Designations

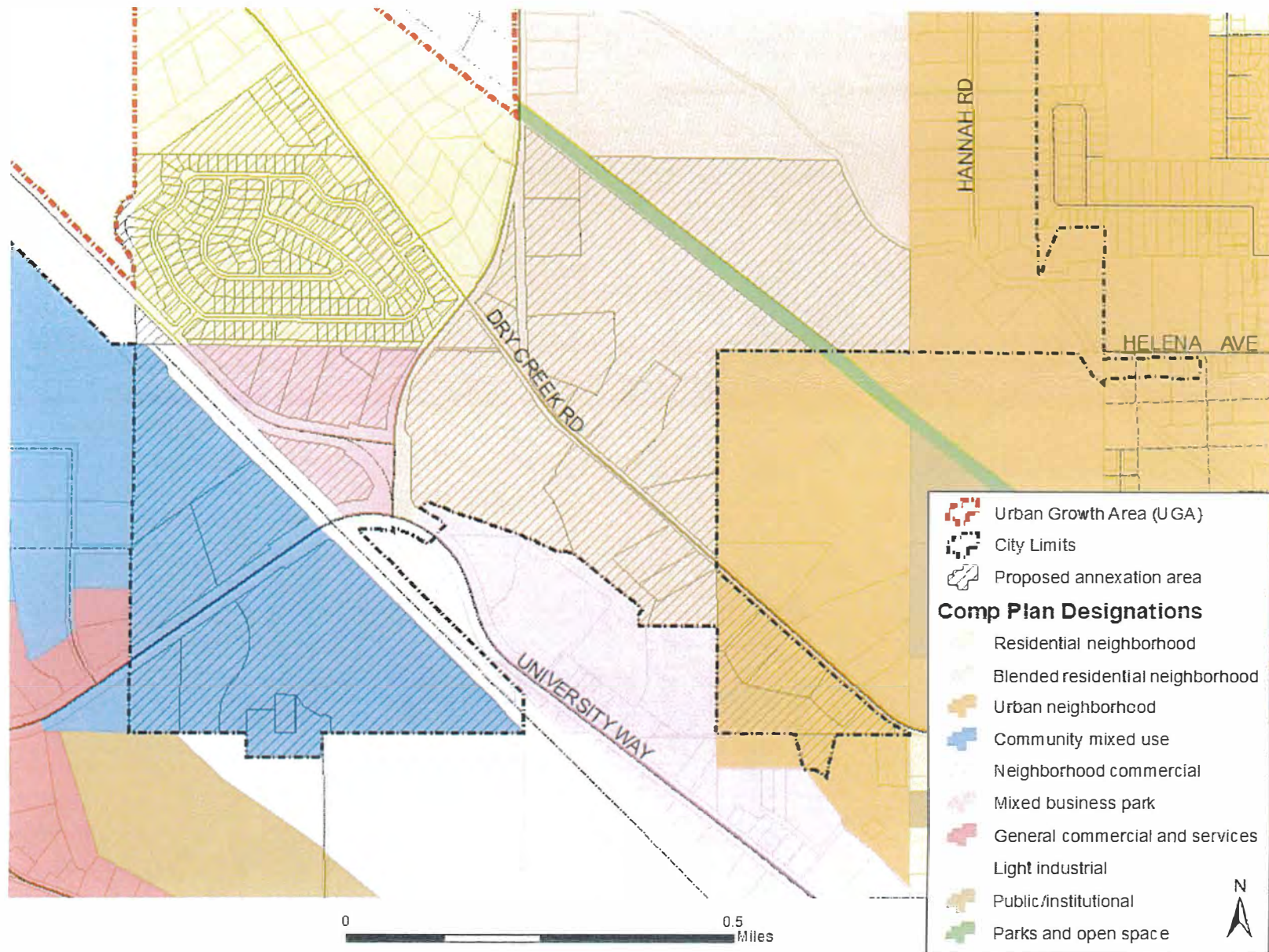


EXHIBIT 5 **Map of Proposed and Current Zoning Designations**

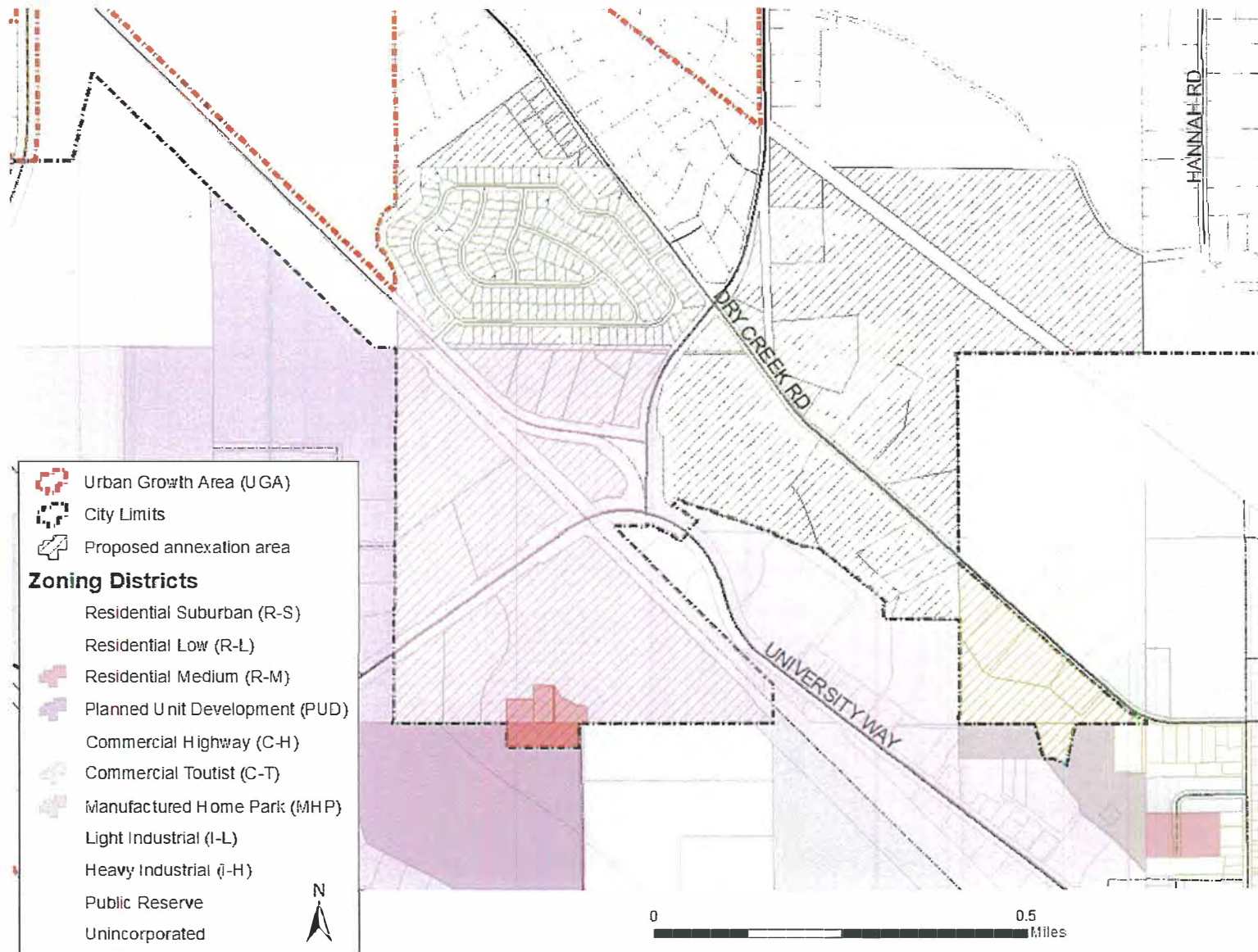


EXHIBIT 6

DAILY RECORD/KITTITAS PUB
C/O IDAHO STATE JOURNAL RECEIVABLES
PO BOX 1570
POCATELLO ID 83204
(509) 925-1414
Fax (509) 925-5696

ORDER CONFIRMATION

Salesperson: MEGAN WOODRUFF

Printed at 12/30/19 10:38 by mwo18

Acct #: 84015

Ad #: 1980827

Status: New WHOLD

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

Start: 01/04/2020 Stop: 01/04/2020
Times Ord: 1 Times Run: ***
STD6 2.00 X 8.09 Words: 279
Total STD6 16.18
Class: 0001 LEGAL NOTICES
Rate: LEG3 Cost: 142.38
Affidavits: 1

Contact: BETH LEADER
Phone: (509) 925-8614
Fax#:
Email: leaderb@ci.ellensburg.wa.us
Agency:

Ad Descrpt: N/PUB HEARING P19075
Given by: KIRSTEN SACKETT
P.O. #: P19075/K SACKETT
Created: mwo18 12/30/19 10:34
Last Changed: mwo18 12/30/19 10:38

PUB ZONE EDT TP RUN DATES
DR A 97 S 01/04
DRWN LEG3 97 S 01/04

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

Quote from Daily Record/Kittitas County Publishing (509) 925-1414
This ad will run as quoted unless cancellation is received. Please contact your sales rep 24 hours prior to first run date to cancel order.

Name (print or type)

Name (signature)

(CONTINUED ON NEXT PAGE)

DAILY RECORD/KITTITAS PUB
C/O IDAHO STATE JOURNAL RECEIVABLES
PO BOX 1570
POCATELLO ID 83204
(509) 925-1414
Fax (509) 925-5696

ORDER CONFIRMATION (CONTINUED)

Salesperson: MEGAN WOODRUFF

Printed at 12/30/19 10:38 by mwo18

Acct #: 84015

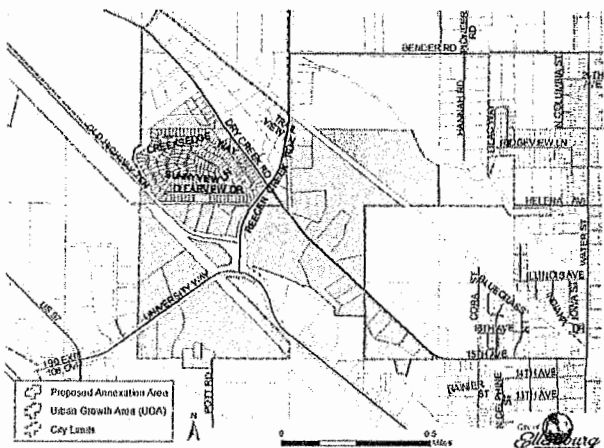
Ad #: 1980827

Status: New WHOLD WHOI

**NOTICE OF A PUBLIC HEARING
ANNEXATION REQUEST**

NOTICE IS HEREBY GIVEN that the Ellensburg City Council will hold an open record public hearing on **Tuesday, January 21, 2020 at 7:00 pm** in City Council Chambers, 501 North Anderson Street, to consider an annexation request (P19-075) submitted by the City of Ellensburg. The applicant seeks to annex 260 parcels into the City of Ellensburg, consistent with Ellensburg City Code and the Ellensburg Comprehensive Plan. Upon annexation the parcels will be zoned consistent with the Comprehensive Plan. The submitted application and related documents are available for review at the City of Ellensburg Community Development Department, 501 North Anderson Street, Ellensburg. Anyone wishing to receive a copy of the annexation request is invited to call (509) 962-7231 or visit the Community Development Department.

Project Location: The parcel is located northeast of the West I-90 interchange, and includes the Currier Creek subdivision, portions of Dry Creek Road, Reecer Creek Road, and University Way, Ellensburg, WA 98926.



NOTICE IS FURTHER GIVEN that all persons interested may appear at such time and place and be heard for or against the matter, or written comments may be filed with the Community Development Department, 501 North Anderson Street, or via email: comdev@ci.ellensburg.wa.us

To be considered during the public hearing, written comments must be submitted by 5:00 pm on Tuesday, January 21, 2019.

The City of Ellensburg strives to make our meetings and activities readily accessible by individuals with disabilities. Please furnish your request in sufficient time for the City to provide a reasonable accommodation. A "Request for Accommodation" form may be obtained from the City Clerk (First Floor - City Hall).

PUBLISH: Daily Record: January 4, 2020

EXHIBIT 7



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

As per Revised Code of Washington (RCW) 35A.14.130, Ellensburg City Code requires that all public hearings pertaining to annexation requests shall have a notice posted in **three** publicly accessible places within the territory proposed for annexation. 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 signs 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: December 30, 2019	PLANNER: Kirsten Sackett, Community Development Director
PROJECT NAME: Annexation of parcels into the City of Ellensburg	FILE NUMBER: P19-075

PLEASE COMPLETE THE FOLLOWING:

I, Kirsten Sackett, 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.**

Kirsten Sackett

Signature

Jan 4

20 20

Date

Please return the above affidavit and a photograph of the posted sign(s) to Angela San Filippo, Long Range Planner, by email: sanfilippoa@ci.ellensburg.wa.us; Fax 509-962-8653; mail; or deliver to: Community Development Dept., City Hall, 501 N. Anderson St., Ellensburg, WA 98926.

EXHIBIT 8

Southeast Entrance Currier Creek Subdivision



Northwest Entrance – Currier Creek Subdivision



University Way – West of Overpass and Reecer Creek Intersection



Intersection of Reecer Creek and Dry Creek Roads



Dry Creek Road – Adjacent to Cemetery



EXHIBIT 9



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

January 3, 2020

RE: Open Record Public Hearing for Annexation request, case # P19-075, submitted by the City of Ellensburg

NOTICE IS HEREBY GIVEN that the Ellensburg City Council will hold an open record public hearing on **Tuesday, January 21, 2020 at 7:00 pm** in City Council Chambers, 501 North Anderson Street, to consider an annexation request (P19-075) submitted by the City of Ellensburg. The applicant seeks to annex 260 parcels into the City of Ellensburg, consistent with Ellensburg City Code and the Ellensburg Comprehensive Plan. Upon annexation the parcels will be zoned consistent with the Comprehensive Plan. The submitted application and related documents are available for review at the City of Ellensburg Community Development Department, 501 North Anderson Street, Ellensburg, Washington. Anyone wishing to receive a copy of the annexation request is invited to call (509) 962-7231 or visit the Community Development Department.

Project Location: The parcel is located northeast of the I-90 freeway interchange, and includes the Currier Creek subdivision, portions of Dry Creek Road, Reecer Creek Road, and University Way, Ellensburg, Washington 98926. **See included map of the proposed annexation area.**

NOTICE IS FURTHER GIVEN that all persons interested may appear at such time and place and be heard for or against the matter, or written comments may be filed with the Community Development Department, 501 North Anderson Street, or via email at comdev@ci.ellensburg.wa.us. **To be considered during the public hearing, written comments must be submitted by 5:00 pm on Tuesday, January 21, 2019.**

The City of Ellensburg strives to make our meetings and activities readily accessible by individuals with disabilities. Please furnish your request in sufficient time for the City to provide a reasonable accommodation. A "Request for Accommodation" form may be obtained from the City Clerk (First Floor – City Hall).

If you have any questions regarding this matter, please contact me at 509-962-7231 or via the e-mail listed above.

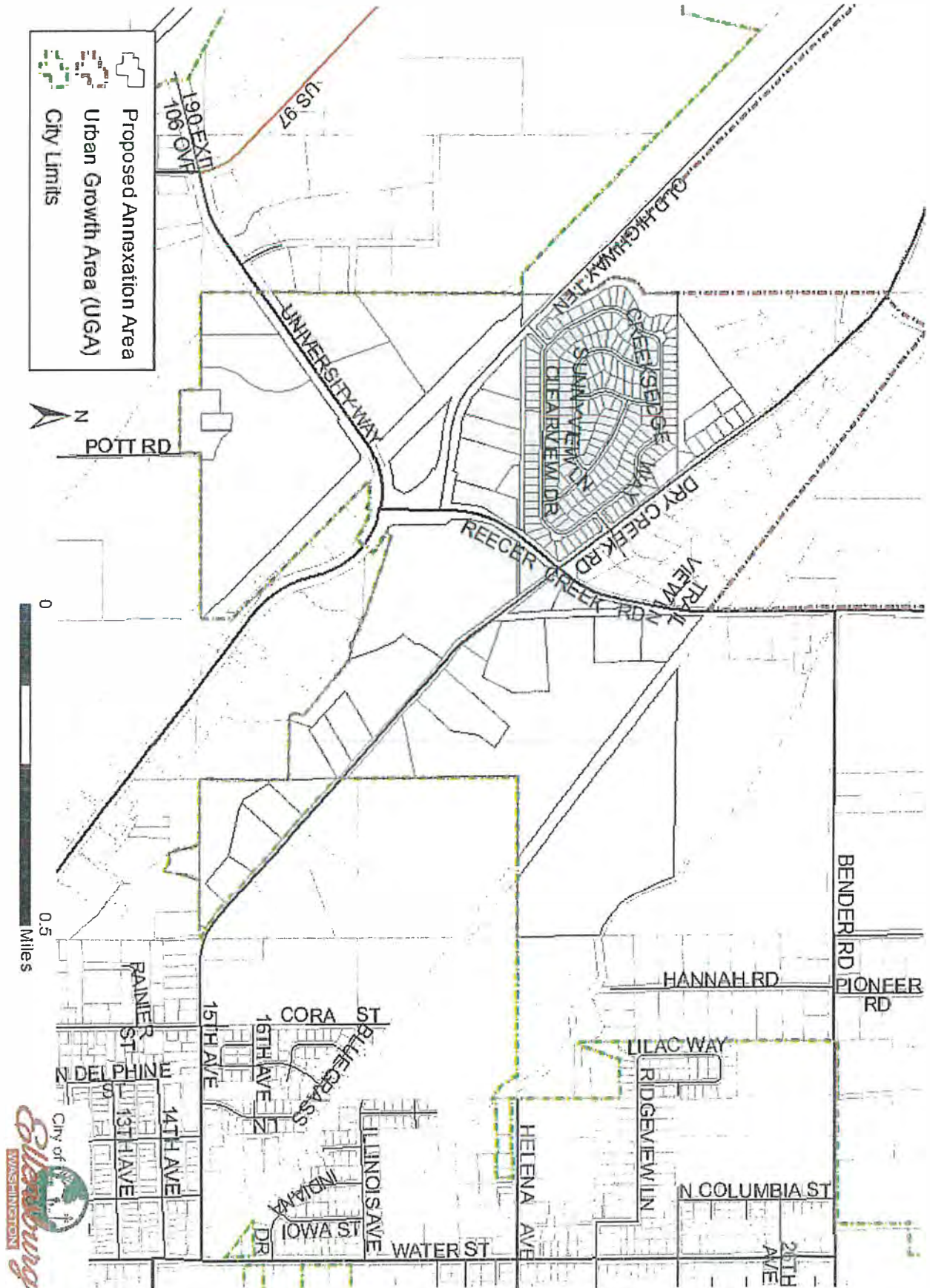
Sincerely,

A handwritten signature in blue ink, appearing to read "Kirsten Sackett".

Kirsten Sackett
Community Development Director

Enclosure (1) – Map of Proposed Annexation Area

P19-075 – PROPOSED ANNEXATION AREA



300 ft Buffer Notification Map

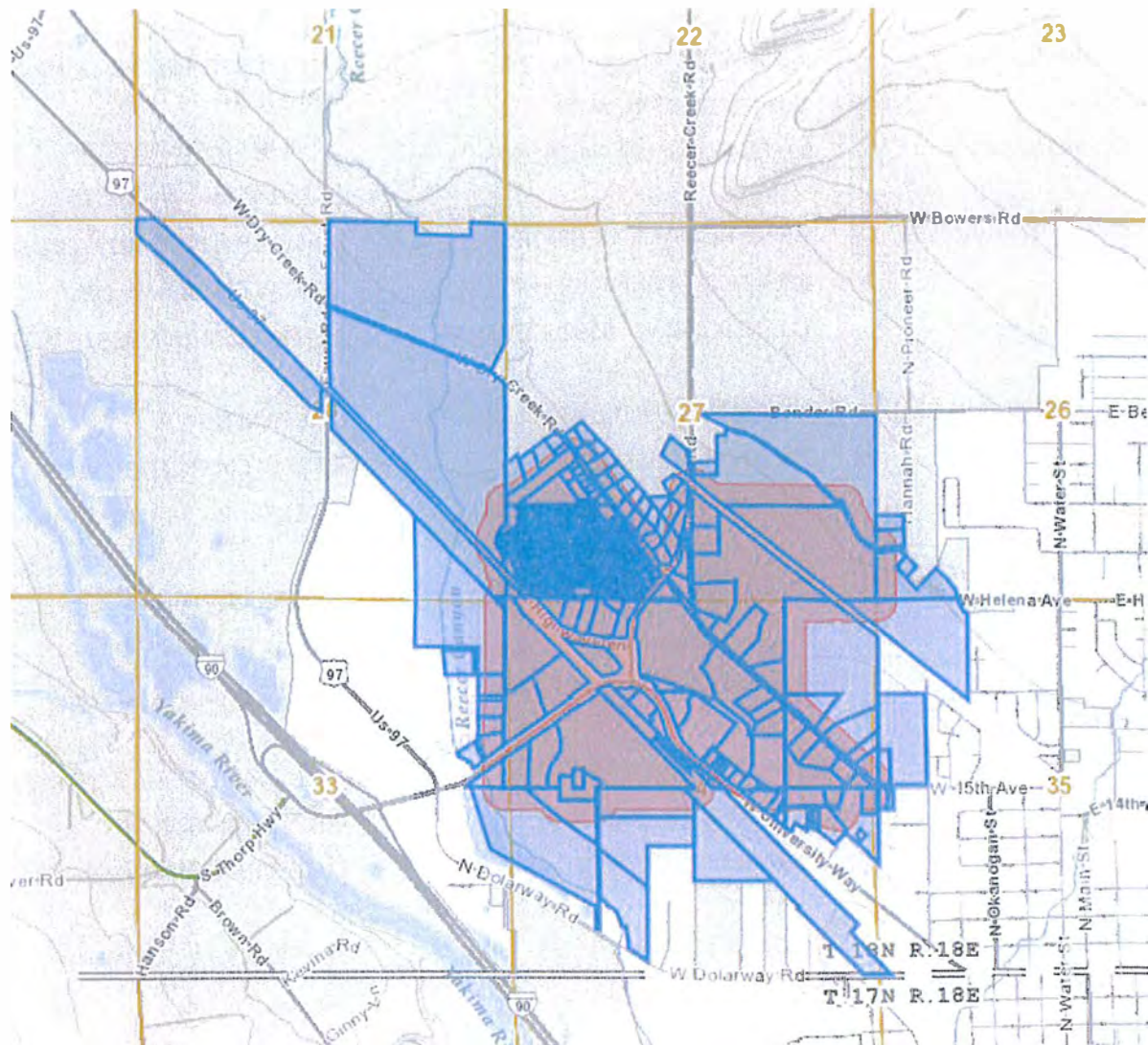


EXHIBIT 11

within Annexation boundaries

1808 CLEARVIEW DR ELLENSBURG LLC 3500 MAIN ST UNION GAP, WA 98903-1944	509 PROPERTY MANAGEMENT LLC PO BOX 1681 ELLENSBURG, WA 98926-1914	ADAMS WILLIAM H & MARILYN L 2002 DRY CREEK RD ELLENSBURG, WA 98926-9454
ADAMS WILLIAM H & MARILYN L 2002 DRY CREEK RD ELLENSBURG, WA 98926-9454	ADLER JON 2011 W CLEARVIEW DR ELLENSBURG, WA 98926-2329	ALLDREDGE JESS D & DONNA F TRUSTEES 2111 W CLEARVIEW DR ELLENSBURG, WA 98926
ANDERSON RONALD T & ROBIN L 1501 N POTT RD ELLENSBURG, WA 98926-8806	APPEL HOWARD T & BRANDY L 1804 W CLEARVIEW DR ELLENSBURG, WA 98926-2325	ARIAS UBALDO & HORTENCIA 1900 W CLEARVIEW DR ELLENSBURG, WA 98926-2327
BAHUS ROBERT & CONKLIN MICHAEL 1910 CLEARVIEW DR ELLENSBURG, WA 98926	BARNESLEY JEFFREY & SCHELAINA 2003 W CLEARVIEW DR ELLENSBURG, WA 98926-2329	BAUER KELLY 2117 W CREEKSEDGE WAY ELLENSBURG, WA 98926-3629
BAUMGARDNER, KORIE & ERIC 2307 N MIDDLECREST DR ELLENSBURG, WA 98926-1401	BECK DANIEL L JR & HILLARY J 1802 W CLEARVIEW DR ELLENSBURG, WA 98926-2325	BERGQUIST NICHOLAS J 1905 W PEAKVIEW DR ELLENSBURG, WA 98926
BERNETT DAVID & LOREE 7493 POT O GOLD LN WENATCHEE, WA 98801-9124	BLAKE TIMOTHY C & TRACY L 2119 W CREEKSEDGE WAY ELLENSBURG, WA 98926-3629	BLANCHARD JOEL A & YENNEY SHELLEY 405 N ANDERSON ST ELLENSBURG, WA 98926-3145
BLEDSON TIMOTHY & ERIN 1812 W CREEKSEDGE WAY ELLENSBURG, WA 98926-2392	BLUME ANDREA L 2211 N CREEKSEDGE WAY ELLENSBURG, WA 98926-2333	BNSF RAILWAY COMPANY PO BOX 961089 FORT WORTH, TX 76161-0089
BODENMAN, BRIAN R & SIERRA H 81 BLUE SKY LANE ELLENSBURG, WA 98926-8999	BOE BRANDON W PSC 45 BOX 238 APO, AE 09468-0003	BOE THOMAS DOUGLAS JR 1851 DRY CREEK RD ELLENSBURG, WA 98926-6535
BOZ PROPERTIES PO BOX 927 PRESTON, WA 98050-0927	BREHM WILLIAM F & BARBARA J 1907 W CLEARVIEW DR ELLENSBURG, WA 98926-2327	BROOKE NOLAN & VEANEZ 2207 N CREEKSEDGE WAY ELLENSBURG, WA 98926-2340
BRYANT, JOSEPH 2006 W SUNNYVIEW LN ELLENSBURG, WA 98926-5907	BUCHANAN DANIEL L & ANNE KRISTINE 2000 W CREEKSEDGE WAY ELLENSBURG, WA 98926-2395	CAPITAL PARTNERS LLC PO BOX 12888 SALEM, OR 97309

CARDENAS RUBEN 2002 W PEAKVIEW DR ELLENSBURG, WA 98926-2396	CAROLLO DARYLE L & DAY DENISE M 2004 CREEKSEEDGE WAY ELLENSBURG, WA 98926	CARTER, JARED P & REBECCA L 1914 PEAKVIEW DRIVE ELLENSBURG, WA 98926
CASCADE VIEW INC 620 SE EVERETT MALL WAY STE 360 EVERETT, WA 98208-8113	CASE JOSHUA D & JAIMIE L 2209 N CREEKSEEDGE WAY ELLENSBURG, WA 98926-2333	CATHOLIC CEMETERY ST ANDREWS PARISH 401 S WILLOW ELLENSBURG, WA 98926
CAVALIER, GWENDOLYN F & KURT R 2100 W CLEARVIEW DR ELLENSBURG, WA 98926-2331	CHANG JORDAN & LISA 301 S QUARTZ MOUNTAIN DR ELLENSBURG, WA 98926-5142	CHOYCE BRITTANY C PO BOX 477 ELLENSBURG, WA 98926-1915
COAKER EDWARD W 14236 292ND AVE NE DUVALL, WA 98019-7505	COLSON JAMIE W & ANDREA L 2303 N CREEKSEEDGE WAY ELLENSBURG, WA 98926	CONLEY ERICK DONOVAN & KRISTINA 1924 W DRY CREEK RD ELLENSBURG, WA 98926-9455
CONOVER TERRY GENE 1301 W Dry Creek RD ELLENSBURG, WA 98926	COPPOCK THOMAS K TRUSTEE 1301 NE 25TH ST GRESHAM, OR 97030-3023	CORTEZ DAVID R 2302 N CREEKSEEDGE WAY ELLENSBURG, WA 98926-2341
CRANKOVICH JEREMY DAVID 1913 W PEAKVIEW DR ELLENSBURG, WA 98926-2394	DAVIS CHRISTOPHER & STEPHANIE 2005 W PEAKVIEW DR ELLENSBURG, WA 98926	DESOER ROXY ANNE 1012 W DRY CREEK ELLENSBURG, WA 98926
DNC HOLDINGS LLC PO BOX 237 ROYAL CITY, WA 99357-0237	DOOLIN ALLEN & KIMBERLY 2001 W SUNNYVIEW LANE ELLENSBURG, WA 98926	DOUGHERTY JERALD M ETUX 1804 W CREEKSEEDGE WAY ELLENSBURG, WA 98926
DRY CREEK ACRES LLC FITTERER CONNIE 1671 DODGE RD ELLENSBURG, WA 98926	DUVALL DAVID 2110 W CLEARVIEW DR ELLENSBURG, WA 98926-2331	EKLUND JASON & LAURA 1903 W CREEKSEEDGE WAY ELLENSBURG, WA 98926-2393
ELLENSBURG CHRISTIAN SCHOOL 407 S ANDERSON ST ELLENSBURG, WA 98926-3805	ENG JASON A & KRISTEN K 2004 W PEAKVIEW DR ELLENSBURG, WA 98926	ENGLAND RONALD & LILLIAN 1903 CLEARVIEW DR ELLENSBURG, WA 98926-2327
ESCAMILLA LIVING TRUST 3023 80TH AVE SE #200 MERCER ISLAND, WA 98040-6014	FAITH BAPTIST CHURCH 180 WILDWIND LN ELLENSBURG, WA 98926	FERRELL PATRICK A & SUSAN L 5030 UMPTANUM RD ELLENSBURG, WA 98926-4820

FLETCHER, BRENT J & ELIZABETH A 1919 W PEAKVIEW DR ELLENSBURG, WA 98926-2394	FOTHERINGILL TY M 1918 W PEAKVIEW DR ELLENSBURG, WA 98926-2394	FOWLER JUSTIN R PO BOX 1406 ELLENSBURG, WA 98926-1907
FOWLER JUSTIN R 1515 E SKYLINE DR ELLENSBURG, WA 98926-9588	FULTZ CAMERON M & TERESA A 2312 N CREEKSEDGE WAY ELLENSBURG, WA 98926-2341	GANSEREIT DANIEL B & CRYSTAL D 1920 W PEAKVIEW DR ELLENSBURG, WA 98926-2394
GOLDENMAN PHILIP S 4911 FREMONT AVE N APT 202 SEATTLE, WA 98103-6547	GORDON WILLIAM J 1905 CLEARVIEW DR ELLENSBURG, WA 98926	GOMEZ-VILCHIS RAFAEL & VERONICA 2100 W CREEKSEDGE WAY ELLENSBURG, WA 98926-3629
GOODRICH NOAH B & TRACY 2304 N CREEKSEDGE WAY ELLENSBURG, WA 98926-2341	GOODWIN, CURTIS & ALLISON PO BOX 1657 ELLENSBURG, WA 98926-1927	GORDON HUNTER V & ALYSSA R 1906 W DRY CREEK RD ELLENSBURG, WA 98926-9455
GRANT ROBERT J PO BOX 1411 ELLENSBURG, WA 98926-1907	GREEN, WILLIAM & CORALEE 3311 364TH AVE SE FALL CITY, WA 98024-9425	GREENE WILLIAM B & SHARON M PO BOX 383 PATEROS, WA 98846-0638
GRIFFITH WESLEY & ASHLEY 2305 N MIDDLECREST DR ELLENSBURG, WA 98926	HALL GREGORY & CARRIE J 1906 W CLEARVIEW DR ELLENSBURG, WA 98926-2327	HAMMAN WILLIAM K & NORMA L 2308 N CREEKSEDGE WAY ELLENSBURG, WA 98926-2341
HANNABASS RYAN 1913 W CLEARVIEW DR ELLENSBURG, WA 98926-2327	HENRICKSON JOSH 1923 W PEAKVIEW DR ELLENSBURG, WA 98926-2394	HICKSON JEFFREY EMMETT 2103 W CREEKSEDGE WAY ELLENSBURG, WA 98926
HINKSON NORMA J 1910 W PEAKVIEW DR ELLENSBURG, WA 98926-2394	HUANG KEJUN 2103 W CLEARVIEW DR ELLENSBURG, WA 98926-2331	HUANG, KEJUN 2103 W CLEARVIEW DR ELLENSBURG, WA 98926-2331
JACKSON MICHAEL D PO BOX 1117 ELLENSBURG, WA 98926-1900	JAMES CHRISTOPHER 1902 W CLEARVIEW DR ELLENSBURG, WA 98926-2327	JAMESON THOMAS II & MIKKA 2000 W PEAKVIEW DR ELLENSBURG, WA 98926-2396
JASTREMSKI NICOLE A 2115 W CREEKSEDGE WAY ELLENSBURG, WA 98926-3629	JENKINS JUSTIN J 2212 N CLEARVIEW DR ELLENSBURG, WA 98926-2323	JLE PERSONAL ENTERPRISES LLC & KAMP MAX A & MARY LYNNE 1457 130TH AVE NE BELLEVUE, WA 98005-2253

JOHNSON, JASON A & NANCY W 2100 W SUNNYVIEW LN ELLENSBURG, WA 98926-5908	JONES GARY DALE TRUST & NEWHALL GREG A TRUST PO BOX 3306 BELLEVUE, WA 98009-3306	JONES THOMAS L & CAROL 1907 W PEAKVIEW DR ELLENSBURG, WA 98926-2394
JOSHI NABIN 2108 W CLEARVIEW DR ELLENSBURG, WA 98926-2331	KELLEY BERYL 1391 REECER CREEK RD ELLENSBURG, WA 98926	KENNEDY, SCOTT & KATHRYN 2105 W SUNNYVIEW LANE ELLENSBURG, WA 98926-5908
KITTITAS CO (PUBLIC WORKS) 411 N RUBY ST STE 1 ELLENSBURG, WA 98926-6300	KITTITAS CO TAX DEED (AUDITOR) 205 W 5TH AVE STE 105 ELLENSBURG, WA 98926	KITTITAS CO TAX DEED (AUDITOR) 205 W 5TH AVE STE 105 ELLENSBURG, WA 98926
KNOWLTON, AARON 6741 12TH AVE SW SEATTLE, WA 98106-1947	KNUDSON KRISTINA M 15856 N SMITH AVENUE HAUSER, ID 83854	KUCHIN FABIAN S 1404 DRY CREEK RD ELLENSBURG, WA 98926-9439
LABARR RHONDA L 1907 W CREEKSEDGE WAY ELLENSBURG, WA 98926-2393	LARABEE MIKE L & DAWN M 1801 W CREEKSEDGE WAY ELLENSBURG, WA 98926-2392	LAUTENSLAGER QUINN & TIFFANI 1902 W CREEKSEDGE WAY ELLENSBURG, WA 98926-2393
LAVERA MARK & JOSLYN S 2106 W CLEARVIEW DR ELLENSBURG, WA 98926-2331	LEININGER RANDY L & LISA M 2315 N CREEKSEDGE WAY ELLENSBURG, WA 98926-2341	LESLIE DALE S 2310 N CREEKSEDGE WAY ELLENSBURG, WA 98926-2341
LIEB JACK & SHARON 2101 W CLEARVIEW DR ELLENSBURG, WA 98926-2331	LINVILLE KENNETH W & LAURIE M 1690 TOZER RD ELLENSBURG, WA 98926-9182	LOKE, SOOIE HOE 2008 W SUNNYVIEW LN ELLENSBURG, WA 98926-5907
MACE KIMBERLY L & RYAN L 1810 W CLEARVIEW DR ELLENSBURG, WA 98926-2325	MACKIE, MACKENZIE 2012 W SUNMYVIEW LN ELLENSBURG, WA 98926-5907	MAJSTEREK NICHOLAS A & MADELINE 1607 W DRY CREEK RD ELLENSBURG, WA 98926-9445
MANNING, THOMAS LEE 840 E NORMAN RD YAKIMA, WA 98901-7972	MARAVILLA JUAN M ETAL 1909 W CREEKSEDGE WAY ELLENSBURG, WA 98926-2393	MARINELLI TODD A 2305 N CREEKSEDGE WAY ELLENSBURG, WA 98926-2341
MARTINEZ JOSE A & MANUEL T 2006 W PEAKVIEW DRIVE ELLENSBURG, WA 98926	MATTER, JOSEPH W & CAROLINE A 22421 DOCTON RD SW VASHON, WA 98070	MATTHEWS CLAYTON 1902 W SUNNYVIEW LANE ELLENSBURG, WA 98926

MAULE ROBERT A & TIFFANIE D 2004 13TH AVE SW PUYALLUP, WA 98371-6674	MAYRAND, LARRY S & LISA K 2300 N MIDDLECREST DR ELLENSBURG, WA 98926-1401	MCCLINTICK JONATHAN F & ALVENA L 2301 N CREEKSEDGE WAY ELLENSBURG, WA 98926-2341
MCCONKEY DENISE S & IMUS LYNN M 1113 BROWN RD ELLENSBURG, WA 98926	MCDUGALL PATRICIA A 1806 W CREEKSEDGE WAY ELLENSBURG, WA 98926-2392	MCFADIN GERAD 1202 W DRY CREEK ELLENSBURG, WA 98926
MCKEE CHRISTIANNE L & BRUNS CINDY 1909 CLEARVIEW DR ELLENSBURG, WA 98926	MCLAUGHLIN CHRIS C & DAWN R 2000 DRY CREEK RD ELLENSBURG, WA 98926-9454	MCLAUGHLIN CHRIS C & DAWN R 2000 DRY CREEK RD ELLENSBURG, WA 98926-9454
MCLEAN MARK R 2211 N CLEARVIEW DR ELLENSBURG, WA 98926	MCMULLIN-MESSIER PAMELA A 2006 W CLEARVIEW DR ELLENSBURG, WA 98926-2329	MCNEILLIE, BLAIR & GABRIELLE 1805 W CLEARVIEW DR ELLENSBURG, WA 98926-2325
MDJ CONTRACTORS LLC PO BOX 1117 ELLENSBURG, WA 98926-1900	MOORE CHRISTOPHER A & MENG IAN 300 E HELENA #32 ELLENSBURG, WA 98926	MORA-VILLANUEVA IVONNE MORA- PULIDO LUIS & ESPERANZA 2008 W CLEARVIEW DR ELLENSBURG, WA 98926-2329
MORRIS, DARLENE H & KEVIN W 2001 W PEAKVIEW DR ELLENSBURG, WA 98926-2396	MOYER TYLER D 2403 N CREEKSEDGE WAY ELLENSBURG, WA 98926-2342	NABOVCHIK DAVID J & HALEY D 2402 N CREEKSEDGE WAY ELLENSBURG, WA 98926-2342
NEAL HAL VERN & XIAO SU 2107 W CLEARVIEW DR ELLENSBURG, WA 98926-2331	NEBECK COLIN 1921 W PEAKVIEW DR ELLENSBURG, WA 98926-2394	NICKUM GREGG HOSIER & ELIZABETH 19640 NE 90TH FL REDMOND, WA 98053-4910
NIESSNER ZACHARY & JENSEN KRISTIN 1905 W CREEKSEDGE WAY ELLENSBURG, WA 98926-2393	NOCE WILLIAM S & SUZANNE J 2401 N MIDDLECREST DR ELLENSBURG, WA 98926	OHLDE DENNIS ETUX 15191 E STATE ROUTE 106 BELFAIR, WA 98528-8541
ORTIZ-GONSALES CESAR 2405 N CREEKSEDGE WAY ELLENSBURG, WA 98926-2342	PANA, BENJAMIN JR & HEIDI PO BOX 267 PAPAIOU, HI 96781-0267	PARKER JOHN C F & SANDRA L 3832 164TH ST SW UNIT 27 LYNNWOOD, WA 98087-6904
PHANITCHOB SOMPHOB KIM JAN 1912 W CLEARVIEW DR ELLENSBURG, WA 98926-2327	PORTOLESE LAURA BETH 2007 W CREEKSEDGE WAY ELLENSBURG, WA 98926-2395	PRECIADO JOSE C & TARA J 2400 N CREEKSEDGE WAY ELLENSBURG, WA 98926-2342

PRECIADO MARTIN ETAL
2009 W CLEARVIEW DR
ELLENSBURG, WA 98926-2329

QUINN STERLING D & RACHEL A
2311 N CREEKSEDGE WAY
ELLENSBURG, WA 98926

RAKWICHIAN PIAMJITT
1806 CLEARVIEW DR
ELLENSBURG, WA 98926

RAY DUSTIN
2213 N CREEKSEDGE WAY
ELLENSBURG, WA 98926-2340

RC TEN LLC
270 WILSON CREEK RD
ELLENSBURG, WA 98926-7259

RCE LEASING L.L.C.
1710 W UNIVERSITY WAY
ELLENSBURG, WA 98926

REEVES BLAKE E & SAMANTHA A
2003 W CREEKSEDGE WAY
ELLENSBURG, WA 98926-2395

RICE DAVID & MELANIE
2219 236TH ST SE
BOTHELL, WA 98021-9564

RICE DAVID L & MELANIE A
2219 236TH ST SE
BOTHELL, WA 98021-9564

RICHTER JORDAN R
PO BOX 1254
ELLENSBURG, WA 98926

RILLERA SIMON & MARIA
2307 N CREEKSEDGE WAY
ELLENSBURG, WA 98926

RIVERA ANTHONY & CAROLINE
2309 N CREEKSEDGE WAY
ELLENSBURG, WA 98926

ROSBACH STEPHANIE L
2314 N CREEKSEDGE WAY
ELLENSBURG, WA 98926-2341

ROSE WILLIAM V & ANDREA L
PO BOX 59
VANTAGE, WA 98950-0059

SACKETT JOAN
PO BOX 466
ELLENSBURG, WA 98926-1915

SAWYER TAMI L
909 W 15TH AVE
ELLENSBURG, WA 98926

SCHMID RICHARD
14516 205TH AVE SE
RENTON, WA 98059-8932

SEAMONS TREVOR S ETUX
2216 N CLEARVIEW DR
ELLENSBURG, WA 98926

SHELTON GEORGE & DEBORAH
6510 NANEUM RD
ELLENSBURG, WA 98926

SILVA EDWARD
1811 CREEKSEDGE WAY
ELLENSBURG, WA 98926

SINCLAIR DUSTIN
2004 DRY CREEK RD
ELLENSBURG, WA 98926-9454

SKYE ACCESS LLC
PO BOX 631
RAVENSDALE, WA 98051-0631

SMITH, DANIEL E & REBEKAH
2002 W SUNNYVIEW LN
ELLENSBURG, WA 98926-5907

SODERSTROM STACY K
1813 W CREEKSEDGE WAY
ELLENSBURG, WA 98926-2392

SOLOMON LISA A
2005 W CREEKSEDGE WAY
ELLENSBURG, WA 98926-2395

ST JOHN, DEREK C & ADRIANNA P
1904 W SUNNYVIEW LANE
ELLENSBURG, WA 98926

ST MARY LORI A
1800 W CLEARVIEW DR
ELLENSBURG, WA 98926-2325

STANKIEWICZ, GILES E & SHANNON J
1908 W SUNNYVIEW LANE
ELLENSBURG, WA 98926

STEPHENS JENNIFER L & MICHAEL T
1915 W PEAKVIEW DR
ELLENSBURG, WA 98926-2394

STRYKER GABRIELLE A MCBRIDE PAUL
1407 DRY CREEK RD
ELLENSBURG, WA 98926-9439

STURGELL DAVID A & KATHRYN G
1910 W DRY CREEK RD
ELLENSBURG, WA 98926-9455

SUNDESTEN CHRIS ADAM & JENNA
1901 CREEKSEDGE WAY
BELLEVUE, WA 98926-2393

SUTTLES JONATHAN T ETUX
1509 DRY CREEK RD
ELLENSBURG, WA 98926

VILLA CONSUELO C VILLA RAMON R
1916 W PEAKVIEW DR
ELLENSBURG, WA 98926-2394

VILLWOCK MATTHEW J
2007 W CLEARVIEW DR
ELLENSBURG, WA 98926-2329

VINCENT BONITA L & ROSS PATRICK M
2007 W PEAKVIEW DR
ELLENSBURG, WA 98926-2396

WALES RYAN
800 E JUNIPER AVE APT 1
ELLENSBURG, WA 98926-2295

WALES RYAN
800 E JUNIPER AVE APT 1
ELLENSBURG, WA 98926-2295

WALL DUSTIN M & ANA A
1909 W PEAKVIEW DR
ELLENSBURG, WA 98926-2394

WEBSTER PATRICIA
2102 W CLEARVIEW DR
ELLENSBURG, WA 98926-2331

WIDNER NICHOLAS W & STACIA L
2300 N CREEKSEDGE WAY
ELLENSBURG, WA 98926-2341

WILLIAMS HENRY S SR
2001 W CREEKSEDGE WAY
ELLENSBURG, WA 98926-2395

WILLIAMS WARON C & AMY C
2306 N CREEKSEDGE WAY
ELLENSBURG, WA 98926-2341

WINKELMAN, KEVIN R & APRIL
2301 N MIDDLECREST DR
ELLENSBURG, WA 98926-1401

WINN CHRIS D
1810 W CREEKSEDGE
ELLENSBURG, WA 98926

WOOD PAUL
2313 N CREEKSEDGE WAY
ELLENSBURG, WA 98926-2341

WOODS ROBERT J & COLLEEN M
2214 N CLEARVIEW DR
ELLENSBURG, WA 98926-2323

WOODY SUSAN N
1803 W CREEKSEDGE WAY
ELLENSBURG, WA 98926-2392

WRAGGE TRAVIS J
2210 N CREEKSEDGE WAY
ELLENSBURG, WA 98926-2340

YUSI DARIN B
PO BOX 1815
ELLENSBURG, WA 98926

ZABRANSKY MICHAEL
2218 N CLEARVIEW DR
ELLENSBURG, WA 98926-2323

ZEMSKOVA, ELIZAVETA V
1900 W CREEKSEDGE WAY
ELLENSBURG, WA 98926-2393

ZHOU ZOE S
2401 N CREEKSEDGE WAY
ELLENSBURG, WA 98926-2342

COOK ASHLEY
2104 W CLEARVIEW DR
ELLENSBURG, WA 98926-2331

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 foregoing is true and correct.

Date

1/3/2020

Signed



300' buffer

A-1 PETROLEUM INC
PO BOX 246
ELLENSBURG, WA 98926-1912

AAA WILDCAT STORAGE LLC
12330 NE 8TH ST #201
BELLEVUE, WA 98005

ALLIANCE INVESTMENT GROUP OF
ELLENSBURG
1206 DOLARWAY STE 206
ELLENSBURG, WA 98926-8392

ARNES DIANE
7701 LYONS ROAD
ELLENSBURG, WA 98926

BACKSTROM MICHAEL P
1033 W CASCADE CT
ELLENSBURG, WA 98926-2300

BAIR HUNTER R
2014 DRY CREEK RD
ELLENSBURG, WA 98926-9454

BALDOVINOS JESUS COLAZO LIVIER
31 TRAIL VIEW LN
ELLENSBURG, WA 98926-6544

BAUGH JAMES W & BARBARA J
2018 W DRY CREEK RD
ELLENSBURG, WA 98926-9454

BOE THOMAS D JR & BOE RONDA S
1851 DRY CREEK RD
ELLENSBURG, WA 98926-6535

CALAHAN SCOTT B & REENA E
90 TRAIL VIEW LN
ELLENSBURG, WA 98926-6544

CASCADE MOBILE HOME PARK LLC
22502 60TH AVE W
MOUNTLAKE TERRACE, WA 98043

CHASE ROBERT M & BRENDA M
1853 DRY CREEK RD
ELLENSBURG, WA 98926-6535

CITY OF ELLENSBURG ATTN PARKS AND
RECREATION
501 N ANDERSON ST
ELLENSBURG, WA 98926

CONFEDERATED TRIBES AND BANDS OF
THE YAKAMA NATION
PO BOX 1158
TOPPENISH, WA 98948-0137

CROSSETT BRUCE ETUX
1520 W UNIVERSITY WAY
ELLENSBURG, WA 98926-2337

CROSSETT BRUCE J ETUX
1514 UNIVERSITY WAY
ELLENSBURG, WA 98926

CUMMINGS DONALD W
2313 N HANNAH RD
ELLENSBURG, WA 98926-9410

DAVID & MARISA HURWITZ
REVOCABLE TRUST
1909 W DRY CREEK RD
ELLENSBURG, WA 98926-9455

DENISON JAMES T ETUX
200 OASIS LANE
ELLENSBURG, WA 98926

DEWITT ALICE A
PO BOX 271
ELLENSBURG, WA 98926

ELLENSBURG SCHOOL DIST #401
1300 E 3RD AVE
ELLENSBURG, WA 98926

ELLINGER JAMES E
407 E 4TH AVE #3
ELLENSBURG, WA 98926

FRANCIS DONALD L & TINA M
2110 DRY CREEK RD
ELLENSBURG, WA 98926

GARY EVAN & DIA
2003 DRY CREEK RD
ELLENSBURG, WA 98926-9454

GRAY PETER F ETUX
1001 W DRY CREEK RD
ELLENSBURG, WA 98926

HAGEMEIER ROBERT & MARY S
81 TRAIL VIEW LN
ELLENSBURG, WA 98926-6544

HANSON CANDY M
1921 W DRY CREEK RD
ELLENSBURG, WA 98926

HIGDON KEVIN B ETUX
607 W HELENA ST
ELLENSBURG, WA 98926

HOCTOR JOSEPH RICHARD
602 E 5TH AVE
ELLENSBURG, WA 98926-3202

JENSEN GINGER A
2008 DRY CREEK RD
ELLENSBURG, WA 98926

JUDD JOCELYN 291 OASIS LN ELLENSBURG, WA 98926-6552	KENT DIANE 1231 W UNIVERSITY WAY ELLENSBURG, WA 98926	KOSS BRETT A & DANIELLE 2104 DRY CREEK RD ELLENSBURG, WA 98926-9447
KRAMLICH RALPH E 2106 DRY CREEK RD ELLENSBURG, WA 98926	LARS HOLDINGS LLC 5321 MANASTASH RD ELLENSBURG, WA 98926-7818	LARSON RONALD D. 1031 W CASCADE CT ELLENSBURG, WA 98926
MCFADDEN THEA M 1442 W UNIVERSITY WAY ELLENSBURG, WA 98926-2335	MESECK DONALD W ETUX 221 OASIS LANE ELLENSBURG, WA 98926	OHARE SHARON 2009 W DRY CREEK RD ELLENSBURG, WA 98926-9454
OLDHAM CAROL H 2001 DRY CREEK RD ELLENSBURG, WA 98926-9454	OLIN GREGORY D ETUX 231 OASIS LANE ELLENSBURG, WA 98926	PANTER MARK W ETUX 2401 HANNAH RD ELLENSBURG, WA 98926
PARK YONG S 4528 8TH AVE NE APT 2 C SEATTLE, WA 98105-4788	PAUTZKE BAIT CO INC PO BOX 36 ELLENSBURG, WA 98926-1909	PEACOCK DAVIN ETUX 220 OASIS LANE ELLENSBURG, WA 98926
PEARSON DAVID & MARGUERITE 2110 N REECER CREEK RD ELLENSBURG, WA 98926	PHILLIPS ANN S PO BOX 1035 ELLENSBURG, WA 98926	REASONER DAVID E & SARA M 5058 38TH AVE SW SEATTLE, WA 98126-2815
RICHARDSON LAND & INVESTMENT CO WASHINGTON LLC PO BOX 107 YAKIMA, WA 98907-0107	SANDALOW ALLAN J ETUX 290 OASIS LN ELLENSBURG, WA 98926	SENER DONNA M PO BOX 113 ELLENSBURG, WA 98926
STERKEL MARVIN H JR ETUX 303 W 9TH ST ELLENSBURG, WA 98926	STOKES RONALD H 2011 W DRY CRK RD ELLENSBURG, WA 98926	SVENDSEN VERNON & THERESA 30 TRAIL VIEW LANE ELLENSBURG, WA 98926-6544
TEANAWAY RIDGE LLC PO BOX 808 CLE ELUM, WA 98922-0808	THOMPSON BRIAN M ETUX 1911 W DRY CREEK RD ELLENSBURG, WA 98926-9455	THOMPSON SANDRA ROSE 1901 DRY CREEK RD ELLENSBURG, WA 98926-9455
TURN JAMES H & MARY S 1903 DRY CREEK RD ELLENSBURG, WA 98926-9455	WEST ELLENSBURG INTERCHANGE LLC 110 W 6TH AVE PMB 212 ELLENSBURG, WA 98926-3106	WILLIAMS MARK G. ETUX 1013 W DRY CREEK ELLENSBURG, WA 98926

WINEGAR GARY D. ETAL
703 W HELENA AVE
ELLENSBURG, WA 98926-2023

WOODS JOHN N
1206 W BENDER RD
ELLENSBURG, WA 98926-9408

WRIGHT DALE A
3800 BRIDGEPORT WAY W STE 191
UNIVERSITY PLACE, WA 98466-4495

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 foregoing is true and correct.

Date 1/3/2020

Signed



EXHIBIT 12

Paul McBride & Gabrielle Stryker
1407.W. Dry Creek Road
Ellensburg WA 98926

☐ CALLED
☐ FAXED

REC'D ☒
INITIAL ☐

JAN 14 2020

CITY CLERK'S OFFICE

January 13, 2020

To the Ellensburg City Council

Re: Currier Creek Annexation

Dear City Council:

We write to you to again state our opposition to the inclusion of our stretch of Dry Creek Road in the Currier Creek Annexation. On our five-acre property we own a house, barn, accessory dwelling unit, and three outbuildings. Four acres are given over to pasturage for our four horses. We also keep poultry- chickens and turkeys- and have three large dogs.

Every homeowner along our stretch of Dry Creek Road opposes being annexed into the City of Ellensburg. The Anti-Annexation Petition submitted to the City Council includes the signatures of all the residents of our street:

Name	Address
Tami Sawyer	909 W. 15 th Avenue ¹
Roxy Ann Desoer	1012 Dry Creek Road
Jordan Richter	1114 Dry Creek Road
Gerad McFadin	1202 Dry Creek Road
Terry & Pam Conover	1301 Dry Creek Road
Fabian Kuchin	1404 Dry Creek Road
Paul McBride & Gabrielle Stryker	1407 Dry Creek Road
Jonathan & Nancy Suttles	1509 Dry Creek Road
Nicholas & Madeline Majsterek	1607 Dry Creek Road

The only landowner on our road who favors annexation, so far as we know, is Myron Linder, the owner of a large undeveloped parcel, Lot 14602, with frontage on Dry Creek Road, Reecer Creek Road, and the John Wayne Trail. While Dr. Linder is in favor of annexation, it is unclear to us why the wishes of one nonresident should trump the wishes of all the owners who live on the street. Also, because Lot 14602 is contiguous on its southeastern border with the city limits, Dr. Linder may, if he wishes, separately petition to have just his lot annexed. There is no reason to include the rest of the owners who do not wish to be annexed.

¹ Ms. Sawyer's house, while on 15th Avenue, is immediately adjacent to Roxy Ann Desoer's house. Ms. Sawyer lives at this residence with her parents, who have owned the house for 73 years.

Like us, each of our neighbors who oppose annexation stress their desire to preserve the rural character of our neighborhood, which attracted us to purchase our properties in the first place. However, in addition to our general wish to preserve the rural character of our neighborhood, we also foresee specific, concrete disadvantages to being annexed. For us, those are:

1. Electricity- We will have to drop our current electric carrier, Puget Sound Energy, and hook up with the City of Ellensburg. Our basic monthly electric charge with PSE is \$7.49. With the City, it will be \$27.60 per month, an annual increase of \$240, with no change or improvement in service to compensate for the increased cost.

2. Solar Incentive Payment- We have two large solar panels on our property. We installed them in 2017. They qualified for five years of solar incentive payments of \$4,000 per year from PSE. We are in the last qualifying year. We will lose this last solar incentive payment when we are forced to switch electric utilities from PSE to the City of Ellensburg.

3. Increased property taxes: The City's website estimates additional property taxes of \$1.18 per \$100,000 of assessed value for those properties annexed under the current annexation proposal. For us, this would result in an increase in our property tax, based on our current assessment, of \$416 per year. Like the increase in our electric bill, there is no compensating increase in service or value for the increase in our property taxes, at least that we can see.

3. Dogs- We have three dogs. One is a persistent barker. The other two bark at passersby. If we are annexed, a dog barking complaint will cost us \$250 the first time, \$500 the second time, and \$1,000 the third time; the offending dog may also be impounded. City Code, Section 5.60.060.

4. Dog Licensing- If we are annexed, we will need to license our dogs. City Code, 5.30.080. At \$25 per dog per year, this will cost us \$75 per year.

5. Poultry- City Code allows us to keep no more than four hens. City Code 5.30.310. No allowance is made for turkeys. We typically keep around a dozen hens and two to four turkeys.

6. Horses- Horses are allowed in the City only in zoning district R-S. There is no guarantee our neighborhood will be zoned R-S. Not allowing us to keep horses would destroy the reason we purchased our property. It is a horse property, with four fenced acres of pasture, a large barn, and a riding arena. While we understand that horses are grandfathered, it is our understanding that 1) even under grandfathering, we will never be allowed to own more than the number of horses we currently own; and 2) once we sell it, it loses its grandfather status, and the new owner will not be able to keep horses. This restriction would directly strike at the value of our property, as its value rests in its character as a property suitable for horses.

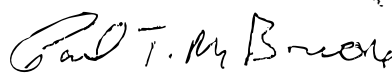
7. Burning- We have dozens of crack willows on our property. We need to burn fallen branches frequently. If we are annexed into the City, we'll come under the City's burning regulations, City Code 5.40.080(G), which may prevent us from burning our waste branches.

8. Grass Height Restriction- City Code Section 5.40.080(C)(2) prohibits grass from growing over 12" in height on private property. We have four acres of grass pasturage. Enforcement of this prohibition against us would cost us hundreds of dollars per year in contracted mowing services and deprive us of the benefit of pasturage for our horses. Our horses graze on our grass year-round. If we have to cut our grass down to 12" or less, they will be grazing on only the most sugar-rich portion of the grass stalk, which is dangerous for horses due to the risk of laminitis. We might be forced to keep them off grass altogether, which would cost us thousands of dollars per year in extra hay costs.

There are probably other disadvantages and costs we have not listed. Unfortunately, we cannot think of a single advantage to being annexed. The City can accomplish its goal of annexing the Carrier Creek development without also bringing in the nine residential rural properties on our stretch of Dry Creek Road, none of whom wish to join the City.

Thank you for your consideration of our request.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul T. McBride".A handwritten signature in black ink, appearing to read "G. Stryker".

Paul McBride/Gabrielle Stryker

JAN 14 2020

PETITION OPPOSING PROPOSED ANNEXATION

CITY CLERK'S OFFICE

We, the undersigned homeowners/property owners of parcels on Dry Creek Road between Mt. Stuart Elementary and Reecer Creek Road oppose the proposed annexation of our properties into the city limits of Ellensburg. We see no benefit to being annexed into the City and view the proposed annexation as a threat to our rural way of life that influenced our decision to purchase property on Dry Creek Road outside the city limits.



Roxy Anne Desoer, 1012 Dry Creek Road, Parcel 686133, 2.17 acres, and Parcel 656133, 3.53 acres

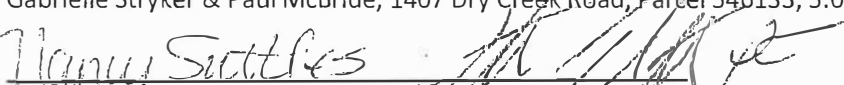

Jordan Richter, 1114 Dry Creek Road, Parcel 586133, 2.72 acres

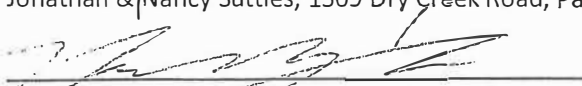

Gerard McFadin, 1202 Dry Creek Road, Parcel 576133, 2.23 acres

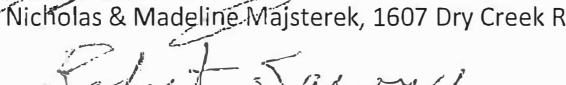

Fabian Kuchin, 1404 Dry Creek Road, Parcel 416133, 10.42 acres, and Parcel 716133, 27.76 acres


Terry Gene Conover, 1301 Dry Creek Road, Parcel 12572, 3.0 acres


Gabrielle Stryker & Paul McBride, 1407 Dry Creek Road, Parcel 546133, 5.0 acres

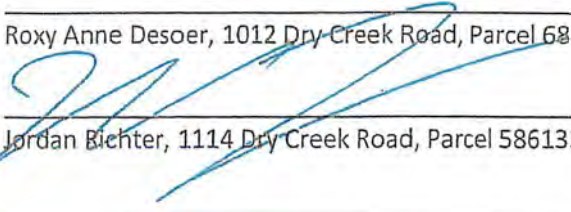

Jonathan & Nancy Suttles, 1509 Dry Creek Road, Parcel 406133, 1.31 acres


Nicholas & Madeline Majsterek, 1607 Dry Creek Road, Parcel 932236, 2.05 acres

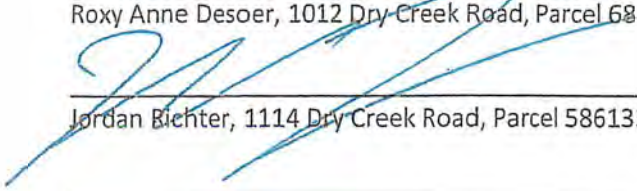

Tami Sawyer 909 W 15TH AVE Parcel 696133, 6.06 acres

PETITION OPPOSING PROPOSED ANNEXATION

We, the undersigned homeowners/property owners of parcels on Dry Creek Road between Mt. Stuart Elementary and Reecer Creek Road oppose the proposed annexation of our properties into the city limits of Ellensburg. We see no benefit to being annexed into the City and view the proposed annexation as a threat to our rural way of life that influenced our decision to purchase property on Dry Creek Road outside the city limits.



Roxy Anne Desoer, 1012 Dry Creek Road, Parcel ~~686133~~ 656133, 2.17 acres, and Parcel 656133, 3.53 acres



Jordan Bichter, 1114 Dry Creek Road, Parcel 586133, 2.72 acres

Gerad McFadin, 1202 Dry Creek Road, Parcel 576133, 2.23 acres

Fabian Kuchin, 1404 Dry Creek Road, Parcel 416133, 10.42 acres, and Parcel 716133, 27.76 acres

Terry Gene Conover, 1301 Dry Creek Road, Parcel 12572, 3.0 acres

Gabrielle Stryker & Paul McBride, 1407 Dry Creek Road, Parcel ~~546133~~ 546133, 5.0 acres

Jonathan & Nancy Suttles, 1509 Dry Creek Road, Parcel 406133, 1.31 acres

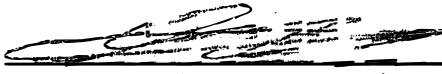
Nicholas & Madeline Majsterek, 1607 Dry Creek Road, Parcel 932236, 2.05 acres

PETITION OPPOSING PROPOSED ANNEXATION

We, the undersigned homeowners/property owners of parcels on Dry Creek Road between Mt. Stuart Elementary and Reecer Creek Road oppose the proposed annexation of our properties into the city limits of Ellensburg. We see no benefit to being annexed into the City and view the proposed annexation as a threat to our rural way of life that influenced our decision to purchase property on Dry Creek Road outside the city limits.

Roxy Anne Desoer, 1012 Dry Creek Road, Parcel 686133, 2.17 acres, and Parcel 656133, 3.53 acres

Jordan Richter, 1114 Dry Creek Road, Parcel 586133, 2.72 acres

 (509) 306-1200
Gerard McFadin, 1202 Dry Creek Road, Parcel 576133, 2.23 acres

Fabian Kuchin, 1404 Dry Creek Road, Parcel 416133, 10.42 acres, and Parcel 716133, 27.76 acres

Terry Gene Conover, 1301 Dry Creek Road, Parcel 12572, 3.0 acres

Gabrielle Stryker & Paul McBride, 1407 Dry Creek Road, Parcel 546133, 5.0 acres

Jonathan & Nancy Suttles, 1509 Dry Creek Road, Parcel 406133, 1.31 acres

Nicholas & Madeline Majsterek, 1607 Dry Creek Road, Parcel 932236, 2.05 acres

EXHIBIT 13

Gabrielle Stryker
1407 Dry Creek Road
Ellensburg, WA 98926

January 14, 2020

To the Ellensburg City Council

Re: Currier Creek Annexation

Dear Ellensburg City Council:

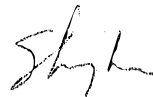
I am writing to again express my opposition to the annexation of the homes along Dry Creek Rd. **Every** homeowner along Dry Creek Rd is **opposed** to annexation into the city. We have purchased our homes in a rural area intentionally outside the city limits. We enjoy our rural way of life and the freedom of being outside the city limits.

I wish to bring to the City Council's attention that through annexation of this section of Dry Creek Rd, The City of Ellensburg will be taking responsibility for 6 additional **wetland areas** (See enclosure 2, *I do not have access the newly updated wetlands map which increase the size of these wetlands*). The wetlands next to my property have standing water year round, in the previous 5 years the only time this area has not had standing, frozen, or flowing water was in May of 2016. These are not simply irrigation wetlands, but year round wet regions including an artesian spring located on the Conover Property at 1301 Dry Creek Rd.

The **Whiskey Creek Flood plain** is also in this section of Dry Creek Rd, which we have seen flood beyond the 100 year level noted in the enclosed map (3) twice in the last 5 years. The City should consider unanticipated and potentially costly infrastructure expenditures should these areas be annexed into the City limits. The recent decisions regarding land use at Mt. Stuart Elementary, the contamination of the Ellensburg Water Company canal and neighbor flooding issues associated with the Blackhorse development, and the flooding that has plagued Currier Creek are all examples of the potential adverse effects. These three properties are directly east, north, and west of the section of Dry Creek Rd we are asking to be excluded from the annexation.

Please consider the request of the homeowners on Dry Creek who have all requested to not be annexed. If the owners of the uninhabited pastureland to the North of our homes wish to be annexed, they can voluntarily be annexed in a separate annexation. That pastureland is contiguous with the city. That would leave our rural section of Dry Creek, which consists of homes on large parcels and farms a "peninsula," contiguous with the NW section of Dry Creek which is not included in this annexation. Attached is a table showing the assessed values of the affected properties, and the old wetlands and floodplain maps that are available online.

Thank you for your consideration of our request.



Gabrielle Stryker

Encl: 1) Table of Properties
2) Wetlands
3) Floodplain map

Enclosure 1:

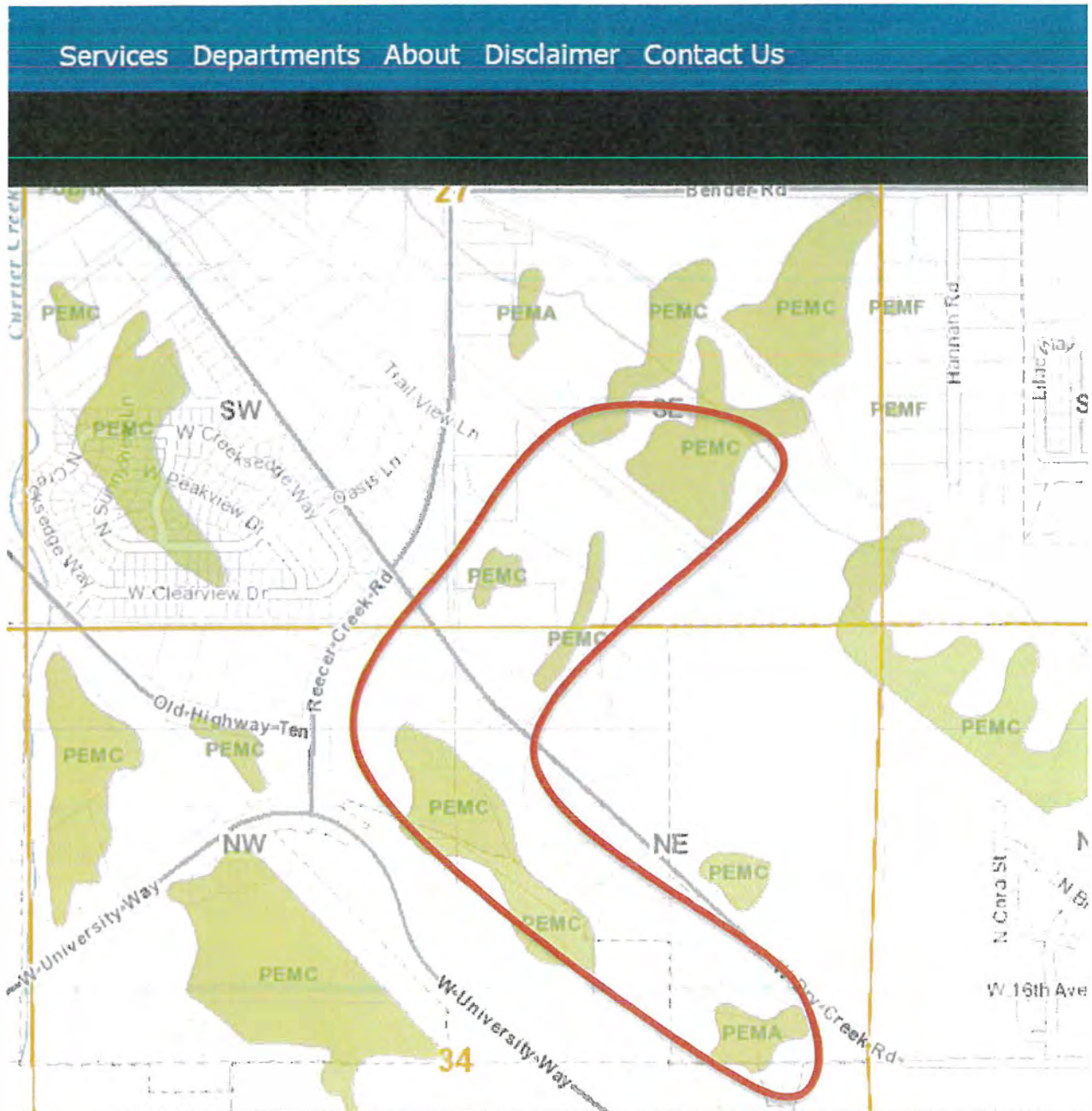
HOMES ON DRY CREEK RD	Parcel #	Acres	Value	Taxes 2019	
MAJSTEREK, NICHOLAS & MADELINE	932236	2.05	\$290,740	\$2,765	<i>Opposed</i>
1607 W DRY CREEK RD					<i>to Annexation</i>
SUTTLES, JONATHAN & NANCY	406133	1.31	\$329,960	\$3,197	<i>Opposed</i>
1509 DRY CREEK RD					<i>to Annexation</i>
STRYKER, GABRIELLE & MCBRIDE, PAUL	546133	5.00	\$353,460	\$3,447	<i>Opposed</i>
1407 DRY CREEK RD					<i>to Annexation</i>
KUCHIN, FABIAN	416133	10.42	\$384,110	\$3,832	<i>Opposed</i>
1404 W DRY CREEK RD	716133	27.76	\$788,000	\$1,766	<i>to Annexation</i>
CONOVER, TERRY & PAM	12572	2.00	\$271,020	\$2,622	<i>to Annexation</i>
1301 W DRY CREEK RD					<i>to Annexation</i>
MCFADIN, GERAD	576133	2.23	\$260,690	\$2,500	<i>Opposed</i>
1202 W DRY CREEK RD					<i>to Annexation</i>
RICHTER, JORDAN	586133	2.72	\$209,990	\$2,006	<i>Opposed</i>
1114 W DRY CREEK RD					<i>to Annexation</i>
DESOER, ROXY ANNE	686133	2.17	\$76,700	\$793	<i>Opposed</i>
1012 W DRY CREEK	656133	3.53	\$358,480	\$3,520	<i>to Annexation</i>
SAWYER, TAMI & PARENTS	696133	6.06	\$308,960	\$3,057	<i>Opposed</i>
909 W. 15 th AVE					<i>to Annexation</i>
Sum of properties		60.19	\$3,732,120	\$30,521	

Uninhabited Parcels which can be voluntarily annexed separately by the city:

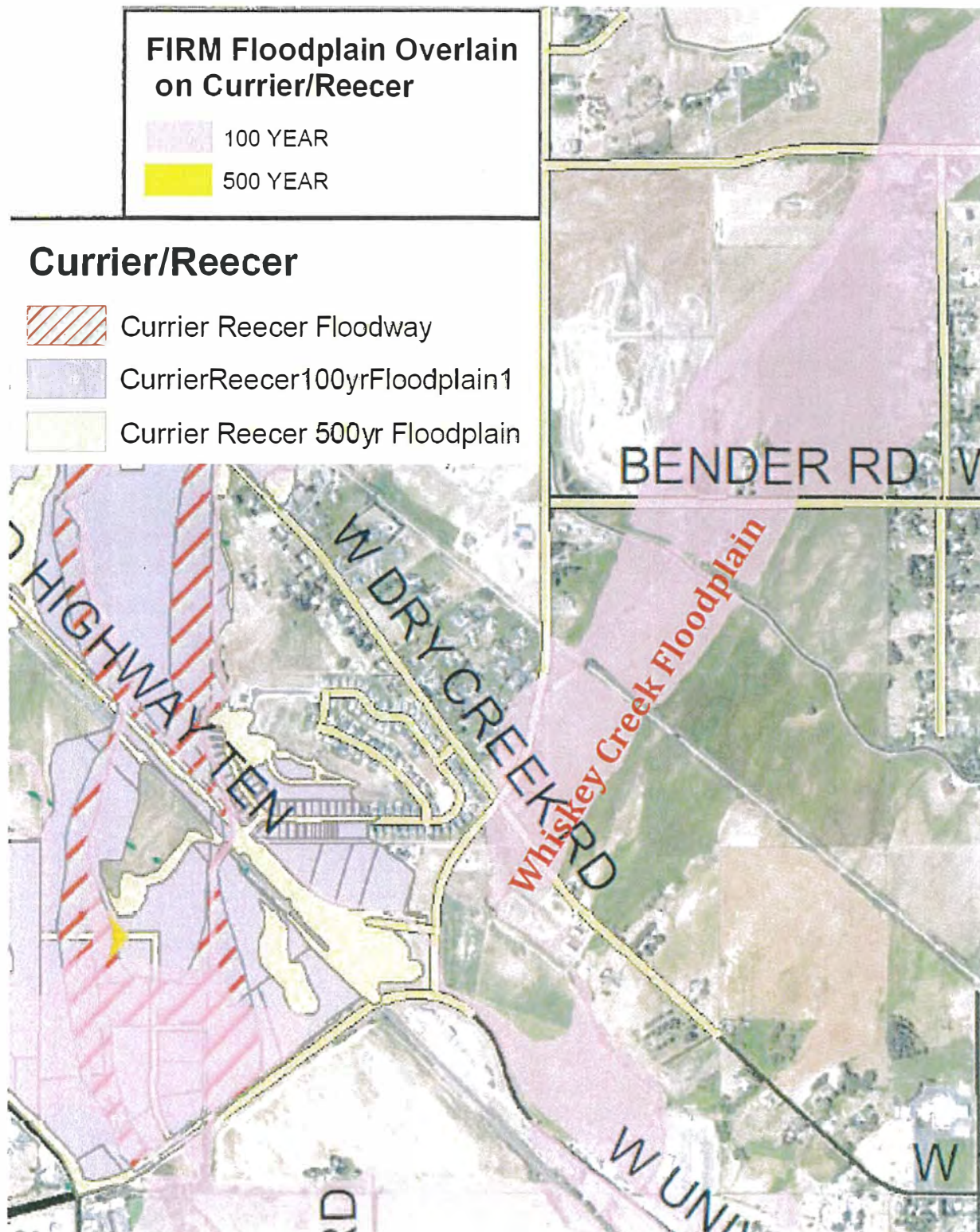
Parcel on Dry Creek Rd	Parcel #	Acres	Value	Taxes 2019
	14602	38.62	\$230,170	\$466

Parcels North of Dry Creek included in annexation	Parcel #	Acres	Value	Taxes 2019
	14601	5.81	\$108,240	\$94
	14600	3.00	\$78,500	\$40
	14599	3.00	\$78,500	\$60
	851033	35.79	\$228,160	\$411
KITTITAS CO (PUBLIC WORKS)	11251	1.15	\$100	\$5
	10764	1.44	\$57,260	\$614
Sum of properties		50.19	\$550,760	\$1226

Enclosure 2: Four wetland desinated areas along Dry Creek Rd



Enclosure 3:
Whiskey Creek and floodplain crosses Dry Creek Rd.



Looking West at rural homes on Dry Creek Rd,
image from Google maps



ORDINANCE NO. ****

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, ANNEXING AN AREA COMMONLY KNOWN AS THE “CURRIER CREEK ANNEXATION AREA” AND DEPICTED IN EXHIBIT A, AND WHICH INCLUDES PARCELS LISTED AND LEGALLY DESCRIBED IN EXHIBIT B, TO THE CITY OF ELLENSBURG, WASHINGTON, ASSIGNING SIMULTANEOUS ZONING CLASSIFICATIONS AS DEPICTED IN EXHIBIT C, PROVIDING FOR THE ASSUMPTION OF EXISTING CITY INDEBTEDNESS AND FIXING A TIME WHEN THE SAME SHALL BE EFFECTIVE.

WHEREAS, on June 11, 2019, the City of Ellensburg submitted a notice of intention to commence annexation proceedings pursuant to the “direct petition” method of RCW 35A.14.120 for parcels depicted in Exhibit A and further described in Exhibit B, said exhibits incorporated herein by this reference, known as the “Currier Creek Annexation Area”; and

WHEREAS, on June 17, 2019, the City Council of the City of Ellensburg, Washington held a public meeting with the annexation initiators pursuant to RCW 35A.14.120 and determined that the initiators could proceed to acquire a 60% petition for annexation pursuant to RCW 35A.14.120; and

WHEREAS, at its June 17, 2019 public meeting the City Council set the annexation area and further determined that the property subject to annexation would be assigned zoning designations, and assume the annexation area’s share of City indebtedness; and

WHEREAS, the owners or the Mayor on behalf of owners with a Utility Extension Agreement of not less than 60% in value, according to the assessed valuation for general taxation of the property hereinafter described, signed the petition pursuant to RCW 35A.14.120 for the annexation of said area to the City of Ellensburg, Washington; and

WHEREAS, the petition for annexation was certified as sufficient by the Kittitas County Assessor, on December 18, 2019, having determined that the petition signatures have a combined total assessed value for general taxation of not less than 60% of the total assessed value for general taxation of all property in the proposed annexation area, in compliance with RCW 35A.01.040; and

WHEREAS, the City provided public notice of the petition for annexation and has provided an opportunity for comment thereon by all interested citizens; and

WHEREAS, on December 12, 2019, pursuant to proper notice given in accordance with RCW 35A.14.130, the Planning Commission conducted a public hearing on the proposed annexation, and following such hearing recommended City Council approve the annexation request and upon annexation recommended the property be zoned a combination of Residential-

Suburban, Residential-Low, Residential-Medium and Commercial-Highway zoning as shown in Exhibit C, incorporated herein by this reference; and

WHEREAS, on January 21 and March 2, 2020, pursuant to proper notice given in accordance with RCW 35A.14.130, the City Council received and reviewed all of the documentation associated with this annexation proposal, conducted public hearings on the proposed annexation in accordance with RCW 35A.14.140 and RCW 35A.14.330-.340, and following such hearings determined to effect the annexation of the territory described in Section 1 of this ordinance, finding that the petition for annexation met the applicable requirements, and that the best interests of the City of Ellensburg, Washington will be served by the annexation and that it is appropriate to good government of the City of Ellensburg, Washington and therefore accepted the petition for annexation pursuant to RCW 35A.14.120 and Chapter 15.360 of the Ellensburg City Code; and

WHEREAS, the territory described in Section 1 of this ordinance is contiguous to the City of Ellensburg, Washington and entirely within the City of Ellensburg Urban Growth Area established pursuant to RCW 36.70A.110,

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

Section 1. Annexation. The parcels and rights-of-ways described in Exhibit B are hereby annexed to and made a part of the City of Ellensburg, Washington.

Section 2. Assessment and Taxation. All property within the territory so annexed shall be assessed and taxed at the same rate and on the same basis as other property of the City of Ellensburg, Washington is assessed and taxed to pay for any outstanding indebtedness of the City of Ellensburg, Washington as presently adopted or as is hereafter amended.

Section 3. Comprehensive Plan Designation. All property within the territory so annexed shall be subject to and a part of the Comprehensive Plan of the City of Ellensburg, Washington as presently adopted or as is hereinafter amended.

Section 4. Land Use Designation and Zoning. Pursuant to authority of RCW 35A.14.330, all property within the territory so annexed, and as described in Exhibit B, attached hereto, shall be hereby zoned as depicted in Exhibit C.

Section 5. Transmittal and Filing. The Ellensburg City Clerk is directed to file a certified copy of this ordinance with the Kittitas County Auditor and the Kittitas County Board of County Commissioners.

Section 6. Severability. 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 portion(s) of this ordinance.

Section 7. Corrections. Upon the approval of the City Attorney, the City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance, including but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, sections/subsections numbers and any references thereto.

Section 8. Effective Date. This ordinance shall take effect and be in full 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 _____ 2020.

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.

EXHIBIT A

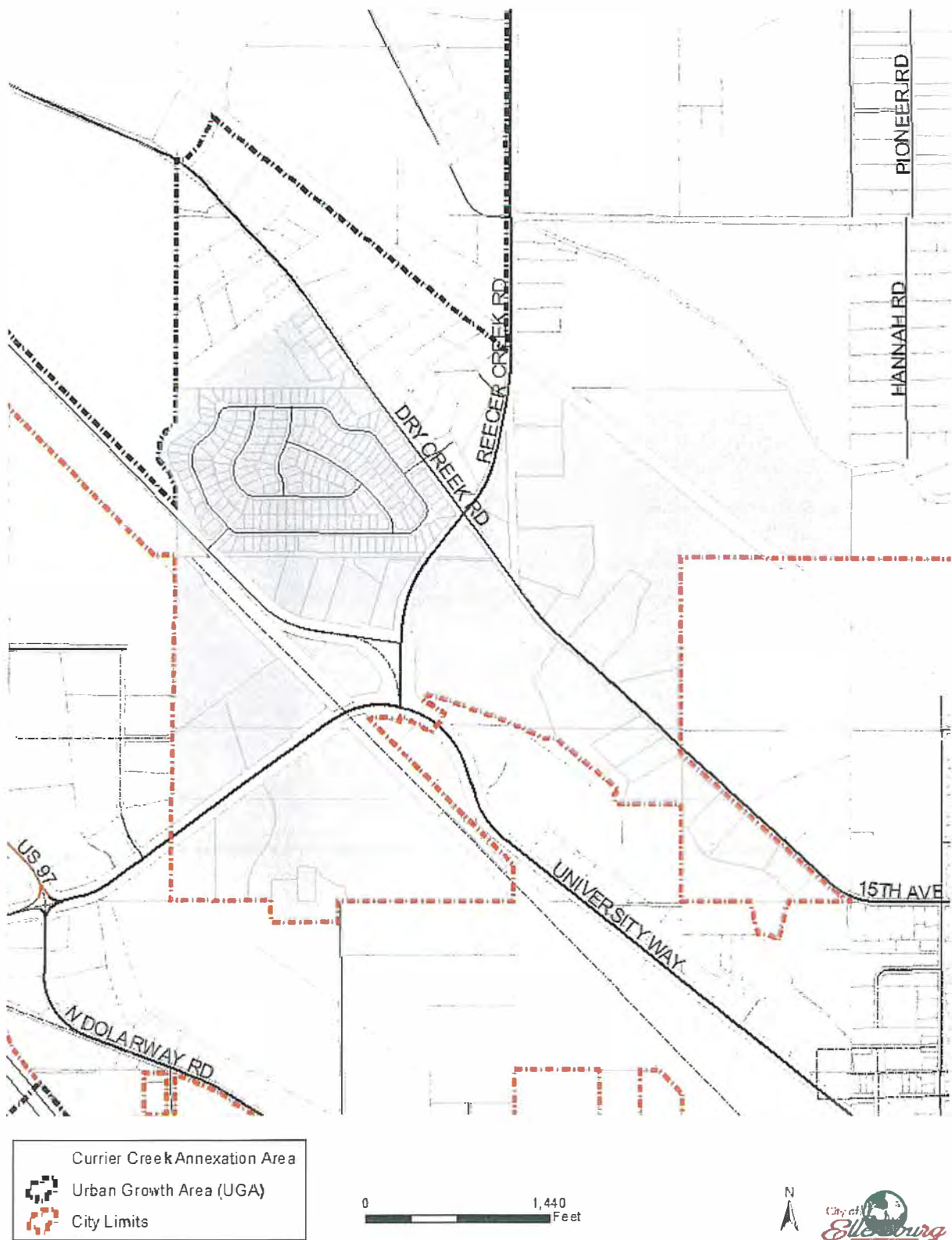


EXHIBIT B

#	PARCEL	LEGAL DESCRIPTION
1	10764	CD. 8753-2-2; SEC. 27; TWP. 18; RGE. 18; PTN. SE1/4 SW1/4
2	11251	CD. 8753-3; SEC. 27; TWP. 18; RGE. 18; PTN. SE1/4 SW1/4
3	12572	CD. 8897-2; SEC. 34, TWP. 18, RGE. 18; PTN. NW1/4 NE1/4; PTN. SW1/4 NE1/4 (TAX NOS. 30 & 48 & PTNS. OF 51 & 28) (PARCEL 5, SURV. B24/P112)
4	14599	CD. 8766-1; SEC. 27, TWP. 18, RGE. 18; PTN. NW1/4 SE1/4; PTN. SW1/4 SE1/4 (PARCEL 1, SURV. B24/P112)
5	14600	CD. 8766-2; SEC. 27, TWP. 18, RGE. 18; PTN. SW1/4 SE1/4 (PARCEL 2, SURV. B24/P112)
6	14601	CD. 8766-3; PTN SE1/4 SEC. 27 & PTN NE1/4 SEC 34, TWP. 18, RGE. 18; (PTN PARCEL 4, SURV. B24/P112)
7	14602	CD. 8766-4; PTN SE1/4 SEC. 27 & PTN NE1/4 SEC 34, TWP. 18, RGE. 18; (PARCEL 3 & PTN. PARCEL 4, SURV. B24/P112)
8	15026	OZANICH SHORT PLAT 99-24; LOT 1; .05 RD. ACRES; SEC. 34, TWP. 18, RGE. 18
9	16603	CD. 8918-3; SEC. 34, TWP. 18, RGE. 18; PTN. W1/2 NW1/4 (PARCEL 3, SURV. B26/P176-177)
10	16604	CD. 8918-4; SEC. 34, TWP. 18, RGE. 18; PTN. W1/2 NW1/4 (PARCEL 2, SURV. B26/P176-177)
11	16605	CD. 8918-5; PTN NW1/4 (PARCEL 4, B37/P36); SEC 34, TWP 18, RGE 18
12	16606	CD. 8918-6; PTN NW1/4 (PARCEL 5, B37/P36); SEC 34, TWP 18, RGE 18
13	16607	CD. 8918-7; PTN NW1/4 (PARCELS 6 & 7, B37/P36); SEC 34 TWP 18, RGE 18
14	17654	CD. 8917-4; SEC. 34, TWP. 18, RGE. 18; PTN. N1/2 NW1/4 (PARCEL B, B22/P192-194)
15	21061	CURRIER CREEK ESTATES, DIV 1, LOT 2, SEC 27, TWP 18, RGE 18
16	21062	CURRIER CREEK ESTATES, DIV 1, LOT 3, SEC 27, TWP 18, RGE 18
17	21063	CURRIER CREEK ESTATES, DIV 1, LOT 4, SEC 27, TWP 18, RGE 18
18	21064	CURRIER CREEK ESTATES, DIV 1, LOT 5, SEC 27, TWP 18, RGE 18
19	21065	CURRIER CREEK ESTATES, DIV 1, LOT 6, SEC 27, TWP 18, RGE 18
20	21066	CURRIER CREEK ESTATES, DIV 1, LOT 7, SEC 27, TWP 18, RGE 18
21	21067	CURRIER CREEK ESTATES, DIV 1, LOT 8, SEC 27, TWP 18, RGE 18

#	PARCEL	LEGAL DESCRIPTION
22	21068	CURRIER CREEK ESTATES, DIV 1, LOT 9, SEC 27, TWP 18, RGE 18
23	21069	CURRIER CREEK ESTATES, DIV 1, LOT 10, SEC 27, TWP 18, RGE 18
24	21070	CURRIER CREEK ESTATES, DIV 1, LOT 11, SEC 27, TWP 18, RGE 18
25	21071	CURRIER CREEK ESTATES, DIV 1, LOT 12, SEC 27, TWP 18, RGE 18
26	21072	CURRIER CREEK ESTATES, DIV 1, LOT 13, SEC 27, TWP 18, RGE 18
27	21073	CURRIER CREEK ESTATES, DIV 1, LOT 14, SEC 27, TWP 18, RGE 18
28	21074	CURRIER CREEK ESTATES, DIV 1, LOT 15, SEC 27, TWP 18, RGE 18
29	21075	CURRIER CREEK ESTATES, DIV 1, LOT 16, SEC 27, TWP 18, RGE 18
30	21076	CURRIER CREEK ESTATES, DIV 1, LOT 17, SEC 27, TWP 18, RGE 18
31	21077	CURRIER CREEK ESTATES, DIV 1, LOT 18, SEC 27, TWP 18, RGE 18
32	21078	CURRIER CREEK ESTATES, DIV 1, LOT 19, SEC 27, TWP 18, RGE 18
33	21079	CURRIER CREEK ESTATES, DIV 1, LOT 20, SEC 27, TWP 18, RGE 18
34	21080	CURRIER CREEK ESTATES, DIV 1, LOT 21, SEC 27, TWP 18, RGE 18
35	21081	CURRIER CREEK ESTATES, DIV 1, LOT 22, SEC 27, TWP 18, RGE 18
36	21082	CURRIER CREEK ESTATES, DIV 1, LOT 23, SEC 27, TWP 18, RGE 18
37	21083	CURRIER CREEK ESTATES, DIV 1, LOT 24, SEC 27, TWP 18, RGE 18
38	21084	CURRIER CREEK ESTATES, DIV 1, LOT 25, SEC 27, TWP 18, RGE 18
39	21085	CURRIER CREEK ESTATES, DIV 1, LOT 26, SEC 27, TWP 18, RGE 18
40	21086	CURRIER CREEK ESTATES, DIV 1, LOT 27, SEC 27, TWP 18, RGE 18
41	21087	CURRIER CREEK ESTATES, DIV 1, LOT 28, SEC 27, TWP 18, RGE 18
42	21088	CURRIER CREEK ESTATES, DIV 1, LOT 29, SEC 27, TWP 18, RGE 18
43	21089	CURRIER CREEK ESTATES, DIV 1, LOT 30, SEC 27, TWP 18, RGE 18
44	21090	CURRIER CREEK ESTATES, DIV 1, LOT 31, SEC 27, TWP 18, RGE 18
45	21091	CURRIER CREEK ESTATES, DIV 1, LOT 32, SEC 27, TWP 18, RGE 18
46	21092	CURRIER CREEK ESTATES, DIV 1, LOT 33, SEC 27, TWP 18, RGE 18
47	21093	CURRIER CREEK ESTATES, DIV 1, LOT 34, SEC 27, TWP 18, RGE 18

#	PARCEL	LEGAL DESCRIPTION
48	21094	CURRIER CREEK ESTATES, DIV 1, LOT 35, SEC 27, TWP 18, RGE 18
49	21095	CURRIER CREEK ESTATES, DIV 1, LOT 36, SEC 27, TWP 18, RGE 18
50	21096	CURRIER CREEK ESTATES, DIV 1, LOT 37, SEC 27, TWP 18, RGE 18
51	21097	CURRIER CREEK ESTATES, DIV 1, LOT 38, SEC 27, TWP 18, RGE 18
52	21098	CURRIER CREEK ESTATES, DIV 1, LOT 39, SEC 27, TWP 18, RGE 18
53	21099	CURRIER CREEK ESTATES, DIV 1, LOT 40, SEC 27, TWP 18, RGE 18
54	21100	CURRIER CREEK ESTATES, DIV 1, LOT 41, SEC 27, TWP 18, RGE 18
55	21101	CURRIER CREEK ESTATES, DIV 1, LOT 42, SEC 27, TWP 18, RGE 18
56	21102	CURRIER CREEK ESTATES, DIV 1, LOT 43, SEC 27, TWP 18, RGE 18
57	21103	CURRIER CREEK ESTATES, DIV 1, LOT 44, SEC 27, TWP 18, RGE 18
58	21104	CURRIER CREEK ESTATES, DIV 1, LOT 45, SEC 27, TWP 18, RGE 18
59	21105	CURRIER CREEK ESTATES, DIV 1, LOT 46, SEC 27, TWP 18, RGE 18
60	21106	CURRIER CREEK ESTATES, DIV 1, LOT 47, SEC 27, TWP 18, RGE 18
61	21107	CURRIER CREEK ESTATES, DIV 1, LOT 48, SEC 27, TWP 18, RGE 18
62	21108	CURRIER CREEK ESTATES, DIV 1, LOT 49, SEC 27, TWP 18, RGE 18
63	21109	CURRIER CREEK ESTATES, DIV 1, LOT 50, SEC 27, TWP 18, RGE 18
64	21110	CURRIER CREEK ESTATES, DIV 1, LOT 51, SEC 27, TWP 18, RGE 18
65	21111	CURRIER CREEK ESTATES, DIV 1, LOT 52, SEC 27, TWP 18, RGE 18
66	21112	CURRIER CREEK ESTATES, DIV 1, LOT 53, SEC 27, TWP 18, RGE 18
67	21113	CURRIER CREEK ESTATES, DIV 1, LOT 54, SEC 27, TWP 18, RGE 18
68	21114	CURRIER CREEK ESTATES, DIV 1, LOT 55, SEC 27, TWP 18, RGE 18
69	21115	CURRIER CREEK ESTATES, DIV 1, LOT STORM WATER DETENTION TRACT, SEC 27, TWP 18, RGE 18
70	21116	CURRIER CREEK ESTATES, DIV 1, TRACT B; SEC 27, TWP 18, RGE 18
71	21117	CURRIER CREEK ESTATES, DIV 1, TRACT C; SEC 27, TWP 18, RGE 18
72	21118	CURRIER CREEK ESTATES, DIV 1, TRACT D; SEC 27, TWP 18, RGE 18
73	22032	SEC 34; TWP 18; RGE 18; PTN N1/2 NW1/4 (PARCEL 4, B34 \P116)

#	PARCEL	LEGAL DESCRIPTION
74	271736	CD. 8741-1; SEC. 27, TWP. 18, RGE. 18; OPERATING RR R/W
75	406133	CD. 8899-A; SEC. 34; TWP. 18; RGE. 18; NW1/4 NE1/4 TAX 53 (OUT OF TAX 30 & 48)
76	416133	CD 8900; PTN NW1/4 NE1/4; PTN N1/2 SW1/4 NE1/4; SEC 34, TWP 18, RGE 18
77	426133	SEC. 34; TWP. 18; RGE. 18 NW 1/4 NE 1/4; SW 1/4 NE 1/4 TAX NO. 1
78	436133	SEC. 34; TWP. 18; RGE. 18 SW 1/4 NE 1/4 TAX NO. 27
79	506133	CD 8901; SEC 34, TWP 18, RGE 18; PTN SW1/4 NE1/4; LESS .30 CO RD, 1.70 @ STATE RD;
80	546133	CD. 8897; SEC. 34; TWP. 18; RGE 18; PTN. NW1/4 NE1/4 (PARCEL A, B23/P2)
81	576133	CD. 8910; SEC. 34; TWP. 18; RGE. 18; SE1/4 NE1/4 TAX NO. 35
82	586133	ACRES 2.72; CD. 8912; SE1/4 NE1/4 TAX NO. 41 & 47; SEC 34, TWP 18, RGE 18
83	604536	CD. 8947; SEC 34; TWP 18; RGE 18; PTN. NE1/4 SE1/4 TAX NO. 46; SURVEY #472648, PARCEL A - BK. 12 PG. 10
84	656133	CD. 8914-1; SEC. 34; TWP. 18; RGE. 18; SE1/4 NE1/4 TAX 43, 44 & 45
85	686133	CD. 8914; SEC. 34; TWP. 18; RGE. 18; SE1/4 NE1/4 TAX NO. 46; LESS .40 CO.RD
86	696133	CD. 8913; SEC. 34; TWP. 18; RGE. 18; SE1/4 NE1/4 TAX NO. 42
87	716133	CD. 8917; SEC. 34, TWP. 18, RGE. 18; PTN NW1/4 & PTN NW1/4 NE1/4
88	721033	CD. 8763; SEC. 27; TWP. 18; RGE. 18; NW1/4 SW1/4 TAX NO. 28
89	731033	CD. 8762; SEC. 27; TWP. 18; RGE. 18; NW1/4 SW1/4 TAX NO. 27
90	736133	CD. 8918; SEC. 34, TWP. 18, RGE. 18; PTN. NW1/4 NW1/4 (PARCEL 1, SURV. B26/P176-177); LESS 5.67 I-90
91	741033	CD. 8759; SEC. 27; TWP. 18; RGE. 18; NW1/4 SW1/4 TAX NO. 24
92	751033	CD. 8758; SEC. 27; TWP. 18; RGE. 18; NW1/4 SW1/4 TAX NO. 23
93	761033	CD. 8757; SEC. 27; TWP. 18; RGE. 18; NW1/4 SW1/4 TAX NO. 22
94	771033	CD. 8761; SEC. 27; TWP. 18; RGE. 18; NW1/4 SW1/4 TAX NO. 26
95	776133	CD. 8918-1; SEC. 34; TWP. 18; RGE. 18; PTN. SW1/4 NW1/4
96	781033	CD. 8764; SEC. 27; TWP. 18; RGE. 18; PTN. NW1/4 SW1/4
97	786133	CD. 8918-2; PTN S1/2 NW1/4 TAX 36 & 37 (ALSO INCLUDES PARCEL A, B30/P161); SEC 34, TWP 18, RGE 18

#	PARCEL	LEGAL DESCRIPTION
98	791033	SEC 27; TWP 18; RGE 18; PART OF SEC 27 (PARCEL 1, B40/P227)
99	801033	SEC 27; TWP 18; RGE 18; PART OF SEC 27; (PARCEL 2, B40/P227)
100	811033	CD. 8753-1; SEC. 27; TWP. 18; RGE. 18; PTN. S1/2 SW1/4 (PARCEL B, B30/P79)
101	821033	CURRIER CREEK ESTATES, DIV 1, LOT 1; SEC 27, TWP 18, RGE 18; 3.11 RD ACRES.
102	851033	CD. 8766; SEC. 27, TWP. 18, RGE. 18; PTN. SW1/4 SE1/4; PTN. SE1/4 SE1/4 EXC. 3.67 ACRES; LESS 1.00 RD ACRES (PARCEL 6, SURV. B24/P112)
103	932236	CD. 8753-2-1; SEC. 27; TWP. 18; RGE. 18; PTN. SE1/4 SW1/4
104	947336	CD.#8764-1; SEC. 27; TWP. 18; RGE. 18; PTN. NW1/4 SW1/4
105	951032	CURRIER CREEK ESTATES DIV II, LOT 56; SEC 27; TWP 18; RGE 18
106	951033	CURRIER CREEK ESTATES DIV II, LOT 57; SEC 27; TWP 18; RGE 18
107	951034	CURRIER CREEK ESTATES DIV II, LOT 58; SEC 27; TWP 18; RGE 18
108	951035	CURRIER CREEK ESTATES DIV II, LOT 59; SEC 27; TWP 18; RGE 18
109	951036	CURRIER CREEK ESTATES DIV II, LOT 60; SEC 27; TWP 18; RGE 18
110	951037	CURRIER CREEK ESTATES DIV II, LOT 61; SEC 27; TWP 18; RGE 18
111	951038	CURRIER CREEK ESTATES DIV II, LOT 62; SEC 27; TWP 18; RGE 18
112	951039	CURRIER CREEK ESTATES DIV II, LOT 63; SEC 27; TWP 18; RGE 18
113	951040	CURRIER CREEK ESTATES DIV II, LOT 64; SEC 27; TWP 18; RGE 18
114	951041	CURRIER CREEK ESTATES DIV II, LOT 65; SEC 27; TWP 18; RGE 18
115	951042	CURRIER CREEK ESTATES DIV II, LOT 66; SEC 27; TWP 18; RGE 18
116	951043	CURRIER CREEK ESTATES DIV II, LOT 67; SEC 27; TWP 18; RGE 18
117	951044	CURRIER CREEK ESTATES DIV II, LOT 68; SEC 27; TWP 18; RGE 18
118	951045	CURRIER CREEK ESTATES DIV II, LOT 69; SEC 27; TWP 18; RGE 18
119	951046	CURRIER CREEK ESTATES DIV II, LOT 70; SEC 27; TWP 18; RGE 18
120	951047	CURRIER CREEK ESTATES DIV II, LOT 71; SEC 27; TWP 18; RGE 18
121	951048	CURRIER CREEK ESTATES DIV II, LOT 72; SEC 27; TWP 18; RGE 18
122	951049	CURRIER CREEK ESTATES DIV II, LOT 73; SEC 27; TWP 18; RGE 18
123	951050	CURRIER CREEK ESTATES DIV II, LOT 74; SEC 27; TWP 18; RGE 18

#	PARCEL	LEGAL DESCRIPTION
124	951051	CURRIER CREEK ESTATES DIV II, LOT 75; SEC 27; TWP 18; RGE 18
125	951052	CURRIER CREEK ESTATES DIV II, LOT 76; SEC 27; TWP 18; RGE 18
126	951053	CURRIER CREEK ESTATES DIV II, LOT 77; SEC 27; TWP 18; RGE 18
127	951054	CURRIER CREEK ESTATES DIV II, LOT 78; SEC 27; TWP 18; RGE 18
128	951055	CURRIER CREEK ESTATES DIV II, LOT 79; SEC 27; TWP 18; RGE 18
129	951056	CURRIER CREEK ESTATES DIV II, LOT 80; SEC 27; TWP 18; RGE 18
130	951057	CURRIER CREEK ESTATES DIV II, LOT 81; SEC 27; TWP 18; RGE 18
131	951058	CURRIER CREEK ESTATES DIV II, LOT 82; SEC 27; TWP 18; RGE 18
132	951059	CURRIER CREEK ESTATES DIV II, LOT 83; SEC 27; TWP 18; RGE 18
133	951060	CURRIER CREEK ESTATES DIV II, LOT 84; SEC 27; TWP 18; RGE 18
134	951061	CURRIER CREEK ESTATES DIV II, LOT 85; SEC 27; TWP 18; RGE 18
135	951062	CURRIER CREEK ESTATES DIV II, LOT 86; SEC 27; TWP 18; RGE 18
136	951063	CURRIER CREEK ESTATES DIV II, LOT 87; SEC 27; TWP 18; RGE 18
137	951064	CURRIER CREEK ESTATES DIV II, LOT 88; SEC 27; TWP 18; RGE 18
138	951065	CURRIER CREEK ESTATES DIV II, LOT 89; SEC 27; TWP 18; RGE 18
139	951066	CURRIER CREEK ESTATES DIV II, LOT 90; SEC 27; TWP 18; RGE 18
140	951067	CURRIER CREEK ESTATES DIV II, LOT 91; SEC 27; TWP 18; RGE 18
141	951068	CURRIER CREEK ESTATES DIV II, LOT 92; SEC 27; TWP 18; RGE 18
142	951069	CURRIER CREEK ESTATES DIV II, LOT 93; SEC 27; TWP 18; RGE 18
143	951070	CURRIER CREEK ESTATES DIV II, LOT 94; SEC 27; TWP 18; RGE 18
144	951071	CURRIER CREEK ESTATES DIV II, LOT 95; SEC 27; TWP 18; RGE 18
145	951072	CURRIER CREEK ESTATES DIV II, LOT 96; SEC 27; TWP 18; RGE 18
146	951073	CURRIER CREEK ESTATES DIV II, LOT 97; SEC 27; TWP 18; RGE 18
147	951074	CURRIER CREEK ESTATES DIV II, LOT 98; SEC 27; TWP 18; RGE 18
148	951075	CURRIER CREEK ESTATES DIV II, LOT 99; SEC 27; TWP 18; RGE 18
149	951076	CURRIER CREEK ESTATES DIV II, LOT 100; SEC 26; TWP 18; RGE 18

#	PARCEL	LEGAL DESCRIPTION
150	951077	CURRIER CREEK ESTATES DIV II, LOT 101; SEC 27; TWP 18; RGE 18
151	951078	CURRIER CREEK ESTATES DIV II, LOT 102; SEC 27; TWP 18; RGE 18
152	951079	CURRIER CREEK ESTATES DIV II, LOT 103; SEC 27; TWP 18; RGE 18
153	951080	CURRIER CREEK ESTATES DIV II, LOT 104; SEC 27; TWP 18; RGE 18
154	951081	CURRIER CREEK ESTATES DIV II, LOT 105; SEC 27; TWP 18; RGE 18
155	951082	CURRIER CREEK ESTATES DIV II, LOT 106; SEC 27; TWP 18; RGE 18
156	951083	CURRIER CREEK ESTATES DIV II, LOT 107; SEC 27; TWP 18; RGE 18
157	951084	CURRIER CREEK ESTATES DIV II, LOT 108; SEC 27; TWP 18; RGE 18
158	951085	CURRIER CREEK ESTATES DIV II, LOT 109; SEC 27; TWP 18; RGE 18
159	951086	CURRIER CREEK ESTATES DIV II, LOT 110; SEC 27; TWP 18; RGE 18
160	951087	CURRIER CREEK ESTATES DIV II, LOT 111; SEC 27; TWP 18; RGE 18
161	951088	CURRIER CREEK ESTATES DIV II, LOT 112; SEC 27; TWP 18; RGE 18
162	951089	CURRIER CREEK ESTATES DIV II, LOT 113; SEC 27; TWP 18; RGE 18
163	951090	CURRIER CREEK ESTATES DIV II, LOT 114; SEC 27; TWP 18; RGE 18
164	951091	CURRIER CREEK ESTATES DIV II, LOT 115; SEC 27; TWP 18; RGE 18
165	951092	CURRIER CREEK ESTATES DIV II, LOT 116; SEC 27; TWP 18; RGE 18
166	951093	CURRIER CREEK ESTATES DIV II, LOT 117; SEC 27; TWP 18; RGE 18
167	951099	CURRIER CREEK ESTATES DIV II, TRACT E; SEC 27; TWP 18; RGE 18
168	952907	CURRIER SQUARE BUSINESS PARK SHORT PLAT 06-51, LOT 1; SEC 34; TWP 18; RGE 18
169	952908	CURRIER SQUARE BUSINESS PARK SHORT PLAT 06-51, LOT 2; SEC 34; TWP 18; RGE 18
170	952909	CURRIER SQUARE BUSINESS PARK SHORT PLAT 06-51, LOT 3; SEC 34; TWP 18; RGE 18
171	952910	CURRIER SQUARE BUSINESS PARK SHORT PLAT 06-51, LOT 4; SEC 34; TWP 18; RGE 18
172	958754	CURRIER CREEK ESTATES DIV 4, LOT 124; SEC 27; TWP 18; RGE 18
173	958755	CURRIER CREEK ESTATES DIV 4, LOT 125; SEC 27; TWP 18; RGE 18

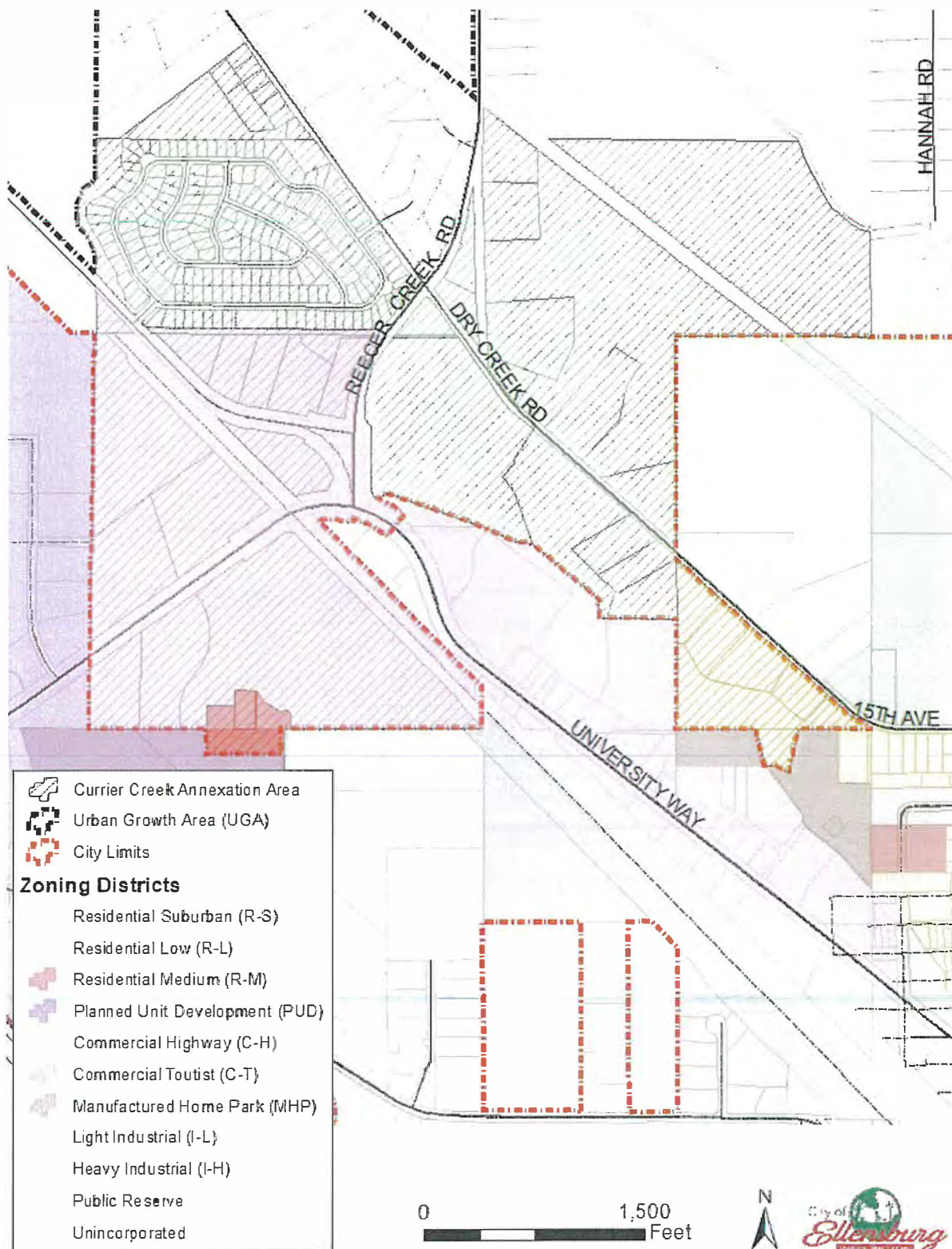
#	PARCEL	LEGAL DESCRIPTION
174	958756	CURRIER CREEK ESTATES DIV 4, LOT 126; SEC 27, TWP 18, RGE 18
175	958757	CURRIER CREEK ESTATES DIV 4, LOT 127; SEC 27, TWP 18, RGE 18
176	958758	CURRIER CREEK ESTATES DIV 4, LOT 128; SEC 27, TWP 18, RGE 18
177	958759	CURRIER CREEK ESTATES DIV 4, LOT 129; SEC 27, TWP 18, RGE 18
178	958760	CURRIER CREEK ESTATES DIV 4, LOT 130; SEC 27, TWP 18, RGE 18
179	958761	CURRIER CREEK ESTATES DIV 4, LOT 131; SEC 27, TWP 18, RGE 18
180	958762	CURRIER CREEK ESTATES DIV 4, LOT 132; SEC 27, TWP 18, RGE 18
181	958763	CURRIER CREEK ESTATES DIV 4, LOT 133; SEC 27, TWP 18, RGE 18
182	958764	CURRIER CREEK ESTATES DIV 4, LOT 134; SEC 27, TWP 18, RGE 18
183	958765	CURRIER CREEK ESTATES DIV 4, LOT 135; SEC 27, TWP 18, RGE 18
184	958766	CURRIER CREEK ESTATES DIV 4, LOT 136; SEC 27, TWP 18, RGE 18
185	958767	CURRIER CREEK ESTATES DIV 4, LOT 137; SEC 27, TWP 18, RGE 18
186	958768	CURRIER CREEK ESTATES DIV 4, LOT 138; SEC 27, TWP 18, RGE 18
187	958769	CURRIER CREEK ESTATES DIV 4, LOT 139; SEC 27, TWP 18, RGE 18
188	958770	CURRIER CREEK ESTATES DIV 4, LOT 140; SEC 27, TWP 18, RGE 18
189	958771	CURRIER CREEK ESTATES DIV 4, LOT 141; SEC 27, TWP 18, RGE 18
190	958772	CURRIER CREEK ESTATES DIV 4, LOT 142; SEC 27, TWP 18, RGE 18
191	958773	CURRIER CREEK ESTATES DIV 4, LOT 143; SEC 27, TWP 18, RGE 18
192	958774	CURRIER CREEK ESTATES DIV 4, LOT 144; SEC 27, TWP 18, RGE 18
193	958775	CURRIER CREEK ESTATES DIV 4, LOT 145; SEC 27, TWP 18, RGE 18
194	958776	CURRIER CREEK ESTATES DIV 4, LOT 146; SEC 27, TWP 18, RGE 18
195	958777	CURRIER CREEK ESTATES DIV 4, LOT 147; SEC 27, TWP 18, RGE 18
196	958778	CURRIER CREEK ESTATES DIV 4, LOT 148; SEC 27, TWP 18, RGE 18
197	958779	CURRIER CREEK ESTATES DIV 4, LOT 149; SEC 27, TWP 18, RGE 18
198	958780	CURRIER CREEK ESTATES DIV 4, LOT 150; SEC 27, TWP 18, RGE 18
199	958781	CURRIER CREEK ESTATES DIV 4, LOT 151; SEC 27, TWP 18, RGE 18

#	PARCEL	LEGAL DESCRIPTION
200	958782	CURRIER CREEK ESTATES DIV 4, LOT 152; SEC 27, TWP 18, RGE 18
201	958783	CURRIER CREEK ESTATES DIV 4, LOT 153; SEC 27, TWP 18, RGE 18
202	958784	CURRIER CREEK ESTATES DIV 4, LOT 154; SEC 27, TWP 18, RGE 18
203	958785	CURRIER CREEK ESTATES DIV 4, TRACT A; SEC 27, TWP 18, RGE 18
204	960317	CURRIER CREEK ESTATES DIVISION 3, LOT 118, SEC 27; TWP 18; RGE 18
205	960318	CURRIER CREEK ESTATES DIVISION 3, LOT 119, SEC 27; TWP 18; RGE 18
206	960319	CURRIER CREEK ESTATES DIVISION 3, LOT 120; SEC 27; TWP 18; RGE 18
207	960320	CURRIER CREEK ESTATES DIVISION 3, LOT 121; SEC 27; TWP 18; RGE 18
208	960321	CURRIER CREEK ESTATES DIVISION 3, LOT 122; SEC 27; TWP 18; RGE 18
209	960322	CURRIER CREEK ESTATES DIVISION 3, LOT 123; SEC 27; TWP 18; RGE 18
210	960323	CURRIER CREEK ESTATES DIVISION 3, LOT 155; SEC 27; TWP 18; RGE 18
211	960324	CURRIER CREEK ESTATES DIVISION 3, LOT 156; SEC 27; TWP 18; RGE 18
212	960325	CURRIER CREEK ESTATES DIVISION 3, LOT 157; SEC 27; TWP 18; RGE 18
213	960326	CURRIER CREEK ESTATES DIVISION 3, LOT 158; SEC 27; TWP 18; RGE 18
214	960327	CURRIER CREEK ESTATES DIVISION 3, LOT 159; SEC 27; TWP 18; RGE 18
215	960328	CURRIER CREEK ESTATES DIVISION 3, LOT 160; SEC 27; TWP 18; RGE 18
216	960329	CURRIER CREEK ESTATES DIVISION 3, LOT 161; SEC 27; TWP 18; RGE 18
217	960330	CURRIER CREEK ESTATES DIVISION 3, LOT 162; SEC 27; TWP 18; RGE 18
218	960331	CURRIER CREEK ESTATES DIVISION 3, LOT 163; SEC 27; TWP 18; RGE 18
219	960332	CURRIER CREEK ESTATES DIVISION 3, LOT 164; SEC 27; TWP 18; RGE 18
220	960333	CURRIER CREEK ESTATES DIVISION 3, LOT 165; SEC 27; TWP 18; RGE 18
221	960334	CURRIER CREEK ESTATES DIVISION 3, LOT 166; SEC 27; TWP 18; RGE 18
222	960335	CURRIER CREEK ESTATES DIVISION 3, LOT 167; SEC 27; TWP 18; RGE 18
223	960336	CURRIER CREEK ESTATES DIVISION 3, LOT 168; SEC 27; TWP 18; RGE 18
224	960337	CURRIER CREEK ESTATES DIVISION 3, LOT 169; SEC 27; TWP 18; RGE 18
225	960338	CURRIER CREEK ESTATES DIVISION 3, LOT 170; SEC 27; TWP 18; RGE 18

#	PARCEL	LEGAL DESCRIPTION
226	960339	CURRIER CREEK ESTATES DIVISION 3, LOT 171; SEC 27; TWP 18; RGE 18
227	960340	CURRIER CREEK ESTATES DIVISION 3, LOT 172; SEC 27; TWP 18; RGE 18
228	960341	CURRIER CREEK ESTATES DIVISION 3, LOT 173; SEC 27; TWP 18; RGE 18
229	960342	CURRIER CREEK ESTATES DIVISION 3, LOT 174; SEC 27; TWP 18; RGE 18
230	960343	CURRIER CREEK ESTATES DIVISION 3, LOT 175; SEC 27; TWP 18; RGE 18
231	960344	CURRIER CREEK ESTATES DIVISION 3, LOT 176; SEC 27; TWP 18; RGE 18
232	960345	CURRIER CREEK ESTATES DIVISION 3, LOT 177; SEC 27; TWP 18; RGE 18
233	960346	CURRIER CREEK ESTATES DIVISION 3, LOT 178; SEC 27; TWP 18; RGE 18
234	960347	CURRIER CREEK ESTATES DIVISION 3, LOT 179; SEC 27; TWP 18; RGE 18
235	960348	CURRIER CREEK ESTATES DIVISION 3, LOT 180; SEC 27; TWP 18; RGE 18
236	960349	CURRIER CREEK ESTATES DIVISION 3, LOT 181; SEC 27; TWP 18; RGE 18
237	960350	CURRIER CREEK ESTATES DIVISION 3, LOT 182; SEC 27; TWP 18; RGE 18
238	960351	CURRIER CREEK ESTATES DIVISION 3, LOT 183; SEC 27; TWP 18; RGE 18
239	960352	CURRIER CREEK ESTATES DIVISION 3, LOT 184; SEC 27; TWP 18; RGE 18
240	960353	CURRIER CREEK ESTATES DIVISION 3, LOT 185; SEC 27; TWP 18; RGE 18
241	960354	CURRIER CREEK ESTATES DIVISION 3, LOT 186; SEC 27; TWP 18; RGE 18
242	960355	CURRIER CREEK ESTATES DIVISION 3, LOT 187; SEC 27; TWP 18; RGE 18
243	960356	CURRIER CREEK ESTATES DIVISION 3, LOT 188; SEC 27; TWP 18; RGE 18
244	960357	CURRIER CREEK ESTATES DIVISION 3, LOT 189; SEC 27; TWP 18; RGE 18
245	960358	CURRIER CREEK ESTATES DIVISION 3, LOT 190; SEC 27; TWP 18; RGE 18
246	960359	CURRIER CREEK ESTATES DIVISION 3, LOT 191; SEC 27; TWP 18; RGE 18
247	960360	CURRIER CREEK ESTATES DIVISION 3, LOT 192; SEC 27; TWP 18; RGE 18
248	960361	CURRIER CREEK ESTATES DIVISION 3, LOT 193; SEC 27; TWP 18; RGE 18
249	960362	CURRIER CREEK ESTATES DIVISION 3, LOT 194; SEC 27; TWP 18; RGE 18
250	960363	CURRIER CREEK ESTATES DIVISION 3, LOT 195; SEC 27; TWP 18; RGE 18
251	960364	CURRIER CREEK ESTATES DIVISION 3, LOT 196; SEC 27; TWP 18; RGE 18

#	PARCEL	LEGAL DESCRIPTION
252	960365	CURRIER CREEK ESTATES DIVISION 3, LOT 197; SEC 27; TWP 18; RGE 18
253	960366	CURRIER CREEK ESTATES DIVISION 3, LOT 198; SEC 27; TWP 18; RGE 18
254	960367	CURRIER CREEK ESTATES DIVISION 3, LOT 199; SEC 27; TWP 18; RGE 18
255	960368	CURRIER CREEK ESTATES DIVISION 3, LOT 200; SEC 27; TWP 18; RGE 18
256	960369	CURRIER CREEK ESTATES DIVISION 3, LOT 201; SEC 27; TWP 18; RGE 18
257	960370	CURRIER CREEK ESTATES DIVISION 3, LOT 202; SEC 27; TWP 18; RGE 18
258	960371	CURRIER CREEK ESTATES DIVISION 3, LOT 203; SEC 27; TWP 18; RGE 18
259	960372	CURRIER CREEK ESTATES DIVISION 3, LOT 204; SEC 27; TWP 18; RGE 18
260	960373	CURRIER CREEK ESTATES DIVISION 3, LOT 205; SEC 27; TWP 18; RGE 18

EXHIBIT C



City Council Meeting Date: January 21, 2020

Submitted by: Kirsten Sackett, Community Development Director

Must Approve: ☒ City Attorney ☒ Finance  City Manager

Additional Approvals: ☐ Choose Department ☐ Other Department

Agenda Subject: Closed Record Hearing (quasi-judicial) for Rezone Application P19-122, submitted by Terra Design Group Inc., agent for owner Teanaway Ridge LLC; and first reading of an Ordinance approving rezone application P19-122

Action Requested (check all that apply):	Ord. 1 st reading ☒	Ord. 2 nd reading ☐	Legislative Hrg. ☐	Quasi-Judicial Hrg. ☒	Appeal Hrg. ☐
	Adopt Resolution ☐	Approve contract ☐	Approve budget adjustment ☐	Approve – other ☐	Review Report or Study ☐
	Direction to staff ☐	Discussion only ☐	Bid Award ☐	Other ☐ (describe):	

SUMMARY: This is a closed record quasi-judicial hearing to consider a site-specific rezone application (P19-122) submitted by Terra Design Group Inc., on behalf of owner Teanaway Ridge LLC. The applicant seeks to rezone one 41.18-acre parcel (ID # 17827) from Residential-Suburban (R-S) to Light Industrial (I-L). A State Environmental Policy Act (SEPA) Determination of Nonsignificance (DNS) was issued on September 13, 2019 for the site-specific rezone.

If Council approves the rezone application following the closed record public hearing, staff requests Council proceed with first reading of an Ordinance to implement the rezone.

HEARING EXAMINER REVIEW AND DECISION:

An open record public hearing was held before Hearing Examiner Andy Kottkamp on December 12, 2019. The Hearing Examiner Recommendation, dated December 17, 2019, is attached to this report as *Exhibit 1*, and includes 11 exhibits which are attached as *Exhibits 1.1* through *1.11*. The staff report submitted to the Hearing Examiner record is *Exhibit 1.10*; with exhibits entered separately into the Hearing Examiner record and included in this report as *Exhibits 1.1* through *1.11* of the Hearing Examiner's recommendation.

Agent Chad Bala appeared at the hearing and testified on behalf of the applicant. He provided testimony in support of the rezone, and discussed the incompatibility of the

current uses with the uses allowed by the underlying zoning. He also provided some clarification regarding access to the property, and stated that the conditions of approval proposed by staff were appropriate. Mr. Bala also submitted a written comment at the hearing, which was entered into the Hearing Examiner's record (*Exhibit 1.11*). This written comment mirrored his verbal statements in support of the rezone, and also included a copy of RCW 36.70A.040 which specifies the requirement for development regulations to implement comprehensive plans.

The Hearing Examiner determined the request to be consistent with the City's Comprehensive Plan designation of Light Industrial for the property, and to be consistent with the requirements of the Ellensburg City Code (ECC). Therefore, he recommended that City Council approve the rezone from R-S to I-L with one condition.

BACKGROUND AND SITE INFORMATION: The subject property is located along the southern perimeter of the City, adjacent to Bull Road and Interstate-90, and is currently undeveloped. The parcel is bordered by residential zoning to the north (Residential-Suburban in City limits, and Urban Residential in Kittitas County), and Interstate-90 to the South. The unincorporated land to the east, west, and the other side of Interstate-90 is zoned by Kittitas County as Commercial Agriculture.

The parcel was annexed into the City of Ellensburg in 2014 through Ordinance 4680 and was assigned Residential-Suburban (R-S) zoning at that time, consistent with the Comprehensive Plan land use designation, in effect at that time, of Mixed Residential. As noted, the future land use designation was changed to Light Industrial when the City's Comprehensive Plan update was adopted in 2017.

Site Characteristics: The site topography is flat and undeveloped. There is a riverine wetland running north to south on the eastern side of the property. The United States Fish and Wildlife National Wetlands Inventory indicates that the channel was human excavated and does not meet the Federal Wetland Classification Standard.

Zoning of Surrounding Properties: A zoning map of the surrounding properties is attached as *Exhibit 2*. The current zoning of the surrounding properties is further described below.

Incorporated lands: The incorporated property to the north of the parcel is zoned Residential-Suburban (R-S) and is primarily undeveloped.

Unincorporated lands: The unincorporated lands to the north of the parcel are zoned Urban Residential and are undeveloped.

The unincorporated land to the east of the property is zoned Commercial Agriculture. The unincorporated parcel to the west of the property is also zoned Commercial Agricultural and is currently developed as a single family residence.

Interstate-90 is located directly to the south of the property. The property on the other side of Interstate-90 (to the south) is unincorporated, and is zoned Commercial Agriculture by Kittitas County.

Comprehensive Plan Designations: A map of the comprehensive plan future land designations is attached as **Exhibit 3**. Currently, the parcel is designated Light Industrial in the Comprehensive Plan.

Access: Access to this parcel would be from Bull Road, which runs north-south, to the west of the property.

Public Comments: During the SEPA notification process, comments were received from Washington State Department of Fish and Wildlife, Washington State Department of Transportation, and Ellensburg Public Works Department. None of the comments received were specific to the rezone. Subsequent to the SEPA environmental review, public notice and distribution of the site-specific rezone request was undertaken.

Notice of the closed record public hearing before City Council was published in the legal section of the Daily Record on January 4, 2020, and the site was posted with a land use action sign on January 2, 2020.

Ellensburg Public Works did not have direct comments on the rezone but cautioned that any development on the property may trigger improvements consistent with the Public Works Development Standards. The Ellensburg Light Division indicated the City electrical utility is the exclusive electrical provider to the property and there are no electrical distribution facilities in the vicinity of this parcel. Additionally, costs to extend electrical distribution facilities to this parcel will be at the applicant's expense. The Fire Marshal comments indicated that emergency vehicle access must meet current fire code requirements including aerial apparatus access, and that fire hydrant numbers and spacing must meet current fire code requirements.

As stated previously, Chad Bala of Terra Design Group Inc., agent for the property owner, provided public testimony, and submitted comments, at the open record public hearing. The comments were provided for clarification on scrivener's errors in the staff report presented to the Hearing Examiner.

ENVIRONMENTAL (SEPA) REVIEW: The required SEPA checklist was submitted on June 6, 2019 and a SEPA Determination of Non-Significance was issued on September 13, 2019.

DECISION CRITERIA/ANALYSIS: Per Ellensburg City Code, site-specific rezone applications are subject to the Type IV review process, and the Hearings Examiner provides a recommendation to City Council after holding an open record public hearing. The application must be in compliance with the decision criteria in ECC 15.250.060.

The criteria for consideration of a site-specific rezone are set forth in ECC 15.250.060(C). The applicant has the burden of establishing that all of the following criteria apply to the proposed rezone:

1. Conditions have changed since the imposition of the zoning classification on the property;

2. The proposed rezone bears a substantial relationship to the public health, safety, morals, and general welfare;
3. The proposed rezone is consistent with the comprehensive plan;
4. The proposed rezone to a particular zoning district shall be consistent with the development standards in the Land Development Code for the zoning district.

The applicant submitted an application with a narrative, and supporting materials addressing the rezone criteria found in ECC 15.250.060(C). The information submitted by the applicant is followed by staff analysis.

1. Conditions have changed since the imposition of the zoning classification on the property.

Applicant narrative: *The history of this property incorporated numerous changes throughout the recent past. These changes resulted in the property being included into the City of Ellensburg's urban growth area, following up with a rezone in 2005/06 (See Tab D. Ord. 2006-22). Another change that occurred was the approval, by the City of Ellensburg, of the Fenceline LLC Annexation (See Tab E. Ord 3680) in 2014. This annexation action included this property into city limits and changed the zoning to Residential-Suburban. The most recent change was the City of Ellensburg's adopted Comprehensive Plan where the land use designation was changed, for this specific parcel (Parcel # 17827), to Light Industrial (See Tab F, Pg. 29. Future Land Use Map). This specific change in the land use designation created an inconsistency between the current zoning of the parcel (Residential-Suburban) and the goals and policies of the light industrial land use designation. In order to fully implement the City's comprehensive plan regarding the Light Industrial land use the land use goals and zoning need to be consistent. This will allow for the consistent implementation of the zoning standards while at the same time meeting the intent and goals of the city designating this parcel as Light Industrial.*

Staff analysis: The Ellensburg Comprehensive Plan was thoroughly reviewed and updated in 2017. The 2017 Comprehensive Plan resulted in changing the land use designation of this parcel from Mixed Residential to Light Industrial.

2. The proposed rezone bears a substantial relationship to the public health, safety, morals, and general welfare.

Applicant narrative: *The comprehensive plan and zoning standards were developed bearing a substantial relationship to the public health, safety, morals, and general welfare for the community as a whole. The fact that this site-specific rezone is compatible with the comprehensive plan demonstrates this non-project site-specific rezone has a substantial relationship to the public health, safety, and welfare. By changing the zoning from Residential-Suburban to Light Industrial creates consistency with the land use goals (See Tab F.) and allows the following to occur: designating larger tracts of industrial land eliminates other constraints associated with industrial lands; Location of this industrial designated property adjacent to I-90 along its southern border lessens the impact between other uses and zones that are not*

designated light industrial; The designating of this parcel as Light Industrial also falls in line with future infrastructure improvement of Bull Road and reflects the common goals and future land use plans for this area regarding land use and future transportation needs (See Tab G. Existing and Future Arterial/Collector Corridors map).

With the aforementioned, by rezoning this parcel to Light Industrial, creating consistency with the land use goals of the city's comprehensive plan for Light Industrial, and the development standards under the Light Industrial zone proves that this proposal bears a substantial relationship to the public health, safety, morals, and general welfare for the community and its future goals as outlined in the comprehensive plan.

Staff analysis: The population and employment projections in the comprehensive plan indicate that in order to maintain a similar ratio of jobs per household, Ellensburg will need to add almost 7,000 jobs by the year 2037. The primary zones that generate employment are commercial and industrial. The economic development chapter of the current Comprehensive Plan indicates that Ellensburg's annual employment growth rate of 0.7% between 2002 and 2013, was slower than countywide employment growth.

Additionally, the Comprehensive Plan notes that between 2002 and 2014 there was a slow decline in the number of Ellensburg residents who work in Kittitas County, and a steady increase in the number of Ellensburg residents who work outside Kittitas County. This site-specific rezone, which would result in more Light Industrial zoned property in the City limits, may encourage employment growth.

3. The proposed rezone is consistent with the comprehensive plan.

Applicant narrative: *This site-specific rezone is consistent with the City of Ellensburg's Comprehensive Plan that was adopted on November 5th, 2018 (Ord. 4811), designating this parcel as Light Industrial.*

The property is zoned Residential-Suburban and is within the land use designation of "Light Industrial" as described in the City of Ellensburg's Comprehensive Plan (See Tab F. Pg. 29 Future Land Use Map). This request is to create consistency and compatibility with the City's zoning and land use designation as required by the growth management act. The proposed rezone meets the land use goals of the Light Industrial land use designation of the City's Comprehensive Plan.

Staff analysis: Staff finds this site-specific rezone request to be consistent with the following comprehensive plan goals and policies:

Goal LU-1: Encourage development that creates a variety of housing, shopping, entertainment, recreation, gathering spaces, employment, and services that are accessible to neighborhoods.

Goal LU-5: Plan for commercial and industrial areas that serve the community, are attractive, and have long-term economic vitality.

Policy A: Provide a diversity of commercial and industrial lands to provide an array of business and development opportunities that serve the community.

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

Policy A: Encourage growth that will provide goods and services to the local and regional economy.

Policy B: Promote the retention and expansion of existing businesses as well as the development of new businesses.

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

4. The proposed rezone to a particular zoning district shall be consistent with the development standards in the LDC for the zoning district.

Applicant narrative: *Currently the subject parcel is zoned Residential-Suburban (See Tab H. Current Zoning Map). This current zoning districts purpose is to allow for a mix of predominantly single-family detached dwelling units. This zone is inconsistent with the land use designation of Light Industrial that has been applied to this property. This land use designation of Light Industrial is to accommodate light manufacturing, office, technology centers, storage, and light assembly, and support services to industry. As one can see in the current zoning of residential-suburban along with the current land use designation of Light Industrial contains incompatibilities. By rezoning this parcel to a Light Industrial zoning district creates consistency between the land use goals of the comprehensive plan and the zoning districts development standards of Light Industrial (See Tab I. Residential-Suburban zoning district, Light Industrial zoning district & Uses within each zoning district).*

Staff analysis: Staff finds the rezone proposal consistent with the purpose of the Light Industrial zone as set forth in ECC 15.300.050(G); the Light Industrial 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.

Staff finds the rezone proposal consistent with the following standards of the Light Industrial zone as set forth in ECC 15.300.050(G):

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;

4. Providing design standards and guidelines that enhance the appearance and function of uses in the zone and their compatibility with surrounding uses; and
5. Use of this zone is appropriate for areas designated light industrial or industrial residential in the comprehensive plan.

FINANCIAL IMPACT: None at this time.

RECOMMENDED ACTION OR MOTION: The Hearing Examiner's decision recommending approval of the rezone application is consistent with the rezone criteria in ECC 15.250.050, and staff recommendations are as follows:

1. Hold a closed record quasi-judicial public hearing;
2. Approve rezone request P19-122 from Residential-Suburban to Light Industrial, and adopt the Hearing Examiner's Findings of Fact, Conclusions of Law, and Decision and Conditions of Approval (*Exhibit 1*); and
3. Conduct first reading of the Ordinance adopting rezone request P19-122.

EXHIBITS

Exhibit 1: Hearing Examiner's Findings of Fact, Conclusions of Law, and Decision and Conditions of Approval

1. Location Map
2. Current Zoning Map
3. Comprehensive Plan Land Use Designation
4. Order Confirmation - Legal Notice of Open Record Public Hearing
5. Affidavit of Posting and Land Use Action Signs
6. Area of Notification Map and Notification Letter
7. SEPA DNS
8. Rezone Application
9. Rezone Application Supporting Materials, as submitted by applicant, including Attachments labeled by the applicant as A thru J
10. December 12, 2019 staff report submitted to Hearing Examiner
11. Written comment submitted by Chad Bala at December 12, 2019 open record public hearing

Exhibit 2: Order Confirmation - Legal notice of closed record public hearing

Exhibit 3: Affidavit of posting and land use action sign for closed record public hearing

Attachments: Ordinance

EXHIBIT 1

City of Ellensburg
Land Use Hearing Examiner



IN THE MATTER OF	)	RECOMMENDED
	)	FINDINGS OF FACT,
	)	CONCLUSIONS OF LAW, AND
P 19-122	)	DECISION AND
Teanaway Ridge LLC	)	CONDITIONS OF APPROVAL

THIS MATTER having come on for hearing in front of the City of Ellensburg Hearing Examiner on December 12, 2019, the Hearing Examiner having taken evidence hereby submits the following Recommended Findings of Fact, Conclusions of Law, and Decision and Conditions of Approval as follows:

I. RECOMMENDED FINDINGS OF FACT

1. The applicant seeks to rezone one 41.18-acre parcel from Residential-Suburban (R-S) to Light Industrial (I-L). A State Environmental Policy Act (SEPA) Determination of Non-Significance (DNS) was issued for the rezone request on September 13, 2019, 2019.
2. The applicant is Terra Design Group Inc., agent for owner Teanaway Ridge LLC.
3. The parcel is located on Bull Road, adjacent to Interstate 90 in Ellensburg; Kittitas County Assessor's Parcel ID #17827 for a total of 41.18 acres.
4. The parcel is currently undeveloped. The parcel is bordered by residential zoning to the north (Residential-Suburban in City limits, and Urban Residential in Kittitas County), and Interstate-90 to the South. The unincorporated land to the east, west, and the other side of Interstate-90 is zoned by Kittitas County as Commercial Agriculture.
5. The parcel was annexed into the City of Ellensburg in 2014 by Ordinance 4680 and was assigned Residential-Suburban (R-S) zoning at that time, consistent with the then existing Comprehensive Plan land use designation of Mixed Residential.
6. The site topography is flat and undeveloped. There is a riverine wetland running north to south on the eastern side of the property. The United States Fish and Wildlife National Wetlands Inventory indicate the channel was human excavated and does not meet the Federal Wetland Classification Standard.
7. The zoning of the surrounding properties is further described below.

North: The incorporated property to the north of the parcel is zoned Residential-Suburban (R-S) and is primarily undeveloped. The unincorporated lands to the north of the parcel are zoned Urban Residential and is undeveloped.

South: Interstate-90 is located directly to the south of the property on the other side of Interstate-90 is unincorporated land and is zoned Commercial Agriculture by Kittitas County.

East: The unincorporated land to the east of the property is zoned Commercial Agriculture.

West: The unincorporated land to the west of the property is zoned Commercial Agriculture. The unincorporated parcel to the west of the property is currently developed as a single family residence.

Rezone P19-122
Teanaway Ridge LLC
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EXHIBIT 1

8. As of 2018, the parcel is designated Light Industrial in the Comprehensive Plan.
9. Access to this parcel would be from Bull Road to the west of the property.
10. During the SEPA notification process, comments were received from Washington State Department of Fish and Wildlife, Washington State Department of Transportation, and Ellensburg Public Works Department. None of the comments received were specific to the rezone. Subsequent to the SEPA environmental review, public notice and distribution of the site specific rezone request was undertaken.
11. Notice of the open record public hearing was published in the legal section of the Daily Record on November 2, 2019, and the site was posted with a land use action sign on November 7, 2019. On November 1, 2019 notice of the rezone was mailed to property owners within 300 feet of the proposed site. As a result of the notification process comments have been received from: Ellensburg Public Works and Energy Services Departments, and the Fire Marshal.
12. Ellensburg Public Works did not have direct comments on the rezone but cautioned that any development on the property may trigger improvements consistent with the Public Works Development Standards. The Ellensburg Light Department indicated the City electrical utility is the exclusive electrical provider to the property and there are no electrical distribution facilities in the vicinity of this parcel. Additionally, costs to extend electrical distribution facilities to this parcel will be at the applicant's expense. The Fire Marshal comments indicate that emergency vehicle access must meet current fire code requirements including aerial apparatus access and fire hydrant numbers and spacing must meet current fire code requirements.
13. The required SEPA checklist was submitted on June 6, 2019 and a SEPA Determination of Non-Significance was issued on September 13, 2019.
14. Per Ellensburg City Code, site-specific rezone applications are subject to the Type IV review process, and the Hearings Examiner provides a recommendation to City Council after holding an open record public hearing. The Hearings Examiner must find that the application is in compliance with the decision criteria in ECC 15.250.060.
15. The criteria for consideration of a site specific rezone are set forth in ECC 15.250.060(C). The applicant has the burden of establishing that all of the following criteria apply to the proposed rezone:
 - 15.1 Conditions have changed since the imposition of the zoning classification on the property;
 - 15.2 The proposed rezone bears a substantial relationship to the public health, safety, morals, and general welfare;
 - 15.3 The proposed rezone is consistent with the comprehensive plan;
 - 15.4 The proposed rezone to a particular zoning district shall be consistent with the development standards in the Land Development Code for the zoning district.
16. The applicant has submitted an application with a narrative, and support materials addressing the rezone criteria found in ECC 15.250.060(C).
 - 16.1 Conditions have changed since the imposition of the zoning classification on the property.
 - 16.1.1 The history of this property incorporated numerous changes throughout the recent past. These changes resulted in the property being included into the City of Ellensburg's urban growth area, following up with a rezone in

Rezone P19-122
Teanaway Ridge LLC
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2005/06 (See Tab D. Ord. 2006-22). Another change that occurred was the approval, by the City of Ellensburg, of the Fenceline, LLC Annexation (See Tab E. Ord 3680) in 2014. This annexation action included this property into city limits and changed the zoning to residential-suburban. The most recent change was the City of Ellensburg's adopted Comprehensive Plan where the land use designation was changed, for this specific parcel (Parcel # 17827), to Light Industrial (See Tab F, Pg. 29. Future Land Use Map). This specific change in the land use designation created an inconsistency between the current zoning of the parcel (Residential-Suburban) and the goals and policies of the light industrial land use designation. In order to fully implement the City's comprehensive plan regarding the Light Industrial land use the land use goals and zoning need to be consistent. This will allow for the consistent implementation of the zoning standards while at the same time meeting the intent and goals of the city designating this parcel as Light Industrial.

- 16.1.2 The Ellensburg Comprehensive Plan was thoroughly reviewed and updated in 2017. The 2017 Comprehensive Plan resulted in changing the land use designation of this parcel from Mixed Residential to Light Industrial. This alone is a sufficient changed condition.
- 16.2 The proposed rezone bears a substantial relationship to the public health, safety, morals, and general welfare.
 - 16.2.1 The comprehensive plan and zoning standards were developed bearing a substantial relationship to the public health, safety, morals, and general welfare for the community as a whole. The fact that this site-specific rezone is compatible with the comprehensive plan demonstrates this non-project site-specific rezone has a substantial relationship to the public health, safety, and welfare. By changing the zoning from Residential-Suburban to Light Industrial creates consistency with the land use goals (See Tab F.) and allows the following to occur: designating larger tracts of industrial land eliminates other constraints associated with industrial lands; Location of this industrial designated property adjacent to I-90 along its southern border lessens the impact between other uses and zones that are not designated light industrial; The designating of this parcel as Light Industrial also falls in line with future infrastructure improvement of Bull Road and reflects the common goals and future land use plans for this area regarding land use and future transportation needs (See Tab G. Existing and Future Arterial/Collector Corridors map).
 - 16.2.2 With the aforementioned, by rezoning this parcel to Light Industrial, creating consistency with the land use goals of the city's comprehensive plan for Light Industrial, and the development standards under the Light Industrial zone proves that this proposal bears a substantial relationship to the public health, safety, morals, and general welfare for the community and its future goals as outlined in the comprehensive plan.
 - 16.2.3 The population and employment projections in the comprehensive plan indicate that in order to maintain a similar ratio of jobs per household, Ellensburg will need to add almost 7,000 jobs by the year 2037. The primary zones that generate employment are commercial and industrial. The

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economic development chapter of the current Comprehensive Plan indicates that Ellensburg's annual employment growth rate of 0.7% between 2002 and 2013 was slower than countywide employment growth.

- 16.2.4 Additionally, the Comprehensive Plan notes that between 2002 and 2014 there was a slow decline in the number of Ellensburg residents who work in Kittitas County, and a steady increase in the number of Ellensburg residents who work outside Kittitas County. This site specific rezone, which would result in more Light Industrial zoned property in the City limits, may encourage employment growth.
- 16.3 The proposed rezone is consistent with the comprehensive plan.
- 16.3.1 This site-specific rezone is consistent with the City of Ellensburg's Comprehensive Plan that was adopted on November 5th, 2018 (Ord. 4811), designating this parcel as Light Industrial.
- The property is zoned Residential-Suburban and is within the land use designation of "Light Industrial" as described in the City of Ellensburg's Comprehensive Plan (See Tab F. Pg. 29 Future Land Use Map). This request is to create consistency and compatibility with the City's zoning and land use designation as required by the growth management act. The proposed rezone meets the land use goals of the Light Industrial land use designation of the City's Comprehensive Plan.
- 16.3.2 Staff found this site specific rezone request to be consistent with the following comprehensive plan goals and policies:
- Goal LU-1:** Encourage development that creates a variety of housing, shopping, entertainment, recreation, gathering spaces, employment, and services that are accessible to neighborhoods.
- Goal LU-5:** Plan for commercial and industrial areas that serve the community, are attractive, and have long-term economic vitality.
- Policy A:** Provide a diversity of commercial and industrial lands to provide an array of business and development opportunities that serve the community.
- Goal ED-2:** Stimulate and diversify Ellensburg's economy.
- Policy A:** Encourage growth that will provide goods and services to the local and regional economy.
- Policy B:** Promote the retention and expansion of existing businesses as well as the development of new businesses.
- Policy D:** Encourage development of light industrial uses within the City of Ellensburg.
- 16.4 The proposed rezone to a particular zoning district shall be consistent with the development standards in the LDC for the zoning district.
- 16.4.1 Currently the subject parcel is zoned Residential-Suburban (See Tab H. Current Zoning Map). This current zoning districts purpose is to allow for a mix of predominantly single-family detached dwelling units. This zone is inconsistent with the land use designation of Light Industrial that has been

Rezone P19-122
Teaway Ridge LLC
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EXHIBIT 1

applied to this property. This land use designation of Light Industrial is to accommodate light manufacturing, office, technology centers, storage, and light assembly, and support services to industry. As one can see in the current zoning of residential-suburban along with the current land use designation of Light Industrial contains incompatible uses. By rezoning this parcel to a Light Industrial zoning district creates consistency between the land use goals of the comprehensive plan and the zoning districts development standards of Light Industrial (See Tab I. Residential-Suburban zoning district, Light Industrial zoning district & Uses within each zoning district).

- 16.4.2 Staff found the rezone proposal consistent with the purpose of the Light Industrial zone as set forth in ECC 15.300.050(G); Light Industrial 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.
17. The Hearing Examiner finds the rezone proposal consistent with the following standards of the Light Industrial zone as set forth in ECC 15.300.050(G):
- 17.1 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;
 - 17.2 Providing for eating and drinking establishments that serve other permitted uses in the zone;
 - 17.3 Providing for offices as an accessory use;
 - 17.4 Providing design standards and guidelines that enhance the appearance and function of uses in the zone and their compatibility with surrounding uses;
 - 17.5 Use of this zone is appropriate for areas designated light industrial or industrial residential in the comprehensive plan.
18. The applicant seeks Light Industrial (I-L) zoning to align with the comprehensive plan land use designation. Any future development proposals will be responsible for meeting all development standards under the Land Development Code.
19. The City Department of Ellensburg recommended approval of the requested rezone subject to the recommended condition of approval.
20. An open record public hearing after due legal notice was held on December 12, 2019.
21. The following exhibits were admitted into the record:
- Ex. 1: Location Map;
 - Ex. 2: Current Zoning Map;
 - Ex. 3: Comprehensive Plan Land Use Designation;
 - Ex. 4: Order Confirmation - Legal Notice of Open Record Public Hearing;
 - Ex. 5: Affidavit of Posting and Land Use Action Signs;

EXHIBIT 1

- Ex. 6: Area of Notification Map and Notification Letter;
 - Ex. 7: SEPA DNS;
 - Ex. 8: Rezone Application;
 - Ex. 9: Rezone Application Supporting Materials, as submitted by applicant, including Attachments labeled by the applicant as A thru J;
 - Ex. 10: Staff Report; and
 - Ex. 11: Letter from Applicant consistent with the Applicant's testimony at the hearing.
- 22. Appearing and testifying on behalf of the applicant was Chad Bala. Mr. Bala testified that he was an agent authorized to appear and speak on behalf of the applicant and property owner. Mr. Bala submitted Exhibit 11, which was a letter supporting his testimony. Mr. Bala suggested two corrections to the Staff Report related to access to the property and the incompatibility of the current uses with the uses allowed by the underlying zoning. Mr. Bala indicated that proposed Condition of Approval was acceptable.
 - 23. No member of the public testified at the hearing.
 - 24. The proposal is appropriate in design, character and appearance with the goals and policies for the land use designation in which the proposed use is located.
 - 25. The proposal will be served by adequate facilities including access, fire protection, water, storm water control, and sewage disposal facilities.
 - 26. Any Conclusion of Law that is more correctly a Finding of Fact is hereby incorporated as such by this reference.

II. RECOMMEND CONCLUSIONS OF LAW

- 1. The Hearing Examiner has been granted authority to render this Decision.
- 2. As conditioned, the proposed use is consistent with the intent, purposes and regulations of the City of Ellensburg Municipal Code and Comprehensive Plan.
- 3. As conditioned, the proposal will conform to the standards specified in City of Ellensburg.
- 4. As conditioned, the use will comply with all required performance standards as specified in City of Ellensburg Municipal Code.
- 5. As conditioned, the proposed use will not be contrary to the intent or purposes and regulations of either the City of Ellensburg Municipal Code or the Comprehensive Plan.
- 6. As conditioned, this proposal does comply with Comprehensive Plan, the Shoreline Master Program, the zoning code and other land use regulations, and SEPA.

Rezone P19-122
Teanaway Ridge LLC
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7. Any Finding of Fact that is more correctly a Conclusion of Law is hereby incorporated as such by this reference.

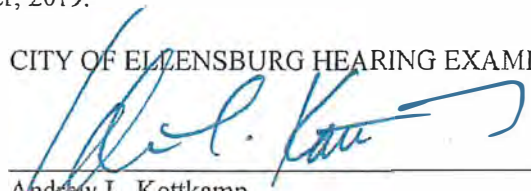
III. RECOMMENDED DECISION

The Hearing Examiner found the proposal to be consistent with the criteria outlined in 15.250.050 pertaining to rezones. As such, the Hearing Examiner recommends approval to the City Council of the rezone request, from Residential-Suburban (R-S) to Light Industrial (I-L) zoning with the following condition:

- A. 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.

Dated this 17th day of December, 2019.

CITY OF ELZENSBURG HEARING EXAMINER



Andrew L. Kottkamp

EXHIBIT 1.1
Location Map

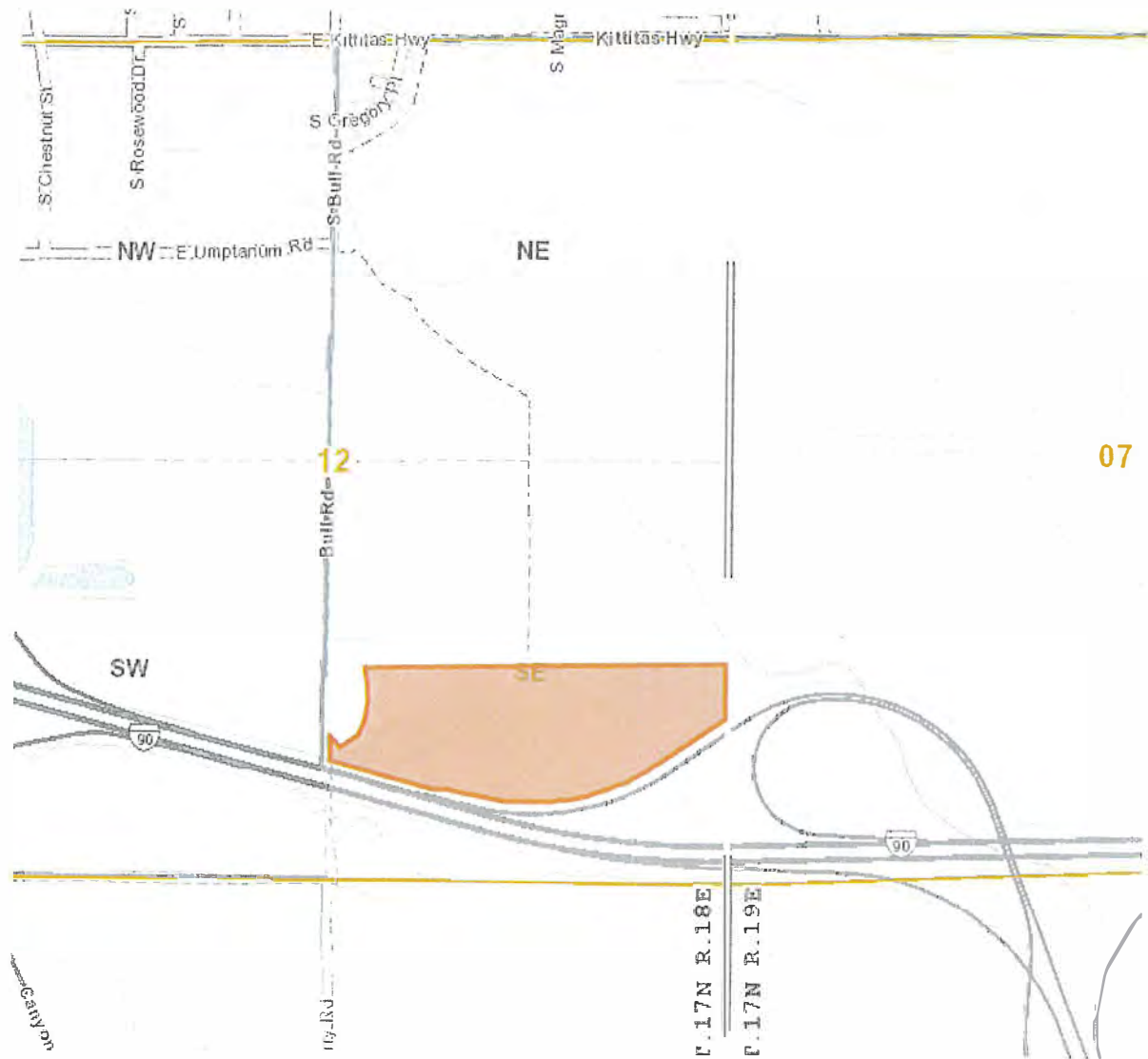
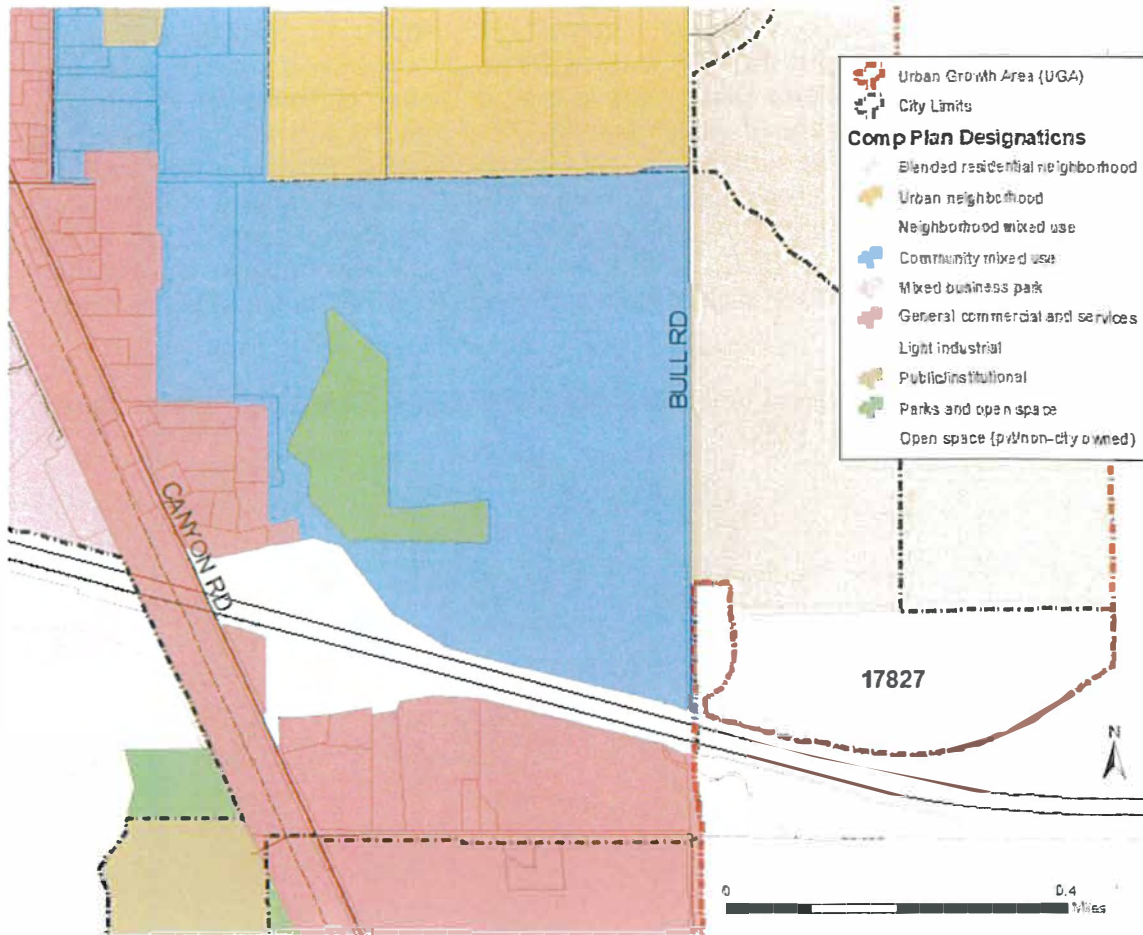


EXHIBIT 1.2
Current Zoning Map



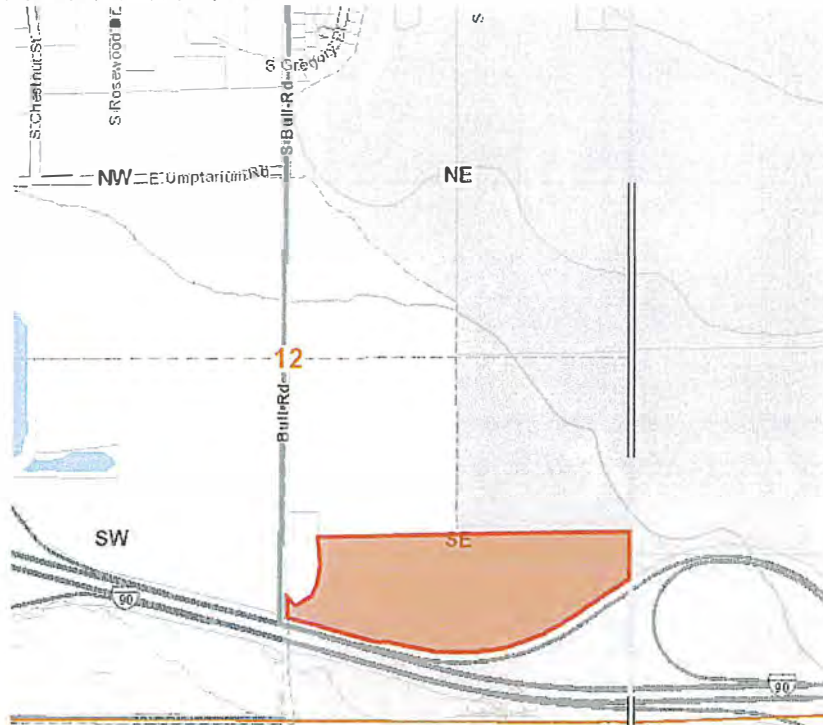
EXHIBIT 1.3
Comprehensive Plan Land Use Designation Map



NOTICE OF A PUBLIC HEARING REZONE REQUEST

NOTICE IS HEREBY GIVEN that the Hearing Examiner for the City of Ellensburg will hold an open record public hearing on **Thursday, December 12, 2019 at 4:30 pm** in City Council Chambers, 501 North Anderson Street, to consider a rezone application (P19-112) submitted by Terra Design Group Inc., on behalf of Teanaway Ridge LLC. The applicant seeks a rezone of parcel number 17827 from Residential-Suburban (R-S) to Light Industrial (I-L). The submitted application and related documents are available for review at the City of Ellensburg Community Development Department, 501 North Anderson Street, Ellensburg, WA. Anyone wishing to receive a copy of the rezone request is invited to call (509) 925-8653 or visit the Community Development Department. A SEPA Determination of Nonsignificance (DNS) for the rezone was issued on September 13, 2019.

Project Location: The parcel is located off of Bull Road, Ellensburg. Kittitas County Assessor's Parcel Number 17827.



NOTICE IS FURTHER GIVEN that all persons interested may appear at such time and place and be heard for or against the matter, or written comments may be filed with the Community Development Department, 501 North Anderson Street, or via email: sanfilippo@ci.ellensburg.wa.us

Written comments must be submitted by 5:00 pm on Monday November 25, 2019.

The City of Ellensburg strives to make our meetings and activities readily accessible by individuals with disabilities. Please furnish your request in sufficient time for the City to provide a reasonable accommodation. A "Request for Accommodation" form may be obtained from the City Clerk (First Floor – City Hall).

PUBLISH IN LEGAL: Saturday November 23, 2019

EXHIBIT 1.5



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 signs 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: November 1, 2019	PLANNER: Angela San Filippo – Long Range Planner
PROJECT NAME: Rezone of parcel 17827 from R-S to I-L	FILE NUMBER: P19-112

PLEASE COMPLETE THE FOLLOWING:

I, Chas Bala, 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.**

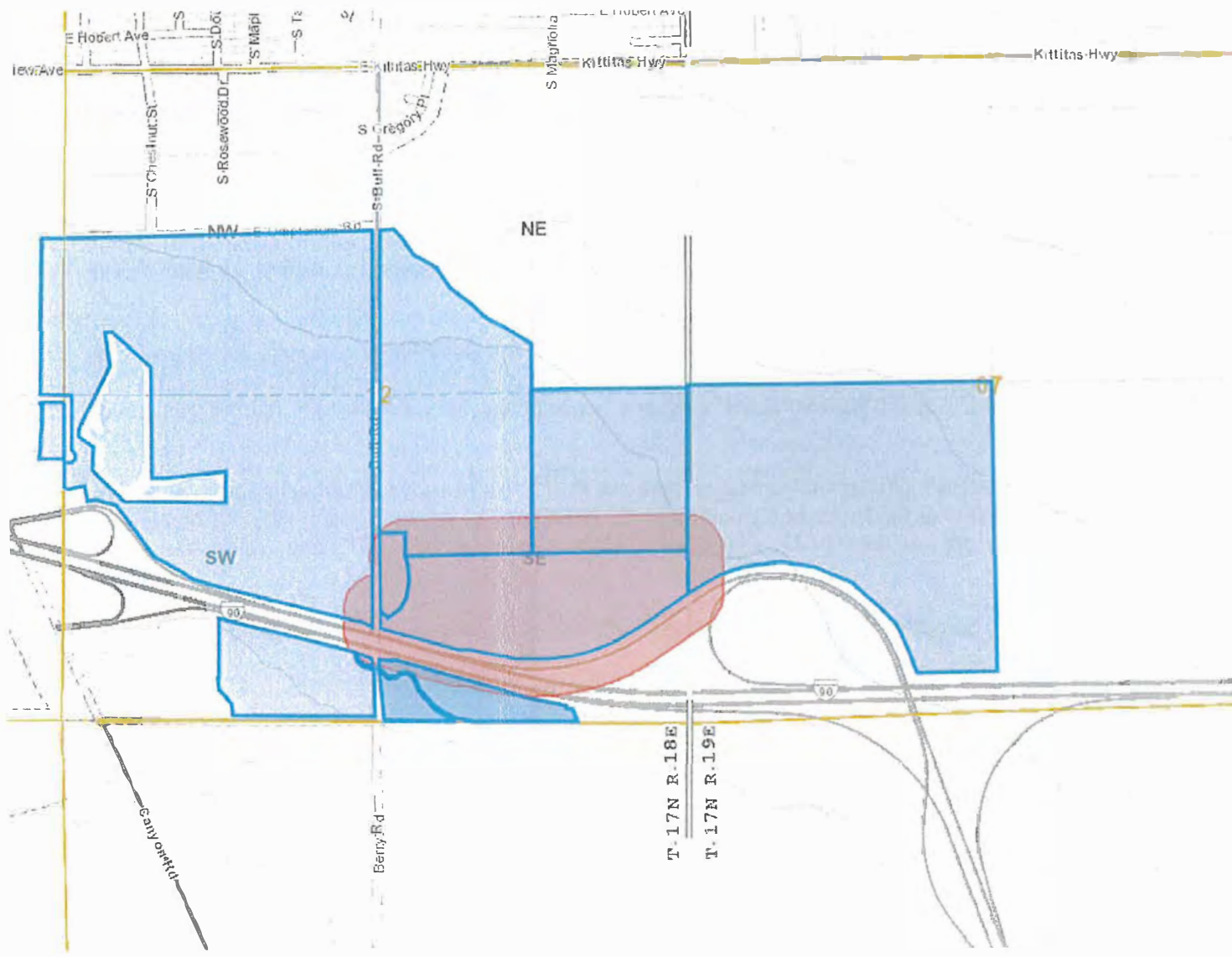
Chas Bala
Signature

11-7 20 19
Date

Please return the above affidavit and a photograph of the posted sign(s) to Angela San Filippo, Long Range Planner, by email: sanfilippo@ci.ellensburg.wa.us; Fax 509-962-8655; mail; or deliver to: Community Development Dept., City Hall, 501 North Anderson Street, Ellensburg, WA 98926.



EXHIBIT 1.6
Area of Notification Map





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

November 1, 2019

RE: Notice of Application and Open Record Public Hearing for Rezone Application, case # P19-112, submitted by Terra Design Group, Inc., on behalf of Teanaway Ridge, LLC

Dear Property Owner,

NOTICE IS HEREBY GIVEN that an application has been received from Terra Design Group, Inc. on behalf of Teanaway Ridge, LLC to rezone parcel number 17827 located on Bull Road from Residential-Suburban (R-S) to Light Industrial (I-L). The comment period is **21 calendar days** beginning on the day following the date of notice of application. The Community Development Department must **receive all public comments** on the notice of application **by 5:00 pm on Monday, November 25, 2019**. Comments may be mailed, emailed, faxed, or personally delivered.

Rezone application P19-112 was received on October 28, 2019 and determined complete on October 29, 2019. The notice of application and public hearing will be published in the Daily Record on November 2, 2019. A State Environmental Policy Act (SEPA) Determination of Nonsignificance (DNS) for the rezone was issued on September 13, 2019.

NOTICE IS ALSO HEREBY GIVEN that an **Open Record Public Hearing** has been scheduled before the Ellensburg Hearing Examiner for **Thursday, December 12, 2019, at 4:30 pm** to consider Rezone Application, P19-112. The hearing will be held in the City Council Chambers, City Hall, 501 North Anderson Street, Ellensburg.

Project Location: The parcel is located at on Bull Road, Kittitas County Assessor's Parcel Numbers 17827.



Materials Available for Review: The submitted application and related documents may be reviewed at the Ellensburg Community Development Department, 501 North Anderson Street, Ellensburg, WA 98926.

Questions about this rezone may be directed to the Community Development Department, 501 North Anderson Street, or via email: sanfilippoa@ci.ellensburg.wa.us. The City of Ellensburg strives to make our meetings and activities readily accessible by individuals with disabilities. Please furnish your request in sufficient time for the City to provide a reasonable accommodation. A "Request for Accommodation" form may be obtained from the City Clerk (First Floor – City Hall).

WRITTEN COMMENTS: The public is encouraged to review and comment on this proposed project. Comments must be submitted in writing by 5:00pm on Monday, November 25, 2019.

All interested persons may appear at the Open Record Public Hearing on Thursday, December 12, 2019 at 4:30 pm and provide verbal testimony for or against this matter. Submit comments to the Community Development Department, City Hall, 501 North Anderson Street, Ellensburg WA 98926 or via email to sanfilippoa@ci.ellensburg.wa.us

If you have any questions regarding this matter, please contact me at 509-925-8653 or via the e-mail listed above.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Angela San Filippo', with a long horizontal flourish extending to the right.

Angela San Filippo
Long Range Planner

EXHIBIT 1.7



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

**State Environmental Policy Act (SEPA)
DETERMINATION OF NONSIGNIFICANCE (DNS)**

Proponent: Chad Bala of Terra Design Group, Cle Elum, WA; for Pat Deneen of Teanaway Ridge, LLC, Cle Elum, WA; owner.

Description: A SEPA Environmental Checklist for a non-project, site-specific Rezone on Bull Rd. in Ellensburg. The applicant seeks a Rezone from Residential Suburban (R-S) to Light Industrial (I-L) Zoning on this 41.18-acre property, which can be further identified by Parcel ID # 17827.

Location: This parcel is located on the south end of Bull Rd, immediately north of I-90 and just east of Exit 109, in Ellensburg.

Lead Agency: City of Ellensburg

File #: P19-071

The lead agency for this proposal has determined that it 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 197-11-340(2); 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

Signature: Kirsten Sackett **Date:** 9-13-19

Pursuant to ECC 15.270.200, the City of Ellensburg establishes Administrative Appeal Procedures, contained in ECC 15.230.040 thru 15.230.110, which shall be made to the Hearing Examiner, as applicable to the matter being appealed.



Site Specific Rezone Permit Application Form



Community Development Department

501 N. Anderson, Ellensburg, WA 98926 (509) 962-7239 (Building) (509) 962-7231 (Planning) commdev@ci.ellensburg.wa.us

A pre-application meeting is required prior to submitting a Rezone application. Site-specific rezones to change the current zoning of a property to a new zoning category that is consistent with the comprehensive plan land use designation for the property are reviewed as Type IV processes. Type V reviews involve the legislative revisions to the zoning map for area-wide changes including comprehensive plan updates and those proposed to implement subarea plans.

Application Fee: \$1200 (Pre-App Fee: \$500 may be applied here also)

In addition to the existing application fee, the applicant shall be required to pay a \$600 Hearing Examiner fee. If the Hearing Examiner fee is less than \$600, the difference shall be returned to the applicant. If the Hearing Examiner fee exceeds \$600, the additional cost shall be billed to and paid by the applicant.

The Planning Division will be unable to accept your Rezone Application if you fail to provide ALL of the following required material.

OFFICIAL USE ONLY:

Staff Person:	(Vmj) LW.
Date Submitted:	10/28/19
Fee Total:	1800. ⁰⁰
FILE #:	P19-122
Associated Permit File #:	P19-071

PROPERTY OWNER: (Note: If the Applicant is not the Owner, attach written authorization from the legal owner(s).)

Legal Owner Name(s):	Teanaway Ridge LLC/ Pat Deneen	Day Phone:	509-260-0462
Mailing Address:	PO Box 808 Cle Elum WA 98922		
E-mail:		Cell Phone:	

*APPLICANT: ☐ Owner ☐ Contractor ☐ Tenant ☐ Other ☐

Name:	Same as above	Day Phone:	
Mailing Address:			
E-mail:		Cell Phone:	

CONTACT PERSON: ☐ Owner ☐ Contractor ☐ Tenant ☐ Other ☐

Name:	Terra Design Group Inc./Chad Bala	Day Phone:	
Mailing Address:	PO Box 686 Cle Elum WA 98922		
E-mail:	bala.ce@gmail.com	Cell Phone:	509-607-0617

PROJECT INFORMATION:

Parcel Number(s) of Site:	Parcel # 17827		
Site Address (if any):	Bull Road, Ellensburg WA 98926		
Current City Zoning Designation :	Residential-Suburban (R-S)	Requested City Zoning Designation :	Light Industrial

(OVER)

PROJECT INFORMATION:

Ellensburg City Code 15.250.060 requires that application for site specific rezone amendments to the zoning district map may only be approved if/all the following criteria are satisfied. Please include responses as an attachment.

(INCLUDE RESPONSES AS AN ATTACHMENT TO THIS APPLICATION)

1. Narrative project description (include as attachment): Please include at a minimum the following information in your description: describe project size, location, and all qualitative features of the proposal; include every element of the proposal in the description.

2. Applicant for rezone must demonstrate that the following criteria are met (attach additional sheets as necessary):

A. Conditions have changed since the imposition of the zoning classification on the property.

B. The proposed rezone bears a substantial relationship to the public health, safety, morals, and general welfare.

C. The proposed rezone is consistent with the comprehensive plan; and

D. The proposed rezone to a particular zoning district shall be consistent with the development standards in the LDC for the zoning district. :

Applicants may propose conditions to be imposed on the site specific rezone in order to mitigate any detrimental effect the rezone might have on uses or property in the immediate vicinity of the proposed rezone. Any conditions imposed by the city on the rezone shall be incorporated in a development agreement executed by the city council and the property owners(s), under the procedures set forth in RCW 36.70B.170 through 36.70B.170 through 36.70B.200 and ECC Chapter 15.380 (Development Agreements)

The burden of this demonstration is on the rezone applicant.

3. Site Plan Requirements:

The proposed project and dimensions in relation to the property boundaries. Show how the property is located in reference to existing streets, alleys and sidewalks.

The proposed project and dimensions in relation to all existing and proposed development on the property. Show all existing buildings or structures on subject property and those proposed to be located on property with setback dimensions and distances between buildings.

Show present and additional "off-street" parking, if required.

(The site plan shall be legibly drawn to a minimum scale of 1:20 on substantial paper a minimum 11" x 17" size)

SIGNATURE OF LEGAL OWNER or REPRESENTATIVE AS AUTHORIZED BY THE LEGAL OWNER:

I, Chad Bala, (print name) affirm that the above responses are made truthfully and to the best of my knowledge. I hereby apply for this permit application and acknowledge that I have read this application and state that the information is correct and that I agree to comply with all city ordinances pertaining to this permit if granted.

I further affirm that I am the owner of record of the area proposed for the above-identified land use action or, if not the owner, attached herewithin is written permission from the owner(s) authorizing my actions on his/her/their behalf.

Signature of Legal Owner:
(or Authorized Agent)



Date: 10-23-19



October 25th, 2019

City of Ellensburg, Community Development Department
City of Ellensburg, 501 N. Anderson
Ellensburg WA 98926

Re: Teanaway Ridge LLC Non -Project Site Specific Rezone:

To whom it may concern,

On March 28th, 2019, Community Development Staff Angela San Filippo held a pre-Application meeting in regards to conducting a non-project rezone on parcel # 17827. At this meeting other City Departments along with the WA Dept. of Fish and Wildlife participated providing input and process with regards to this proposal. To further this process along a SEPA checklist was submitted in order to start the environmental review of this proposed rezone. After numerous comment periods on September 13th, 2019 the City of Ellensburg Community Development Department issued a threshold determination of non-significance (DNS) specifically relating to this rezone request.

With the aforementioned completed and on behalf of the landowner (Teanaway Ridge LLC), I am now submitting the non-project site-specific rezone application and supportive information for a zone change request from Residential-Suburban to Light Industrial.

If you need any additional information please do not hesitate to contact me at 509-607-0617.

Sincerely,

Chad Bala

Cc: Teanaway Ridge LLC, Pat Deneen

509 607 0617
www.terradesigngroup.net

P.O. Box 686
Cle Elum, WA 98922

LAND USE CONSULTANTS

**Teanaway Ridge LLC Site-Specific Rezone
ATTACHMENT LIST**

Attachment A:	Narrative project description.
Attachment B:	Parcel and Survey map of subject parcel.
Attachment C:	Site Specific Rezone Criteria
Attachment D:	Ordinance 2006-22 (previous rezone of property)
Attachment E:	Ordinance 4680 (Annexation & rezone of property)
Attachment F:	Land Use • Pg. 19: Current industrial description. • Pg. 27: Industrial purpose. • Pg.29: Future land use map (reflects lt. industrial land use designation. • Pg. 30: Goals, Policies and Programs.
Attachment G:	Existing & Future transportation corridors
Attachment H:	Current zoning map.
Attachment I:	Current and proposed zoning district and Uses
Attachment J:	SEPA Determination of Non-Significance (DNS)

A.

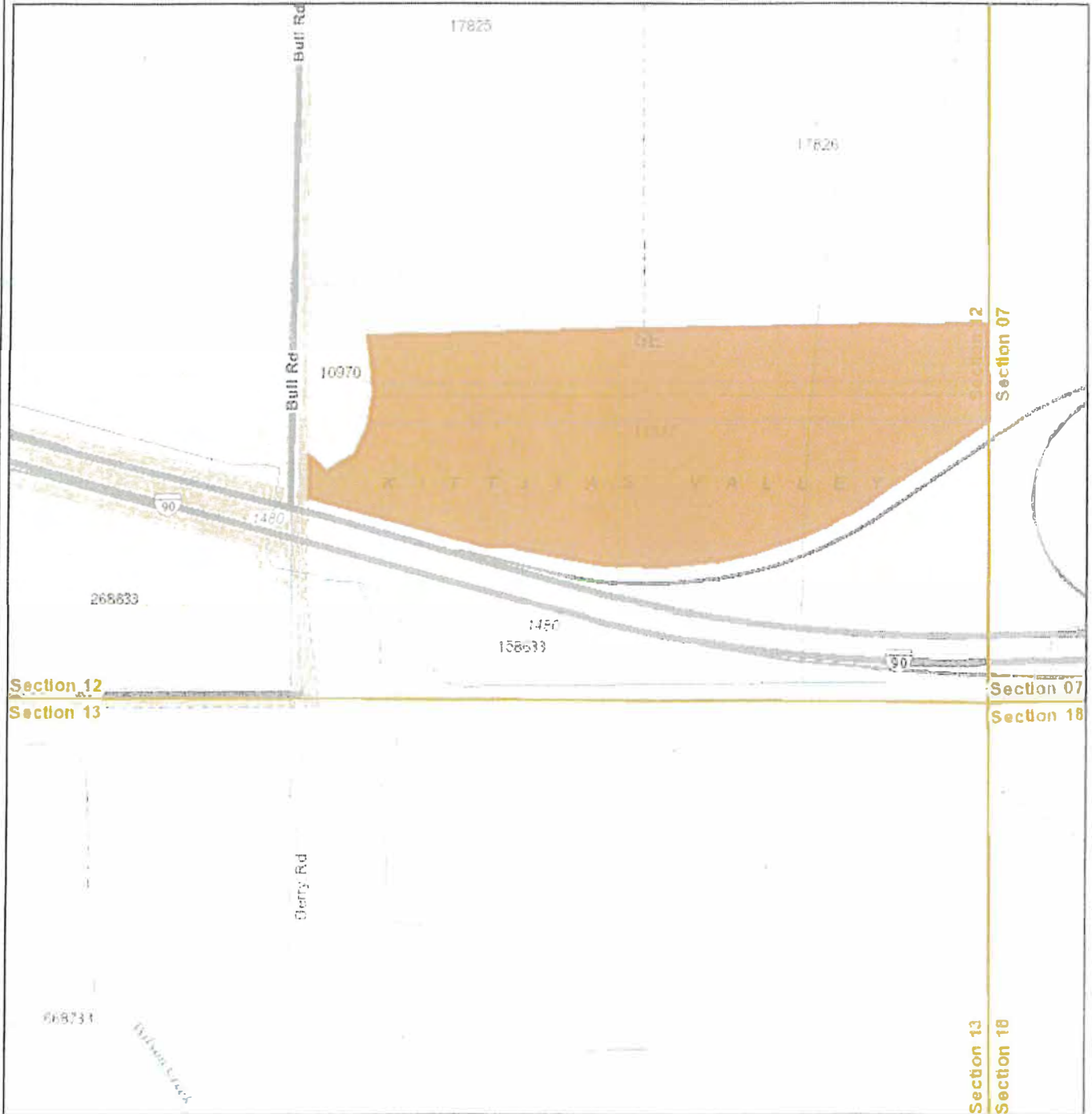
Teaway Ridge LLC Site Specific Rezone

Project Description:

This proposal is requesting a site specific rezone of Parcel 17827 changing the current Residential-Suburban zoning to a Light Industrial zone therefore creating consistency with the City's comprehensive plan. This parcel is 41.18 acres and located at the southern end and east of Bull Road having I-90 directly and adjacent to the south (See Tab B). This parcel is fairly flat and has been continuously been in agricultural production. Recently the City of Ellensburg re-designated Parcel 17827 to a light industrial land use designation. This newly designated land use creates inconsistency with the residential-suburban zoning that currently applies to the subject parcel.

B.

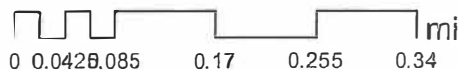
Parcel 17827



Date: 2/15/2019

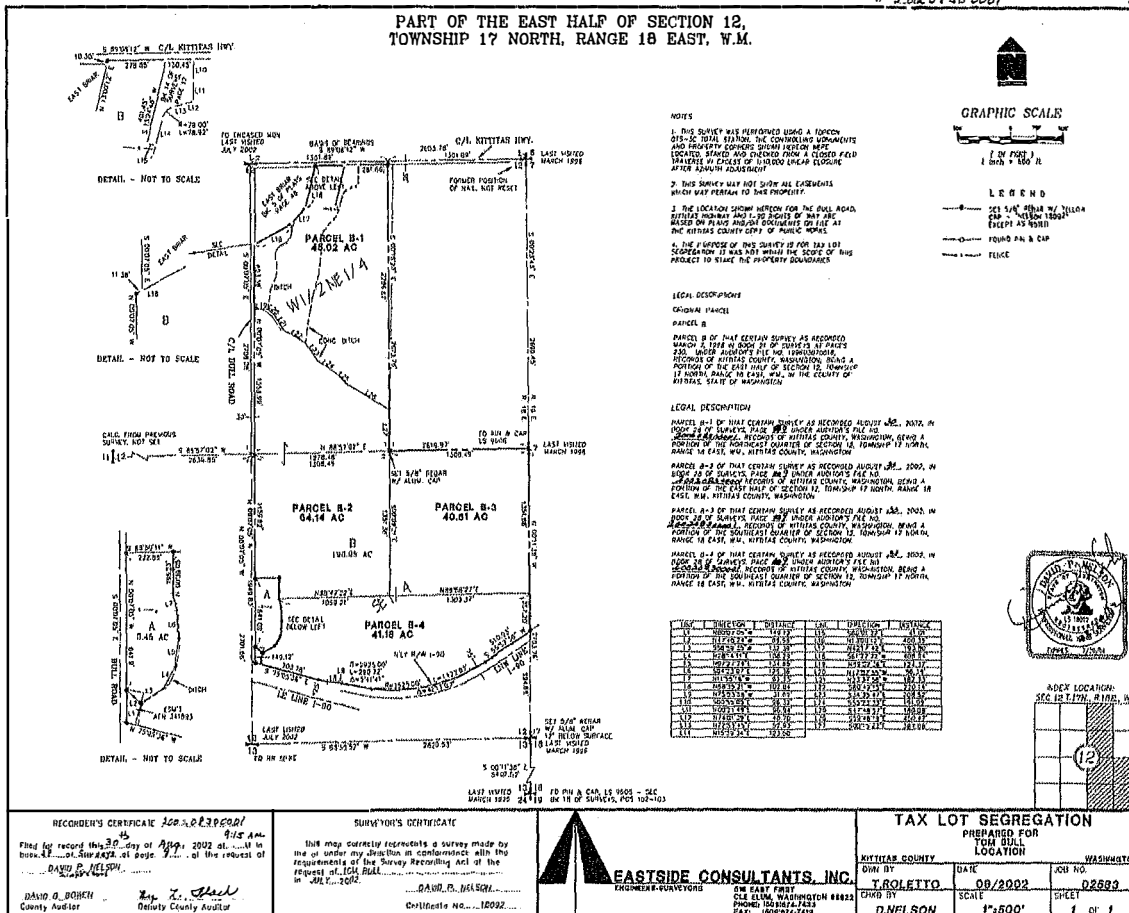
1 inch = 752 feet
Relative Scale 1:9,028

Disclaimer:
Kititas County makes every effort to produce and publish the most current and accurate information possible. No warranties, expressed or implied, are provided for the data, its use, or its interpretation. Kititas County does not guarantee the accuracy of the material contained herein and is not responsible for any use, misuse or representations by others regarding this information or its derivatives.



1.00.0730.0001

23-4



C.

Teanaway Ridge LLC

Site Specific Rezone Criteria:

A. Conditions have changed since the imposition of the zoning classification on the property.

The history of this property incorporated numerous changes throughout the recent past. These changes resulted in the property being included into the City of Ellensburg's urban growth area, following up with a rezone in 2005/06 (See Tab D. Ord. 2006-22). Another change that occurred was the approval, by the City of Ellensburg, of the Fenceline LLC Annexation (See Tab E. Ord. 4680) in 2014. This annexation action included this property into city limits and changed the zoning to residential-suburban. The most recent change was the City of Ellensburg's adopted Comprehensive Plan where the land use designation was changed, for this specific parcel (Parcel # 17827), to Light Industrial (See Tab F, Pg. 29. Future Land Use Map). This specific change in the land use designation created an inconsistency between the current zoning of the parcel (Residential-Suburban) and the goals and policies of the light industrial land use designation. In order to fully implement the City's comprehensive plan regarding the Light Industrial land use the land use goals and zoning need to be consistent. This will allow for the consistent implementation of the zoning standards while at the same time meeting the intent and goals of the city designating this parcel as Light Industrial.

B. The proposed rezone bears a substantial relationship to the public health, safety, morals, and general welfare.

The comprehensive plan and zoning standards were developed bearing a substantial relationship to the public health, safety, morals and general welfare for the community as a whole. The fact that this site-specific rezone is compatible with the comprehensive plan demonstrates this non-project site-

specific rezone has a substantial relationship to the public health, safety and welfare. By changing the zoning from Residential-suburban to Light Industrial creates consistency with the land use goals (See Tab F.) and allows the following to occur: designating larger tracts of industrial land that eliminates other constraints associated with industrial lands; Location of this industrial designated property adjacent to I-90 along it's southern border lessens the impact between other uses and zones that are not designated light industrial; The designating of this parcel as Light industrial also falls in line with future infrastructure improvement of Bull Road and reflects the common goals and future land use plans for this area regarding land use and future transportation needs (See Tab G. Existing and Future Arterial/Collector Corridors map).

With the aforementioned, by rezoning this parcel to Light Industrial, creating consistency with the land use goals of the city's comprehensive plan for Light Industrial, and the development standards under the Light Industrial zone proves that this proposal bears a substantial relationship to the public health, safety, morals and general welfare for the community and it's future goals as outlined in the comprehensive plan.

C. The proposed rezone is consistent with the comprehensive plan.

This site-specific rezone is consistent with the City of Ellensburg's Comprehensive Plan that was adopted on November 5th, 2018 (Ord. 4811), designating this parcel as Light Industrial.

The property is currently zoned Residential-Suburban and is within the land use designation of "Light Industrial" as described in the City of Ellensburg's Comprehensive Plan (See Tab F. Pg. 29 Future Land Use Map). This request is to create consistency and compatibility with the City's zoning and land use designation as required by the growth management act. The proposed rezone meets the land use goals of the Light Industrial land use designation of the City's Comprehensive Plan.

D. The proposed rezone to a particular zoning district shall be consistent with the development standards in the LDC for the zoning district.

Currently the subject parcel is zoned Residential-Suburban (See Tab H. Current Zoning map). This current zoning districts purpose is to allow for a mix of predominately single-family detached dwelling units. This zone is inconsistent with the land use designation of Light Industrial that has been applied to this property. This land use designation of Light Industrial is to accommodate light manufacturing, office, technology centers, storage, and light assembly and support services to industry. As one can see the current zoning of residential-suburban along with the current land use designation of Light Industrial contains incompatibilities. By rezoning this parcel to a Light Industrial zoning district creates consistency between the land use goals of the comprehensive plan and the zoning districts development standards of Light Industrial (See Tab I. Residential-Suburban zoning district, Light Industrial zoning district & Uses within each zoning district).

D.

**BOARD OF COUNTY COMMISSIONERS
COUNTY OF KITTITAS
STATE OF WASHINGTON**

ORDINANCE NO. 2006- 22

**BULL REZONE (Z-05-29)
IN THE MATTER OF AMMENDING THE KITTITAS COUNTY ZONING
ATLAS FOR A PORTION OF SECTION 12 OF TOWNSHIP 17 N., RANGE 18 E.,
FROM COMMERCIAL AGRICULTURE TO RESIDENTIAL**

WHEREAS, according to Kittitas County Code Chapter 17, relating to the zoning of land, adopted pursuant to RCW 58.17, a closed record hearing was held by the Kittitas County Board of Commissioners on April 18th, 2006 for the purpose of considering a rezone from Commercial Agriculture to Residential known as the Bull Rezone and described as follows:

General rezone of approximately 190.52 acres from Commercial Agriculture to Residential (File No. Z-2005-29). Proponent: Thomas and Curtis Bull. Location: South of Kittitas Hwy/Mountain View Rd, East of Bull Rd, and North of R.18., W.M. in Kittitas County, tax parcel numbers 17-18-12010-0006, 0009, 0010, and 0011.

WHEREAS, testimony was taken from those persons present who wished to be heard; and,

WHEREAS, due notice of the hearing had been given as required by law, and the necessary inquiry has been made into the public interest to be served by such change of zone; and,

WHEREAS, the Planning Commission recommended approval of said proposed rezone in a 6-0 decision (1 member absent); and,

WHEREAS, the following FINDINGS OF FACT have been made concerning said proposed rezone:

1. The Board of Commissioners finds that Steve Lathrop, authorized agent for Thomas and Curtis Bull, submitted a complete application requesting a zone change of approximately 190.52 acres from Commercial Agriculture to Residential to the Community Development Services Department on December 6th, 2005. The applicant's address is 43 Red Mountain Drive, Ellensburg, Wa. 98926.
2. The Board of Commissioners finds that Community Development Services Department issued a Notice of Application pursuant to KCC 15A.03 on December 30th, 2005. Said notice solicited comments from jurisdictional agencies and landowners within 300 feet of the subject property as required by Kittitas County Code.
3. The Board of Commissioners finds that a SEPA Mitigated Determination of Non-Significance was issued by the Community Development Services

Department on February 17, 2006. Notice of said determination was provided to all existing parties of record via United States Mail and was published in the Daily Record as required by State Statute and County Code. See Exhibit B

4. The Board of Commissioners finds that an open record hearing was held by the Planning Commission on March 14th, 2006 to consider this general rezone request. Notice of said public hearing was provided to all parties of record via United States Mail and was published in the Daily Record as required by State Statute and County Code. Testimony was taken from those persons present at said hearing that wished to be heard and the necessary inquiry has been made into the public interest to be served by this non-project action. See Exhibit C
5. The Board of Commissioners finds that the subject property abuts the City of Ellensburg city limits to the north and is entirely located within the City of Ellensburg urban growth area.
6. The Board of Commissioners finds that urban density development and residential zoning districts are adjacent to the proposed rezone property to the north and northwest.
7. The Board of Commissioners finds that the requested zone change is consistent with the residential land use designation of the Kittitas County Comprehensive Plan.
8. The Board of Commissioners finds that residential zone permitted uses are consistent with the surrounding zoning and provide a substantial relation to the public health, safety, or welfare.
9. The Board of Commissioners finds that the proposed requested zone change does meet all seven criteria as listed in KCC 17.98.020 (E):
 1. The proposed amendment is compatible with the comprehensive plan;
 - a. *The comprehensive plan amendment in 2005 changed the designation to Urban Residential.*
 2. The proposed amendment bears a substantial relation to the public health, safety or welfare;
 - a. *There is a present need for additional land zoned for residential densities adjacent to the City of Ellensburg.*
 3. The proposed amendment has merit and value for Kittitas County or a sub-area of the county;
 - a. *The Ellensburg City Council reviewed and favorably recommended this property for inclusion in its urban growth area and trunk utilities are presently anticipated to border this land on two sides.*
 4. The proposed amendment is appropriate because of changed circumstances or because of a need for additional property in the proposed zone or because the proposed zone is appropriate for reasonable development of the subject property;
 - a. *The comprehensive plan amendment now includes the subject property in the City of*

Ellensburg Urban Growth Area.

5. The subject property is suitable for development in general conformance with zoning standards for the proposed zone;
 - a. *Commercial Agriculture zoning is not consistent with the current Residential comprehensive plan designation.*
6. The proposed amendment will not be materially detrimental to the use of properties in the immediate vicinity of the subject property;
 - a. *Urban development and residential zoning districts are adjacent to the proposed rezone property to the north and northwest.*
7. The proposed changes in use of the subject property shall not adversely impact irrigation water deliveries to other properties.
 - a. *The proposed change will not affect irrigation water deliveries to other properties as it receives, and will continue to receive, its irrigation water as it has in the past.*

BE IT HEREBY ORDAINED: by the Board of County Commissioners of Kittitas County, Washington, after due deliberation and in the best interest of the public, does hereby approve said zone change of 190.52 acres, from Commercial Agriculture to Residential, known as the Bull Rezone, and does hereby authorize the amendment of the Kittitas County Zoning Map as set forth in attached Exhibit A.

ADOPTED this 2nd day of May 2006.

BOARD OF COUNTY COMMISSIONERS
KITITITAS COUNTY, WASHINGTON

David B. Bowen
David B. Bowen, Chairman

Alan A. Crankovich
Alan A. Crankovich, Vice-Chairman

Perry D. Huston
Perry D. Huston, Commissioner

ATTEST:
CLERK OF THE BOARD

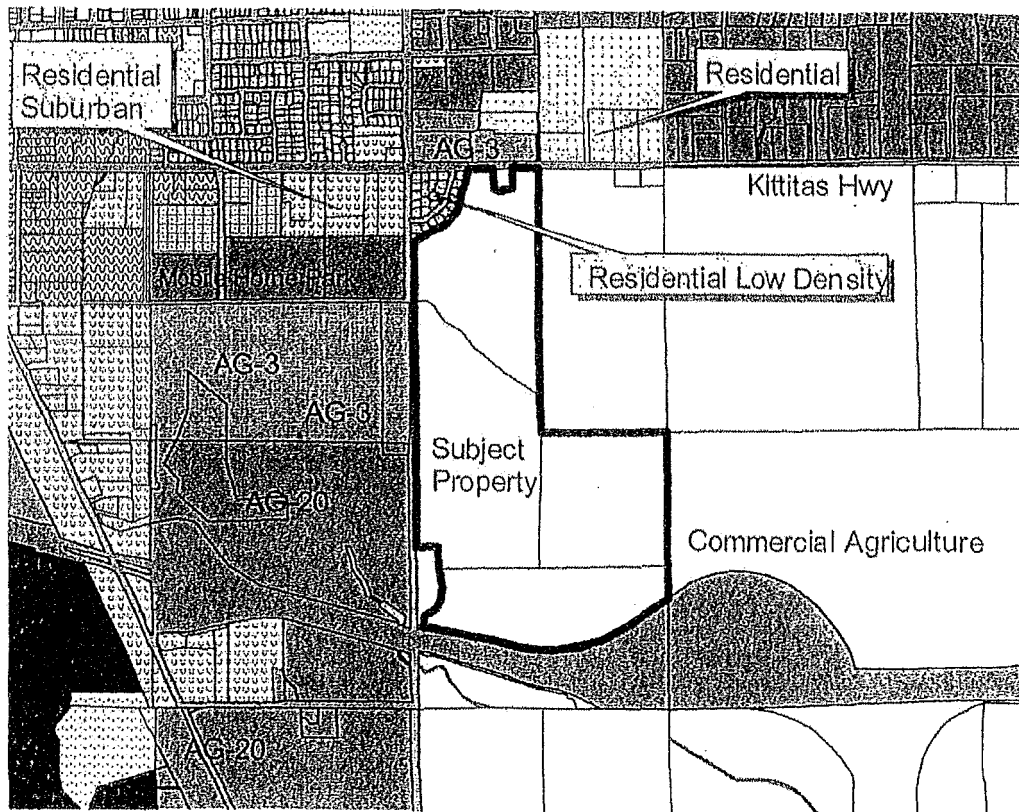
APPROVED AS TO FORM:

James A. Kjosvik

James A. Kjosvik



James Hurson, Prosecuting Attorney
WSBA#12686



BULL REZONE (Z-2005-29)
Exhibit A

EXHIBIT B
SEPA
MITIGATED DETERMINATION OF NONSIGNIFICANCE

Description of Proposal: Rezone File No.Z-05-29
Zone Change of aprx. 190.52 acres from Commercial Agriculture to Residential.

Proponent: Thomas Bull and Curtis Bull
43 Red Mountain Drive
Ellensburg, Wa. 98926

Authorized

Agent: F. Steven Lathrop
P.O. Box 1088
Ellensburg, Wa. 98926

Location : South of Kittitas Hwy/Mountain View Rd, East of Bull Rd, and North of I-90 within the East ½ of Section 12, T.17N., R.18E., W.M. in Kittitas County. The rezone applies to assessors's tax parcel numbers 17-18-12010-0006, 0009, 0010, and 0011.

Lead Agency: Kittitas County Community Development Services

The lead agency for this proposal has determined that it 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 on request.

The lead agency for this proposal has also determined that certain mitigation measures are necessary in order to issue a Determination of Non-Significance for this proposal. Failure to comply with the mitigation measures identified hereafter will result in the issuance of a Determination of Significance (DS) for this project. These mitigation measures include the following:

I. Wetlands

- A. Future development in proximity to the any wetlands on the property will require a certified wetland study to determine the rating and the appropriate wetland buffers necessary to protect the functional values of the wetlands and/or streams involved.

II. Transportation

- A. Any future subdivision or development of the properties involved within this rezone will result in the enactment of road standards review and will require road improvements to be made that comply with all applicable jurisdictional standards. This may include Kittitas County Road Standards, City of Ellensburg Standards and/or WSDOT Standards.
- B. The Ellensburg Comprehensive Plan Future Arterial/Collector Corridor Extension Map has identified several corridors that extend into this property. Future subdivision will require the applicant work with the City of Ellensburg to identify, plan and provide for these future road corridors as appropriate.

III. Environmental Health

- A. Activities such as road widening, stump pulling and clearing, grading and fill work and utility placements may require an NPDES Construction Stormwater Permit issued by the Department of Ecology prior to start of construction. This permit requires the preparation of a Stormwater Pollution Prevention Plan. Erosion control measure must be in place prior to any clearing, grading or construction. These control measures must be able to prevent soil from being carried into surface water (this includes storm drains) by storm water runoff. Contact the Department of Ecology for further permit information (509) 575-2807.
- B. Any lots created by the subsequent subdivision or short subdivision of the subject parcels shall be serviced by municipal utilities from the City of Ellensburg. The cost of extension of all required utilities and other construction improvements shall be born by the proponent. The proponent shall construct, according to applicable design plans approved by Kittitas County and/or the City of Ellensburg, all water, sanitary sewer, storm drainage, frontage and internal road improvements prior to final approval of any division or boundary line adjustment of the subject parcels.

This MDNS is issued under WAC 197-11-340. The lead agency will not act on this proposal for 15 days. Any action to set aside, enjoin, review, or otherwise challenge this administrative SEPA action's procedural compliance with the provisions of Chapter 197-11 WAC shall be commenced within 10 working days (on or before 5:00 PM, March 6th, 2006).

Responsible

Official: Marco Rains, Planner

Title: Planner I

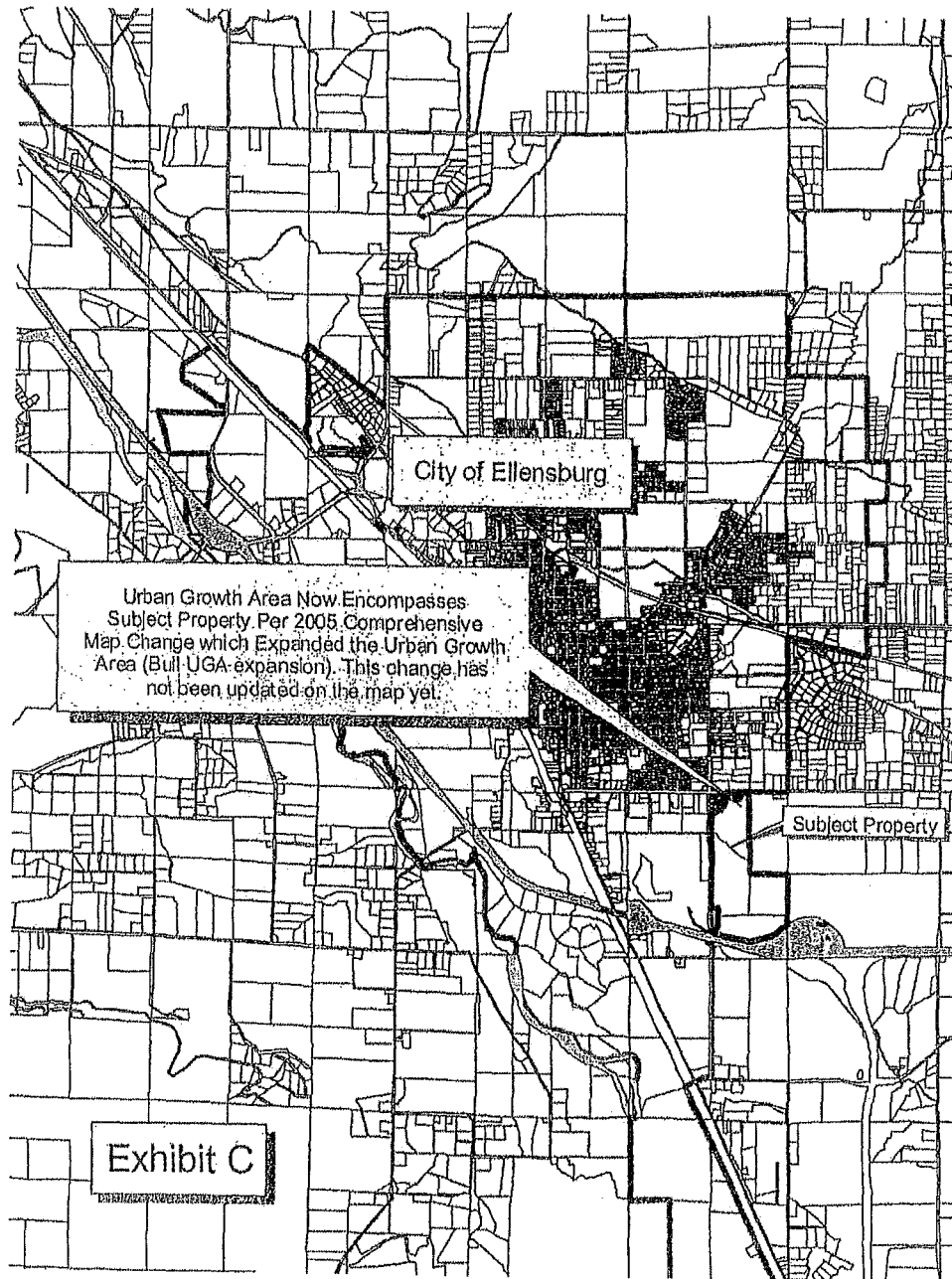
Address: Kittitas County Community Development Services Department
411 North Ruby Suite 2
Ellensburg, WA 98926
(509) 962-7506 FAX 962-7682

Date: February 17th, 2006

Marco Rains

Pursuant to Chapter 15A.07 KCC, this MDNS may be appealed by submitting specific factual objections in writing with a fee of \$300.00 to the Kittitas County Board of Commissioners, Kittitas County Courthouse Room 110, Ellensburg, WA 98926. Timely appeals must be received no later than 5:00 PM, March 6th, 2006.

An open record hearing has been changed from March 28th 2006 to **Tuesday, March 14th, 2006** in the Commissioners Auditorium at the Kittitas County Courthouse, Ellensburg, WA. The Planning Commission at said public hearing will consider written and oral testimony before making a recommendation to the Board of County Commissioners. Due to scheduling issues, interested parties should call to verify the date and place prior to attendance.



City of Ellensburg
501 N. Anderson St.
Ellensburg, WA 98926

CERTIFICATE

STATE OF WASHINGTON)

ss

County of Kittitas)

I, the undersigned, Coreen M. Reno, the duly appointed, qualified and acting City Clerk of the City of Ellensburg, County of Kittitas, State of Washington, do hereby certify that the ORDINANCE hereto annexed is a full, true and correct copy of ORDINANCE NO. 4680 of the City of Ellensburg, Washington, entitled as follows:

AN ORDINANCE of the City Council of the City of Ellensburg, Washington annexing certain territory known as the "Fenceline LLC" Annexation to the City of Ellensburg, Washington, assigning Residential Suburban Zoning classification, providing for the assumption of existing city indebtedness and fixing a time when the same shall be effective.

I further certify that said ORDINANCE was passed by the Council of said City at a meeting held August 18, 2014, at which time a quorum was in attendance and that said ORDINANCE was duly published in the official newspaper of said City on the 21st day of August, 2014.

DATED this 21st day of August, 2014.



Coreen Reno, CMC, City Clerk
Ellensburg, Washington

ORDINANCE NO. 4680

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON ANNEXING CERTAIN TERRITORY KNOWN AS THE "FENCELINE LLC" ANNEXATION TO THE CITY OF ELLENSBURG, WASHINGTON, ASSIGNING RESIDENTIAL SUBURBAN ZONING CLASSIFICATION, PROVIDING FOR THE ASSUMPTION OF EXISTING CITY INDEBTEDNESS AND FIXING A TIME WHEN THE SAME SHALL BE EFFECTIVE.

WHEREAS, on March 10, 2014, the City of Ellensburg, Washington, received a notice of intention to commence annexation proceedings pursuant to the "direct petition" method of RCW 35A.14.120 for the area to be known as the "Fenceline LLC" annexation area; and

WHEREAS, on May 5, 2014, the City Council of the City of Ellensburg held a public meeting with the annexation initiators pursuant to RCW 35A.14.120 and determined that the initiators could proceed to acquire a 60% petition for annexation pursuant to RCW 35A.14.120; and

WHEREAS, at its May 5, 2014 public meeting the City Council set the annexation area and further determined that the property subject to annexation would be required to comply with the City's Comprehensive Plan and Zoning Code, be required to assume the annexation area's share of City indebtedness and designated the proposed land use zoning as Residential Suburban (R-S); and

WHEREAS, the owners of not less than 60% in value, according to the assessed valuation for general taxation of the property hereinafter described, signed the petition pursuant to RCW 35A.14.120 for the annexation of said area to the City of Ellensburg; and

WHEREAS, the petition for annexation was certified as sufficient by the Kittitas County Assessor on June 12, 2014, having determined that the petition signatures have a combined total assessed value for general taxation of not less than 60% of the total assessed value for general taxation of all property in the proposed annexation area, in compliance with RCW 35A.01.040; and

WHEREAS, the City provided public notice of the petition for annexation and has provided an opportunity for comment thereon by all interested citizens at a duly called and noticed public meeting.

WHEREAS, on July 21, 2014, pursuant to proper notice given in accordance with RCW 35A.14.130, the City Council received and reviewed all of the documentation associated with this annexation proposal, conducted a public hearing on the proposed annexation in accordance with RCW 35A.14.140, and following such hearing determined to effect the annexation of the territory described in Section 1 of this ordinance, finding that the petition for annexation met the applicable requirements, and that the best interests of the City of Ellensburg will be served by the annexation and that it is appropriate to good government of the City of Ellensburg, and therefore accepted the petition for annexation pursuant to RCW 35A.14.120 and Ch. 15.360 ECC; and

WHEREAS, the territory described in Section 1 of this ordinance is contiguous to the City of Ellensburg and entirely within the City of Ellensburg Urban Growth Area established pursuant to RCW 36.70A.110,

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

Section 1. Annexation. The following described parcels and right-of-ways are hereby annexed to and made a part of the City of Ellensburg, to wit:

The South Half of the Northwest Quarter, the North Half of the Southwest Quarter, and that portion of the South Half of the Southwest Quarter lying Northeasterly of Primary State Highway No. 3 (SR 90) as acquired under Declaration of Taking filed in United States District Court for the Eastern District of Washington, Southern Division, under Case No. 2264, all in Section 12, Township 17 North, Range 18 East, W.M., in the County of Kittitas, State of Washington;

TOGETHER WITH the county road right of way along the Easterly boundary thereof;

EXCEPT that portion dedicated to the City of Ellensburg by Dedication Deed recorded under Kittitas County Auditor's File 199605220033 and by Corrected Dedication Deed recorded under Kittitas County Auditor's File No. 199605220034.

AND

That portion of the Southeast Quarter of the Southwest Quarter lying Southwesterly of Primary State Highway No. 3 (SR 90), as acquired under Declaration of Taking filed in United States District Court for the Eastern District of Washington, Southern Division, under Case No. 2264, of Section 12, Township 17 North, Range 18 East, W.M., in the County of Kittitas, State of Washington;

TOGETHER WITH the county road right of way along the East and South boundaries thereof.

EXCEPT that portion of the Southeast Quarter of the Southwest Quarter of Section 12, Township 17 North, Range 18 East, W.M., in the County of Kittitas, State of Washington, described as follows:

Beginning at a point on the West line and 30.0 feet North of the Southwest corner of said Southeast Quarter, and running North 00°35' West along said line, 200.00 feet to the right bank of the creek; thence South 40°54' East along said creek, 165.0 feet; thence South 6°54' East along said creek 75.0 feet to the North line of the county road; thence South 89°36' West along said road, 115.0 feet to the place of beginning;

TOGETHER WITH Parcel B-4 of that certain Survey as recorded August 30, 2002, in Book 28 of Surveys, page 9, under Auditor's File No. 200208300001, records of Kittitas County,

Washington; being a portion of the East Half of Section 12, Township 17 North, Range 18 East, W.M., in the County of Kittitas, State of Washington.

TOGETHER WITH Parcel B-2 of that certain Survey as recorded August 30, 2002, in Book 28 of Surveys, page 9, under Auditor's File No. 200208300001, records of Kittitas County, Washington; being a portion of the East Half of Section 12, Township 17 North, Range 18 East, W.M., in the County of Kittitas, State of Washington

TOGETHER WITH that portion of the Southwest $\frac{1}{4}$ of Section 12, Township 17 North, Range 18 East, W.M., in the County of Kittitas, State of Washington, described as follows:

Commencing at the South $\frac{1}{4}$ corner of said section; thence South $89^{\circ}36'$ West along the South line of said Section, 1426.00 feet; thence North $0^{\circ}15'$ West 30.0 feet to the true point of beginning and the North right of way line of the County Road; thence North $0^{\circ}15'$ West 311.4 feet; thence North $89^{\circ}55'$ East 103 feet to the East line of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said section; thence southerly along the East line to a point 230 feet Northerly of the Southeast corner or the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section; thence South $40^{\circ}54'$ East along the bank of said creek 75 feet to the North right of way line of the County Road; thence South $89^{\circ}36'$ West to the true point of beginning.

TOGETHER WITH the county road right of way along the Northerly boundaries thereof.

A depiction of the annexation territory, as illustrated in Exhibit A attached and incorporated herein by this reference, shall be kept on file in the records of the Community Development Department.

Section 2. Assessment and Taxation. All property within the territory so annexed shall be assessed and taxed at the same rate and on the same basis as other property of the City of Ellensburg is assessed and taxed to pay for any outstanding indebtedness of the City contracted prior to or existing at the day hereof.

Section 3. Comprehensive Plan Designation. All property within the territory so annexed shall be subject to and a part of the Comprehensive Plan of the City of Ellensburg as presently adopted or as is hereafter amended.

Section 4. Land Use Designation and Zoning. All property within the territory so annexed shall be known and identified as the Fenceline LLC Annexation and is hereby zoned Residential Suburban (R-S). The comprehensive plan for the annexation territory provides a designation of General Commercial for property in the annexation area west of Bull Road and providing for commercial uses and the comprehensive plan designation of Residential for the property within the annexation area east of Bull Road and providing for residential uses.

Section 5. Transmittal and Filing. The Ellensburg City Clerk is directed to file a certified copy of this ordinance with the Kittitas County Board of County Commissioners.

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

Section 5. Corrections by City Clerk or Code Reviser. Upon the approval of the City Attorney, the City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

The foregoing ordinance was passed and adopted at a regular meeting of the City Council on August 18, 2014.



Mayor

Attest:



City Clerk

Approved as to form:



City Attorney

Publish: 8-24-14



LAND USE

WHAT YOU WILL FIND IN THIS CHAPTER

- Information about the City's expected population and employment growth
- Description and capacity of existing and future land use designations.
- Policies that direct the City's growth strategy and land uses.
- A map of future land uses.

OVERVIEW

One of the fundamental roles of the City of Ellensburg's Comprehensive Plan is to anticipate, guide, and plan for growth. The plan is a tool to look ahead to the likely growth and ensure alignment of the City's plan for land uses, infrastructure, and services.

The Land Use chapter addresses the general pattern of land use within the City and its Urban Growth Area (UGA) and provides a framework to guide the City's overall growth and development. It ensures an appropriate mix of land uses are available to support the City's economic goals, provide an array of housing choices, and ensure that adequate infrastructure and services are available.

The Land Use goals, policies and programs help protect environmentally sensitive areas, maintain the character of established neighborhoods, and promote opportunities for healthy lifestyles while allowing the City to evolve to meet the changing needs of the community.

BACKGROUND AND CONTEXT

Core community values this chapter supports:

- Attractive residential neighborhoods and a lively and vital downtown contribute greatly to Ellensburg's high quality of life.
- Allowing for a variety of housing types will add to Ellensburg's diversity and appeal, and will help to address housing affordability.
- Encouraging sustainable practices related to both the environment and social equity will preserve a high quality of life for generations to come.
- Allowing for more neighborhood commercial development and more mixed-use areas will provide easier access to goods and services in the community.
- Encouraging entertainment and cultural uses will enrich the community and provide activities for all age groups.
- Increasing opportunities for local businesses will help supply employment for Ellensburg's residents.
- Suitable locations for industrial and institutional uses will protect the city's neighborhoods, while providing essential facilities needed by every community.

Existing Land Use Patterns

Residential

Residential land uses make up about 44% of land within the City limits and the Urban Growth Area. The 2006 Comprehensive Plan created two residential categories: mixed residential and high density residential. Mixed residential currently makes up 97% of designated residential land. Most of the high-density residential areas are located near the Central Washington University (CWU) campus and house large numbers of students residing off campus. Mixed residential is intended to provide for the development of housing at approximately four-to-12 dwelling units per acre. High density

PUBLIC HEALTH AND LAND USE

The intersection between health and land use planning is becoming more important in today's communities. Long term plans impact how people make choices about where to live and how to get around in their communities. The way we plan our communities can affect things like access to healthy foods, safe and accessible opportunities for physical activity, and easy access to health and social services, as well as issues such as clean air, clean water, and social equity. Our environments have a key role in helping healthy choices be the easy choices.

residential provides a target density of eight-to-18 units per acre. The high-density areas are located north of the CWU campus, on the north side of the Kittitas Highway, and southeast of the west Interstate-90 interchange.

Commercial

Ellensburg's downtown remains the main retail and commercial center of the City and the lower Kittitas Valley. Maintaining the prominence and vitality of downtown has been an important goal for Ellensburg dating back to the City's first Comprehensive Plan in 1975. The Central Commercial land use (which includes downtown and South Water Street) makes up about 12% of land designated commercial. More recent developments on South Water Street and Mountain View Avenue have shifted some of the retail from the downtown area and currently about 43% of commercial land is located at the west and south freeway interchanges on the edge of town.

Industrial

Ellensburg's industrial sector has not seen as much growth as the retail commercial sector. Government, education, healthcare, and agriculture continue to be Ellensburg's largest employers. Activity in the agricultural sector has been relatively constant, and there has been little growth in other industrial areas. The result is that there has been relatively little industrial land development since 1995.

Ellensburg's early industrial development centered along the railroad tracks to the west of the existing central commercial area. The heavy industrial land continues to be located on a narrow strip paralleling the railroad tracks, but light industrial land has expanded along Dolarway Road to the west interchange area, and to the area around the airport located north of the University.

Public/Institutional

Ellensburg has a long-standing and important institutional component. Ellensburg is home to Central Washington University, it is the County seat, and it hosts Kittitas County's central medical and hospital services. Institutions are by far the largest employers in Ellensburg. The University campus is the primary public/institutional land use and occupies approximately 380 acres and employs almost 1,400 full time staff. Other public uses are spread throughout Ellensburg and include city and county offices, Kittitas Valley Healthcare, schools, fire stations, the Kittitas County Event Center, and other public services that provide necessary services to Ellensburg and the surrounding region.

Parks and open space

Ellensburg operates a park system that encompasses more than 300 acres. Current open space land includes both publicly owned land and private property that is generally open in nature and may or may not be developed.

The following table includes estimated acreages of existing land uses within the City of Ellensburg and the Urban Growth Area.

Table 5. Inventory of Existing Uses

Current Land Use Designation	Acres	Percent
Mixed residential	3,950	43.5%
Residential high density	131	1.4%
Central commercial	206	2.3%
Industrial residential	24	0.3%
Neighborhood commercial	175	1.9%
Commercial tourist	420	4.6%
Business office park	42	0.5%
General commercial	590	6.5%
Light industrial	2,039	22.5%
Heavy industrial	95	1.0%
Public/institutional	646	7.1%
Open space	758	8.4%
Total	9,074*	100%

*Differences in total acres between existing uses and future uses are due to slight difference in mapping methods. Existing land use designations were mapped to exclude road right-of-ways. Future land use designations (Table 6) were mapped to include road right-of-ways, which is consistent with 2017 zoning maps.

Growth projections

The Kittitas County Conference of Governments projects that between 2017 and 2037 the region will grow by over 23,000 people, and that the economy will generate more than 11,000 additional jobs. Within this regional context, Ellensburg is expected to grow by about 11,757 people and 6,998 jobs by 2037.

These local projections are based on state and regional growth forecasts and collaboration with Kittitas County's incorporated areas and the County to identify where growth should be anticipated. The projections reflect commitment from each jurisdiction to have the infrastructure and zoning in place to support anticipated growth within the 20-year planning period.

Residential and employment growth capacity

Based on existing land use regulations and zoning, Ellensburg has sufficient land capacity to accommodate the projected population and employment growth. A Land Capacity Analysis conducted in 2016 showed that there are vacant commercial/industrial lands near each

GROWTH PROJECTIONS

- Ellensburg works cooperatively with Kittitas County and other incorporated areas to establish long-range population growth targets based on state and regional forecasts.
- The City's current adopted growth targets are for 11,757 additional people 6,998 additional jobs for the 2017-2037 planning period.
- The City uses these targets to identify the needed zoning and infrastructure to accommodate this level of growth. The projections are not a commitment that the market will deliver these numbers.

of the interchanges, and that capacity for developing commercial/industrial lands in the downtown area will primarily be through infill and redevelopment. In terms of residential capacity there is both vacant and partially developed land surrounding and to edges of the urban core and in the downtown area.

Future Land Use

Land use designations and policies provide a guide for the appropriate development, and redevelopment locations for residential, commercial, and industrial uses. The future land use designations (*Table 6*) are aimed at ensuring a safe, livable, and sustainable environment that will shape Ellensburg's future development within the 20-year planning cycle. The City's comprehensive plan establishes the overarching guide for decisions related to land development regulations and patterns, with this chapter functioning as a summary of the intent.

The City of Ellensburg has been using land use designation maps since the mid-1970s. Descriptions and mapping of land use designations visually depict the community's desired direction as it meets new growth challenges and changing times. The descriptions of each land use designation along with the recommended locations for land use designations help to set a broad understanding of land use patterns that enables city services and agencies, along with residents and property owners to effectively plan.

Land use designations are general in nature and serve as a guide; they do not carry the same force of law as zoning. The guiding land use designations help set up future considerations for zoning, but do not change zoning district locations or descriptions. Zoning is a private property development right that requires a separate public process for changes.

To provide a complete understanding of potential land development patterns, this chapter describes and illustrates the land use designations. Land use mapping is a visual representation of the goals, policies, and programs within this comprehensive plan. The map and the policies they represent are the general foundation for land use decisions and implementation strategies.

The land use patterns and policies discussed in this chapter apply to the Ellensburg City limits. Areas outside of the city limits and within Ellensburg's Urban Growth Area, which change from time to time with annexations, are included to inform private and public parties of the desired pattern for development as the city grows. The land use designations outside of city limits (within the UGA) are not binding in nature until lands are incorporated within the municipal boundaries. The process of looking beyond the city limits and planning for 20 years of growth within the Urban Growth Area helps to facilitate City-County coordination in land use planning and related issues, and provides a greater level of predictability to landowners and interested parties.

The Future Land Use Map (*Figure 2*) reflects desired uses and implements the land use goals and policies in this plan; it does not always represent existing uses. Decisions and implementation based on these designations should include consideration of the entire comprehensive plan and site-specific conditions.

A description as well as the intent of specific land use designations are included for each designation. The Future Land Use Map provides recommended locations for each designation. The land uses designations include four main categories: residential, mixed use, commercial, and industrial.

Residential

Residential land use designations are areas in the City where the primary activity is residential dwellings. Uses that complement residences should be incorporated into these areas, such as: parks, low-intensity home based occupations, fire stations, churches, small-scale neighborhood commercial services, schools, and other public facilities. The Future Land Use map, goals, and policies in this chapter encourage high density residential in close proximity to commercial centers to facilitate access to services and employment opportunities. All implementing zoning districts should consider the compatibility with adjacent development, natural constraints such as watercourses, and the overall goals of the Ellensburg comprehensive plan. The residential land use category includes three land use designations that support a range of housing densities to achieve the City's housing and affordability goals: Residential Neighborhood, Blended Residential Neighborhood, and Urban Neighborhood.

- **RESIDENTIAL NEIGHBORHOOD**

This designation applies to areas that have traditionally accommodated single-family detached homes and generally surround the urbanized core of the community, or exist at the edge of the city in compatibility with unincorporated land. The residential neighborhood designation supports a range of residential zones with housing densities that help to achieve the City's housing diversity and affordability goals. The intent of this designation is to accommodate the many established residential neighborhoods and acknowledge the single dwelling residential building type as the primary use with the potential for accessory dwellings, townhouses, cottage housing, clustered housing, and other small-scale housing forms.

- **BLENDED RESIDENTIAL NEIGHBORHOOD**

This designation applies to areas close to the core of the community, and where city services and infrastructure are readily available but the pattern of existing development is less intense than primary multi-dwelling buildings. This designation accommodates a range of housing types, and functions as a transition between neighborhoods with less density and core uses such as mixed-use areas and higher density residential and commercial areas. This designation accommodates a range of building types from small-

lot single dwellings, attached or semi-attached dwellings, duplexes, and small-scale multi-dwelling developments, such as triplexes and fourplexes.

Implementing zoning districts that accommodate lower density housing types are appropriate adjacent to existing single family residential areas and are characterized primarily by detached housing units and zero lot line projects. Implementing zoning districts that accommodate higher density housing types are more appropriate adjacent to parks and the University campus, along transit routes and principal and minor arterials, on local streets adjacent to commercial areas and served by transit routes, and near recreational activity centers, shopping centers, and entertainment areas. Higher density zones would also be appropriate adjacent to existing or planned higher density development.

- **URBAN NEIGHBORHOOD**

This designation accommodates areas close to the University campus, accessible by public transportation, close to other goods and amenities, and where city services and infrastructure are readily available. This designation accommodates a wide range of housing types and allows for the development of transitional areas between lower density neighborhoods and higher density residential and commercial areas. This designation accommodates a wide range of building types, from small-lot single dwellings to large-scale multistory, multi-dwelling developments.

Implementing zoning districts that accommodate for lower density housing are appropriate adjacent to existing single family residential areas characterized primarily by detached housing units and zero lot line projects. Implementing zoning districts that accommodate higher density housing types are more appropriate adjacent to parks and the University campus, along transit routes and principal and minor arterials, on local streets adjacent to commercial areas and served by transit routes, and near recreational activity centers, shopping centers, and entertainment areas. Higher density zones would also be appropriate adjacent to existing or planned higher density development.

Mixed-use

Mixed-use developments provide a complementary mix of land use and development types to create focal points for community activity and identity. Mixed-use areas serve as a transition from the urban center toward primarily residential neighborhoods, and as a transition between commercial or industrial areas to residential neighborhoods. Mixed-use developments should be developed in an integrated, pedestrian-friendly manner and should not be overly dominated by any single type of land use. Higher intensity employment or residential uses are encouraged in the core of the area or adjacent to major streets or intersections, or adjacent to existing or planned higher density development.

Mixing residential and commercial uses within the same building or within the same development serves both residential and commercial uses. This enables people to live near their places of employment and services and thereby reduce vehicle miles traveled. The mixed-use designations accommodate a horizontal and/or vertical mixture of retail, service, office, restaurant, entertainment, cultural, and residential uses. Mixed-use structures that *vertically* integrate uses will have housing above ground floor commercial, office, or other pedestrian-active uses. A mixed-use development that is *horizontally* integrated may have a combination of buildings that are exclusively nonresidential, exclusively residential, and vertically mixed buildings. The four mixed-use land designations are Neighborhood Mixed Use, Urban Center, Community Mixed Use, and Industrial Residential.

- NEIGHBORHOOD MIXED USE

The purpose of this designation is to provide for a mix of residential, employment, retail, service, and other related uses at a scale that serves individual or small groupings of neighborhoods. Commercial uses typical of this designation include retail, offices, entertainment, professional services, eating and drinking establishments, live/work units, and shop front retail that serve a market at a small neighborhood scale. Implementation of this designation includes a range of housing equivalent to the Blended Residential designation. Development in this area requires lower demand on city resources (utilities are already installed) and is advantageous for development of denser affordable housing types.

- URBAN CENTER

The purpose of this designation is to create and sustain a commercial district that caters to pedestrians and emphasizes street activity. This area addresses the concentration of downtown uses including commercial office, retail, arts, and entertainment, eating and drinking establishments, and residential uses. This is where people can live, work, and recreate within minutes of each activity. Urban streetscapes, plazas, outdoor seating, public art, and open space and park amenities appropriately designed for urban character help to keep this area a vibrant community destination. This designation is consistent with the historic downtown district and is supportive of evening and weekend activity of lively uses and services to accommodate residents, employees, and visitors to our community. This designation accommodates zoning districts that provide a mix of retail and residential uses, and an increasing amount of evening and weekend entertainment and leisure activities. This land use designation extends beyond the historic downtown core of Ellensburg to include transitional areas between downtown and the University, and between downtown and higher intensity industrial and commercial activity to the west and south of downtown.

Implementation of this land use designation should encourage second and third floor residential, and office uses in the downtown core. It should also encourage new high-

density residential or mixed use developments while providing areas of transition to adjacent areas and preservation of the downtown character.

- **COMMUNITY MIXED USE**

This designation accommodates a combination of commercial and/or office activities that include a residential component within a self-contained planned development. Activities within this land use designation are the basic employment and services necessary for a vibrant community. Establishments located in this designation draw from the community as a whole for the employee and customer base. They serve the larger community as well as adjacent neighborhoods. A broad range of functions including retail, education, financial institutions, professional and personal services, offices, residences, and general service activities are typical in this designation.

Community mixed use areas should be integrated with main transportation corridors, including public transit and active transportation systems. The density of development may be higher than currently seen in most commercial areas in Ellensburg. Mixing commercial and residential uses within this designation, typically with residences on upper floors, will facilitate access to services and retail opportunities without requiring the use of an automobile. Implementation of this land use designation should include encouraging medium to high-density residential uses.

- **INDUSTRIAL RESIDENTIAL**

This designation accommodates a dynamic living and working environment that supports artisanal production. Light industrial and residential uses are vertically or horizontally integrated into small-scale business park environments characterized by artist studios, design offices, and low impact facilities producing food products, garments, carpentry, or custom-made products.

This designation accommodates mixed-use projects that create small-scale business park environments suitable for residential, very-low impact light industrial uses, artisan industrial, and supporting commercial activity. A range of housing equivalent to the Urban Neighborhood designation is appropriate for this designation.

Commercial

The commercial land use designations provide for the creation of local jobs and other local economic activity in a manner consistent with the character of the community. Commercial based uses provide employment opportunities as well as the primary retail and service opportunities. These areas provide an array of commercial uses at a range of intensities to meet the demand of current and future market conditions. The land use designations include Neighborhood Commercial, Mixed Business Park, and Regional Commercial and Services.

- NEIGHBORHOOD COMMERCIAL

This designation accommodates employment, retail, service, and other related uses at a scale that serves individual or small groupings of neighborhoods. Commercial uses typical of this designation include retail, offices, entertainment, professional services, eating and drinking establishments, live/work units, and shop front retail that serve a market at a small neighborhood scale.

- MIXED BUSINESS PARK

This designation accommodates a range of commercial and industrial activities typified by office uses, low impact light industrial uses, businesses that may include several uses such as manufacturing, research and development, warehousing, distribution, office, retail, customer service, or showrooms. Retail, residential, or services should be accommodated in an accessory or service role. This designation is often a transitional area between other uses and the scale and intensity of implementing zoning districts should be compatible with adjacent developments. Uses may be mixed vertically and horizontally with vertical mixed uses encouraged. Higher intensity uses are encouraged in the core of the area or adjacent to significant streets, intersections, or existing higher intensity development. This designation includes a broad spectrum of land uses, some of which can be compatible with mixed-use developments, regional commercial services, and live/work developments.

- GENERAL COMMERCIAL AND SERVICES

Ellensburg is a retail, education, health services, public administration, and outdoor recreation hub, and provides opportunities for these activities at a regional scale. This designation accommodates uses with large land requirements, which may involve outdoor storage of merchandise; uses which are automobile or regional-retail related; uses that provide support service to business or industry; and uses that support highway travel. It is necessary that these types of facilities be located in proximity to major transportation routes. Since uses in this designation are large prominent facilities within the community and region, design guidelines ensure compatibility with the remainder of the community. Mixing of uses that encourages broad activity levels is encouraged. Any development within this designation should have a well-integrated transportation network that accommodates different modes of transportation and provides ready access within and to adjacent development.

Residential space should not be a primary function and should only be included as a use in combination with other compatible commercial uses if supportive residential services and spaces are within ¼ mile of the proposed development. Supportive residential uses include public parks or open space, grocery, school, and transit.

Industrial

The industrial land use designations provide for the creation of local jobs and other local economic activity in a manner consistent with the character of the community. Industrial land typically includes businesses that manufacture, process, or otherwise generate products sold to commercial businesses later. Industrial land needs good transportation access, preferably with access to truck routes, for transport of products as well as for workers. These areas provide a range of intensities including heavy and light industrial uses.

- **LIGHT INDUSTRIAL**

This designation typically accommodates activities that include light manufacturing, research and development, office, technology centers, light assembly, storage, and support services to industry. Light industry includes a broad spectrum of land uses, some of which can be compatible with mixed-use developments, regional commercial services, and live/work developments.

- **HEAVY INDUSTRIAL**

This designation generally accommodates industries that process large volumes of raw materials into refined products and/or have significant external impacts. The uses in these areas tend to generate truck traffic and should have access to major transportation networks. Typically, these areas would not be compatible with residential uses.

Other land use designations

- **PUBLIC/INSTITUTIONAL**

This designation accommodates a variety of activities. Schools are a dominant use including Central Washington University. Other typical uses are libraries, fire stations, Kittitas Valley Event Center, and publicly operated facilities and utilities. A significant portion of Ellensburg's employment occurs within this category.

- **PARKS AND OPEN SPACE**

All publicly owned recreation lands, including parks, are included within this category, as well as certain private lands. These areas are generally open in character and may or may not be developed.

- **OPEN SPACE**

This designation is for land that is currently open space but is either private or non-city owned and may or may not be developed and is not publicly accessible.

The following table includes estimated acreages of proposed future land use designations within the City of Ellensburg and the Urban Growth Area.

Table 6. Future Land Use Designations

Future Land Use Designation	Acres	Percent
Residential Neighborhood	1,712	18.2%
Blended Residential Neighborhood	930	10.0%
Urban Neighborhood	996	10.5%
Neighborhood Mixed Use	114	1.2%
Urban Center	211	2.2%
Community Mixed Use	569	6.0%
Industrial Residential	137	1.5%
Neighborhood Commercial	100	1.1%
Mixed Business Park	209	2.2%
General Commercial and Services	418	4.4%
Light Industrial	1,985	21.1%
Heavy Industrial	233	2.5%
Public/Institutional	667	7.1%
Parks and Open Space	612	6.6%
Open space (private/non-city owned)	508	5.5%
Total	9,400*	100%

*Differences in total acres between existing uses (Table 5) and future uses are due to slight difference in mapping methods. Existing land use designations were mapped to exclude road right-of-ways. Future land use designations were mapped to include road right-of-ways, which is consistent with 2017 zoning maps.

Since the names and descriptions of the land use designations have changed it is useful to compare the broad categories of residential, mixed-use, commercial, industrial, public/institutional, and open space. See *Figure 1* for a comparison of the current land use designations with those proposed in this comprehensive plan update.

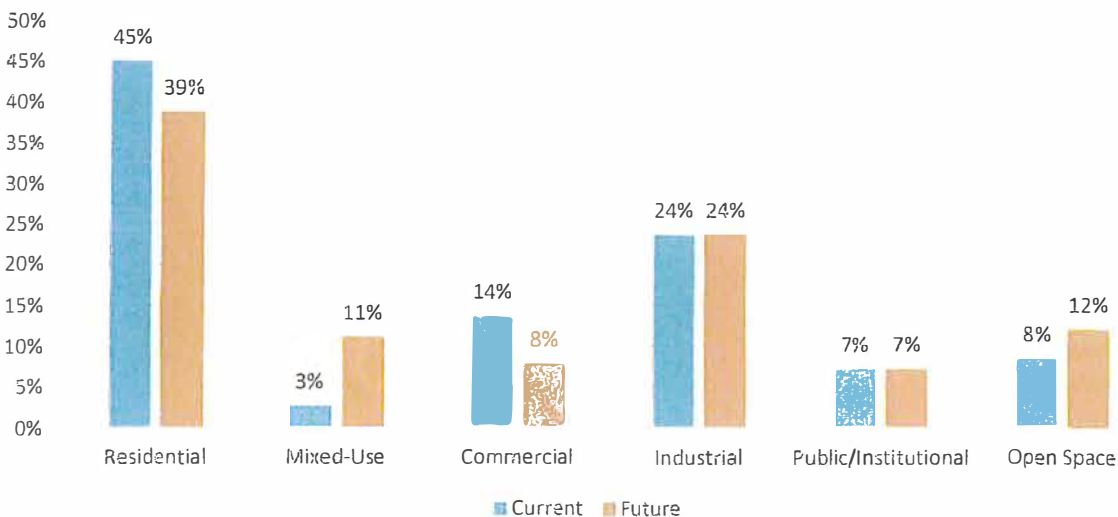
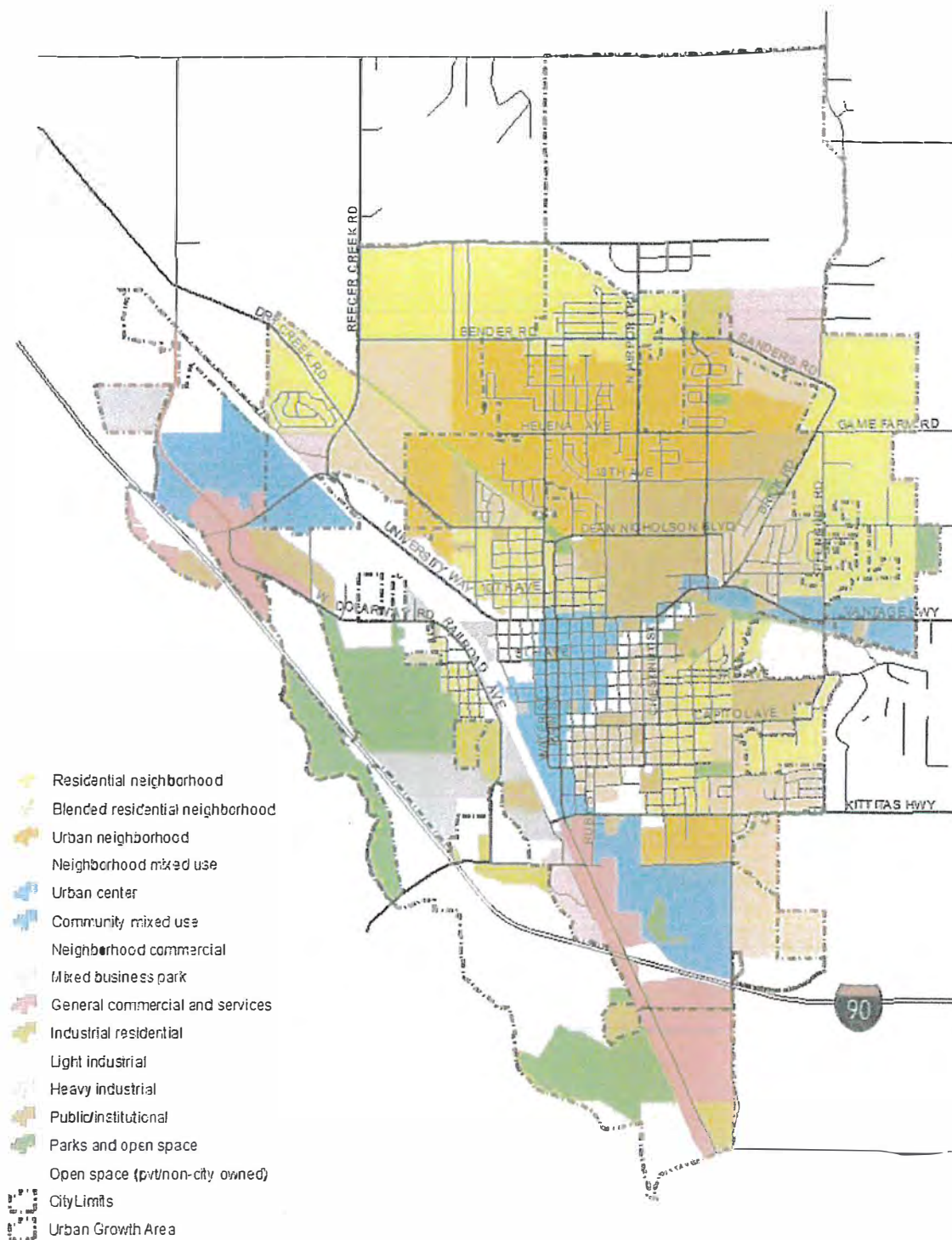
Figure 1. Comparison of Current and Future Land Use Designations

Figure 2. Future Land Use Map



GOALS, POLICIES, AND PROGRAMS

This chapter contains goals, policies, and programs necessary to support the City's responsibility for managing land uses and to implement regulations, guidelines, and programs. The Land Use policies contained in this chapter, along with the future land use map (*Figure 2*), identify the intensity of development and density recommended for each area of the city. These designations help to achieve the City's goals by providing for sustainable growth that encourages housing choice; locates population centers adjacent to transit and services; provides areas with the city to grow businesses, services, jobs, and entertainment; respects existing neighborhoods; provides for appropriate transitions between uses with differing intensities; safeguards the environment; and maintains Ellensburg's sense of community.

Goal LU-1: Encourage development that creates a variety of housing, shopping, entertainment, recreation, gathering spaces, employment, and services that are accessible to neighborhoods.

Policy A **Encourage infill development and increased residential density in and around the downtown area.**

Program 1 Review and revise the residential density bonus program to promote infill development in and around the downtown area.

Policy B **Integrate new development with consideration to design and scale that complements existing neighborhoods and provides effective transitions between different uses and intensities.**

Program 1 Incorporate Planned Unit Developments into the City's land development code.

Program 2 Encourage new neighborhood commercial uses in residential areas with particular attention to establishing pedestrian-oriented neighborhoods and regulating offsite impacts to adjoining residential areas.

Program 3 Allow healthy food purveyors, such as grocery stores, farmers markets, and community food gardens, in proximity to residential uses and transit facilities.

Program 4 Recognize the place making value of arts and cultural facilities and work to site them throughout the City as a means to enhance neighborhoods.

Program 5 Regularly review and update the City's zoning regulations, design standards, and review process as needed to allow design flexibility and creativity, address emerging issues, and foster compatibility of development with the character of surrounding areas.

Policy C **Support development of compact, livable, and walkable mixed use centers.**

Program 1 Support downtown's development with the mix of uses, amenities, and infrastructure that maintain it as a cultural, retail, and social destination.

Program 2 Assess the design and scale of commercial uses and other higher density uses when located in mixed use and predominantly residential areas.

Goal LU-2: Establish land use patterns that promote walking, biking, and using transit to access goods, services, education, employment, and recreation.

Policy A **Enhance the character, quality, and function of existing residential neighborhoods while accommodating anticipated growth.**

Program 1 Encourage and promote rezoning requests that will allow for and permit the mixing of residential and commercial uses.

Program 2 Encourage compact form for urban development, particularly in newly developed areas and where infill is possible.

Program 3 Encourage large commercial or residential projects to include transit stop improvements when appropriate.

Program 4 Review parking requirements and costs and consider including regulatory provisions to reduce parking standards for those uses located within a quarter mile of public transit, or serving a population characterized by low rates of car ownership.

Program 5 Prepare corridor plans for Canyon Road, University Way, and Dolarway Road to ensure land use designations along them are consistent with overall development strategies.

Policy B **Adopt and maintain policies, codes, and land use patterns that promote walking and biking in order to increase public health.**

Program 1 Locate new community facilities near major transit routes and in areas convenient to pedestrians and bicyclists.

Goal LU-3: Encourage pedestrian-scale design in commercial and mixed-use areas.

Policy A **Develop programs that address on and off-street parking in the downtown area.**

Program 1 Prepare a parking study to assess parking demand and supply in the downtown area.

Policy B Facilitate development of vacant land in and around downtown into commercial, financial, government, high density residential, and cultural uses while respecting design, scale, and uses of surrounding neighborhoods.

Program 1 Provide historic renovation training to contractors/developers interested in developing or renovating upper-story buildings.

Program 2 Encourage development of second floor housing and/or professional offices in the downtown area.

Program 3 Seek grant opportunities and partnerships to facilitate elevator placement in downtown buildings to foster ADA accessibility.

Goal LU-4: Support downtown's development as an economic, tourist, and retail destination.

Policy A Encourage development and activity which increases automobile and pedestrian traffic in the downtown area.

Program 1 Support and encourage a mix of businesses in downtown.

Policy B Maintain interconnectedness and high levels of access to downtown.

Program 1 Identify critical rights of way and important pedestrian corridors that access downtown.

Program 2 Implement a program of trails, signs, and other strategies to connect downtown with the west and south interchanges, and the CWU campus.

Program C Protect and take advantage of Ellensburg's historic buildings, districts, objects, sites, and structures.

Program 1 Integrate the train depot and other historically significant places into continued revitalization of downtown.

Program 2 Attract tourists to the City through regional promotion of the historic downtown.

Goal LU-5 Plan for commercial and industrial areas that serve the community, are attractive, and have long-term economic vitality.

Policy A Provide a diversity of commercial and industrial lands to provide an array of businesses and development opportunities that serve the community.

Program 1 Land designated or zoned industrial in the City and UGA should be reserved for industrial and appropriate accessory uses.

Program 2 Access high-traffic generating land uses from arterials whenever possible. If this is not possible, provide mitigation to address access impacts.

- Program 3* Encourage the master planning of multi-building and multi-parcel developments and large institutions to emphasize aesthetics and community compatibility. Include circulation, landscaping, open space, storm drainage, utilities, and building location and design in the master plan.
- Program 4* Review and regularly update the City's commercial zoning regulations, design standards, and design review process as needed to allow design flexibility and creativity, address emerging issues, and foster compatibility of development with the character of surrounding areas.
- Program 5* Separate heavy industrial uses from incompatible land uses. Use transition zoning, buffers, and other techniques to protect industrial areas and nearby uses from conflicts.
- Program 6* Encourage live/work units in appropriate transitional zones, including light industrial zones.
- Goal LU-6 Collaborate with Kittitas County to provide coordinated services and facilities in a manner that will be best suited to geographic, economic, demographic, and other factors that influence development needs.**
- Policy A** Adopt an interlocal agreement with Kittitas County regarding land use designations, zoning districts, and public works standards for the UGA that are consistent between the City and County.

ACTION ITEMS

Density Bonus Program

Review, revise, and publicize the density bonus program to promote infill development in and around downtown.

Design Charrettes

Conduct community design charrettes to develop gateway designs for each entryway to the City.

Interlocal Agreement with Kittitas County

Adopt an interlocal agreement with Kittitas County regarding land use designations and public works standards for the UGA that are consistent between the City and County.

Parking Study and Review of Parking Requirements

Review parking requirements and assess parking costs and consider revising parking requirements in areas within a quarter mile of transit and residential uses that are characterized by low rates of car ownership. Prepare a parking study to assess parking demand and supply in the downtown.

Planned Unit Developments

Incorporate Planned Unit Developments into the City's land development code.

Review Zoning Districts

Review and revise zoning districts, and the allowable uses within each zoning district, as necessary to permit and encourage mixing of residential and commercial uses and ensure compatible land use patterns.

Review Land Use Regulations

Review land use regulations and revise as necessary to allow neighborhood commercial uses in residential areas with particular attention to establishing pedestrian-oriented neighborhoods and regulating offsite impacts to adjoining residential areas.

POLICY CONNECTIONS

The **Transportation** chapter contains a set of policies on active modes of transportation and ways to improve street and neighborhood connectivity.

The **Housing** chapter contains a set of goals and policies that provide a framework for increasing housing supply and diversity while protecting existing neighborhoods.

The **Capital Facilities and Utilities** chapter contains goals and policies to ensure that public services and infrastructure are available to meet growth and development demands.

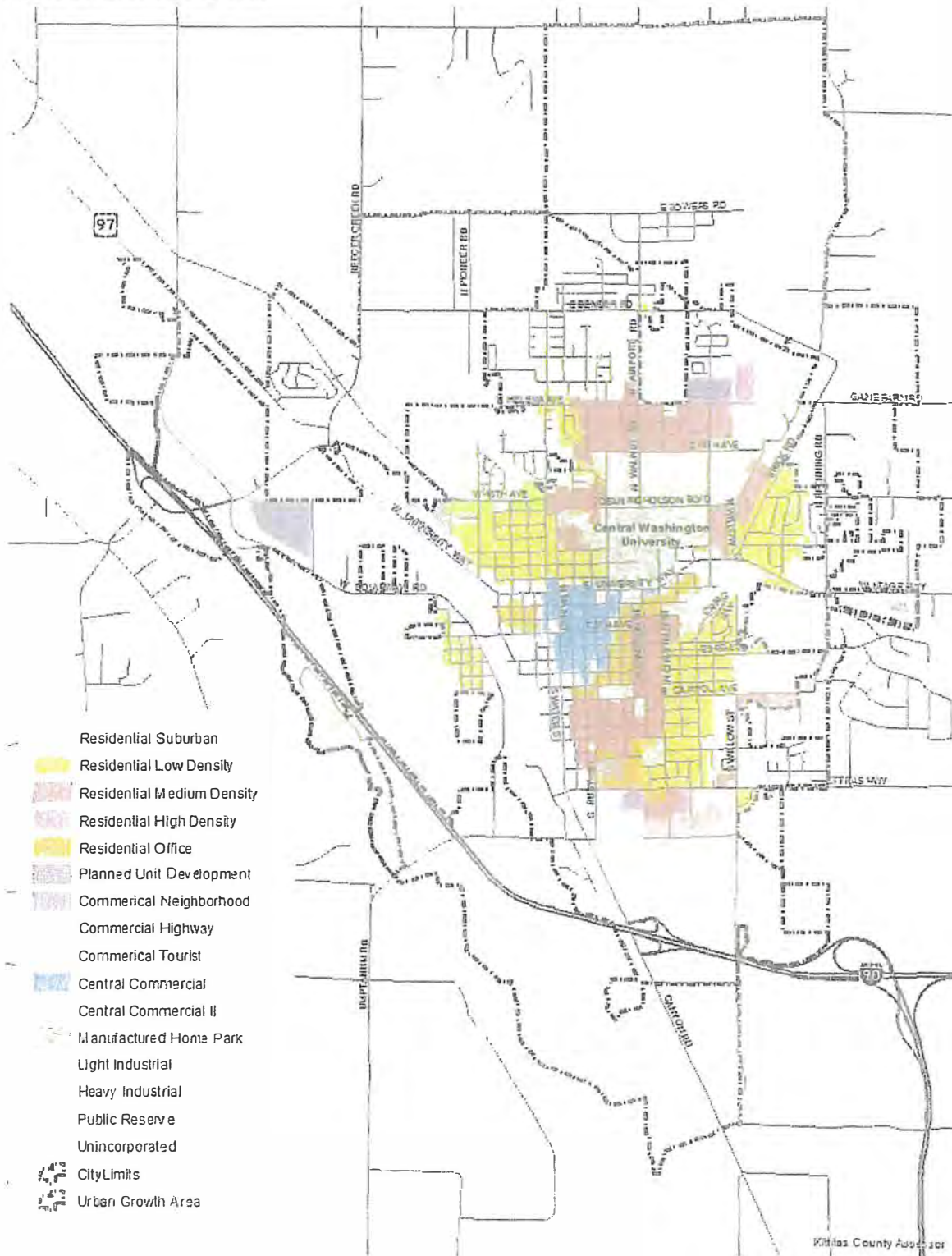
G.

Figure 13. Roadway Functional Classifications



H.

Figure 10. 2017 Zoning Map





Residential Suburban Zone (R-S)

PH-01

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

ECC 15.300.040 (A) Residential Suburban Zone (R-S)

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 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;
6. Providing an opportunity to integrate compatible small-scaled retail and service uses in strategic locations that serve the surrounding neighborhood;
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
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.

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

Topic	R-S	R-L	R-M	R-H	R-O
DEVELOPMENT INTENSITY AND CONFIGURATION					
Minimum lot area	None ¹	None ¹	None ¹	None ¹	None ¹
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/acre ³
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	No limit	No limit	No limit
Maximum building height	35 ft	35 ft	35 ft ⁵	45 ft ⁵	35 ft ⁵
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 ft ¹⁰
Minimum rear yard setback, detached accessory dwelling unity(see ECC 15.540.040)	5 ft ¹⁰	5 ft ¹⁰	5 ft ¹⁰	5 ft ¹⁰	5 ft ¹⁰
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 ft ¹¹
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

2. Submerged lands, landslide hazard areas and buffers, Category I-IV wetlands and buffers, and Type 1, 2, 3 and 4 streams and buffers shall not be credited toward the maximum density or floor area calculations. Property used for new roadways, trails, stormwater facilities, or other features used by residents may be counted as part of the site area for density calculations. Property transferred to the city for the construction of public roadways or other public feature shall be counted as part of the site area if the city and property owner reach such an agreement as part of the transfer.

C. Density Calculations. Minimum and maximum density for an individual site shall be calculated by multiplying the gross developable acreage by the applicable number of dwelling units. When calculation results in a fraction, the fraction shall be rounded to the nearest whole number as follows:

1. Fractions of 0.50 and above shall be rounded up.
2. Fractions below 0.50 shall be rounded down.

D. Prohibited Reduction. Any portion of a lot that was used to calculate compliance with the standards and regulations of this title shall not be subsequently subdivided or segregated from such lot.



Light Industrial Zone (I-L)

PH-06

Community Development Department

501 N. Anderson, Ellensburg, WA 98926 (509) 962-7239 (Building) (509) 962-7231 (Planning)
permits@ci.ellensburg.wa.us

ECC 15.300.050 (G) Light Industrial Zone (I-L)

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.

Table 15.320.040 Form and intensity standards table – Non-residential zones.

Standard	C-N	C-T	C-H	C-C	C-CII	I-L	I-H	P-R
DEVELOPMENT INTENSITY AND CONFIGURATION								
Minimum lot area	None ¹	None ¹	None ¹	None ¹	None ¹	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 ²	35 ft ²	45 ft	70 feet	35 feet ^{2,3}	None	None ⁴
BUILDING PLACEMENT (see ECC 15.320.070 through 15.320.130)								
Minimum front yard	10 ft ³	10 ft ³	10 ft ³	None ³	None ⁴	10 ft ³	10 ft	10 ft ⁵
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 ⁶	None ⁶	None ⁶	None ⁶	None ⁶	None ⁶	None ⁶	None ⁵
Minimum side yard (see ECC 15.520.020 for supplemental standards)	None ⁶	None ⁶	None ⁶	None ⁶	None ⁶	None ⁶	None ⁶	None ⁵

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. The maximum height limit for regional retail project buildings is 50 feet.
3. For exceptions and detailed standards, see ECC Chapter 15.510, Site Orientation Standards.
4. 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).
5. 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 non-

residential zone is closest to the applicable structure, then there are no side or rear setback requirements.

6. Where the subject property borders a residential zone, the minimum side or rear setbacks shall be the same as the adjacent residential zone.
7. See ECC 15.330.030 for FAR bonus provisions.

Chapter 15.310 PERMITTED USES

Sections:

- 15.310.010 Purpose.**
- 15.310.020 Interpretation of land use tables.**
- 15.310.030 Accessory uses.**
- 15.310.040 Use tables.**
- 15.310.050 Supplemental P-R zone provisions.**

15.310.010 Purpose.

- A. The purpose of this chapter is to establish the uses generally permitted in each zone which are compatible with the purpose of the zone and other uses allowed within the zone.
- B. The use of a property is defined by the activity for which the building or lot is intended, designed, arranged, occupied, or maintained.
- C. The use is considered permanently established when that use will be or has been legally established in continuous operation for a period exceeding 60 days. A use which will operate for less than 60 days is considered a temporary use, and subject to the requirements of a temporary use permit (see ECC 15.250.010). [Ord. 4656 § 1 (Exh. O2), 2013.]

15.310.020 Interpretation of land use tables.

- A. The land use tables in this chapter determine whether a use is allowed in a zoning district. The zoning district is located on the vertical column and the use is located on the horizontal row of these tables.
- B. If no symbol appears in the box at the intersection of the column and the row, the use is not allowed in that district, except for certain temporary uses.
- C. If the letter "P" appears in the box at the intersection of the column and the row, the use is allowed in that district subject to the Type I review procedures set forth in Chapter 15.210 ECC plus other applicable requirements in this title. Where the use is associated with new development, it is subject to the Type II review procedures, also set forth in Chapter 15.210 ECC.
- D. If the letter "C" appears in the box at the intersection of the column and the row, the use is allowed subject to the conditional use review procedures specified in ECC 15.250.040 and the general requirements of the code.
- E. If the letter "A" appears in the box at the intersection of the column and the row within the P-R

zone column, the use is allowed as an [accessory use](#) to the primary permitted public on the property and is allowed in the district subject to the Type I review procedures set forth in Chapter [15.210](#) ECC plus other applicable requirements in this title.

F. Clarification of Uses and Special Conditions.

1. If a * appears after the use, then the use is defined in Chapter [15.130](#) ECC;
2. Where an ECC reference/link appears after a use, then the use is subject to standards set forth in that section or chapter;
3. If a number appears in the box at the intersection of the column and the row, the use may be allowed subject to the [development](#) condition with the corresponding number immediately following the land use table. If there are multiple numbers, then the use is subject to all applicable [development](#) conditions; and
4. If more than one letter-number combination appears in the box at the intersection of the column and the row, the use is allowed in that zone subject to different sets of limitation or conditions depending on the review [process](#) indicated by the letter, the general requirements of the code and the specific conditions indicated in the [development](#) condition with the corresponding number immediately following the table. [Ord. 4656 § 1 (Exh. O2), 2013.]

15.310.030 Accessory uses.

An [accessory use](#), as defined in ECC [15.130.010](#) and identified on the use tables in ECC [15.310.040](#) by an "A," is permitted in any zone if:

- A. It is on the same [lot](#) as the principal use to which it is accessory; and
- B. It is of a nature customarily incidental and subordinate to, the principal use or [structure](#). [Ord. 4656 § 1 (Exh. O2), 2013.]

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	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	P ^{1,2}	P		P				P ⁷	P ⁷			A ⁶	
Dwelling, townhouse* (ECC 15.540.060)	P ^{1,5}	P ¹	P	P	P	P ³			P ⁷	P ⁷			A ⁶	

Dwelling, multifamily* (Division V of this title)	P ^{1,5}		P	P	P	P ³			P ⁷	P ⁷			A ⁶	
Dwelling, live-work*	P ^{1,4}		P ⁴	P ⁴	P ⁴	P			P ⁷	P ⁷				
Manufactured home park* (ECC 15.340.040)			C	P	C								A ⁶	P
GROUP RESIDENCES														
Boarding houses, lodging houses, sororities, fraternities*		C	P	P	C				P ⁷	P ⁷			A ⁶	
Adult family home*	P	P	P	P	P	P			P ⁷	P ⁷			A ⁶	
Community residential facility*			C	C	C	C			P ⁷	P ⁷			P/A ⁶	
Senior citizen assisted housing*			P	P	P	P			P ⁷	P ⁷			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	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
TEMPORARY LODGING														
Bed and breakfast (ECC 15.340.010)			P	P	P				P ⁷	P ⁷				

[Development](#) conditions:

- Subject use may be permitted subject to density bonus [incentives](#) set forth in Table 15.320.030 and Chapter [15.330](#) ECC.
- [Duplexes](#) are permitted in the R-L zone 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](#).

4. Nonresidential uses may be permitted within live-work [dwellings](#) subject to the use provisions for the applicable zoning district in Table 15.310.040 below.

5. [Townhouses](#) and [multifamily dwelling](#) units shall not be located adjacent to existing [single-family dwellings](#), except where such uses were approved on an individual [plat](#).

6. All uses permitted in the P-R zone must be either outright permitted and operated as a [public use](#) or must be an [accessory use](#) to the primary [public use](#) (see ECC [15.310.050](#)).

7. Except for lobbies or similar entrances, all permitted residential uses in the C-C and C-C II zones are prohibited within 30 feet of the sidewalk on the ground floor of properties fronting on [storefront](#) streets per ECC [15.510.050](#)(E).

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

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	I-L	I-H	P-R
RETAIL													
Auto sales, new and used							P ¹	P	P ²	P			
Farmers' markets *						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	
Heavy service (ECC 15.130.080)								P ¹⁰	P ²	P	P	P	
Nurseries and greenhouses that are ancillary to a retail	P							P	P ²	P	P	P	

use*													
Restaurants, bars, and brewpubs*			P ³	P ³	P ³	P	P	P	P	P	P ¹¹		A ⁹
Coffee house, espresso bar	P ⁸		P ³	P ³	P ³	P	P	P	P	P	P ¹¹		A ⁹
Retail , small scale (<2,000 sf floor area)	P ⁸		P ³	P ³	P ³	P	P	P	P	P			A ⁹
Retail , medium scale (2,000 – 20,000 sf floor area)						P		P	P	P			A ⁹
Retail , large scale (20,001 – 60,000 sf floor area)						P ⁴		P	P	P			
Retail , super scale (>60,000 sf floor area)									C	C			
Outlet center								P					
Regional retail commercial projects* (subject to the requirements in Chapter 15.390 ECC)	P ¹³	P ¹³	P ¹³	P ¹³	P ¹³	P ¹³	P ¹³	P ¹³			P ¹³		
Marijuana retailer*						P ¹⁴	P ¹⁴	P ¹⁴	P ¹⁴	P ¹⁴			
PERSONAL AND GENERAL SERVICE													
Day care I facilities*	P	P	P	P	P	P		P	P	P	P		A ⁹
Day care II facilities*	C	C	C	C	P	P		P	P	P			A ⁹
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	
Hotels/motels*							P	P	P	P			
Hospitals*	C	C	C		P				C	P			P ⁹
Offices, medical*	P ⁸				P	P	P	P	P	P			P/A ⁹
Kennels*								P		P	P		

Nursing homes ⁷⁹	C	C	C	P	P				P	P			P/A ⁹
Marijuana cooperative ⁸	P ¹⁵	P ¹⁵	P ¹⁵	P ¹⁵	P ¹⁵	P ¹⁵	P ¹⁵	P ¹⁵	P ¹⁵	P ¹⁵	P ¹⁵	P ¹⁵	P ¹⁵
Personal service establishments ⁸	P ⁸		P ³	P ³	P ³	P	P	P	P	P			A ⁹
Places of assembly ⁸	C	C	C	C	P	P			P	P	C		A ⁹
Radio station (commercial)		C						C			C	C	A ⁹
Veterinary clinic					C	C	P	P	P	P	C		
BUSINESS SERVICE													
Conference center ⁸							P	P	P	P			A ⁹
Offices, business or professional ⁸ , small scale (<2,000 sf floor area)	P ⁸					P	P	P	P	P	P ⁷		P/A ⁹
Offices, business or professional ⁸ , medium scale (2,000 – 20,000 sf floor area)	P ⁸						P	P	P	P	P		P/A ⁹
Offices, business or professional ⁸ , large scale (20,001 – 60,000 sf floor area)								P	P	P	P		P/A ⁹
Miniwarehouse facility ⁸			C					C			P	P	
INDUSTRIAL													
Light industry (ECC 15.130.120)									P ^{2,11}	P ^{2,11}	P	P	
Hazardous waste treatment (off-site) (see definition of “ off-site ” in ECC 15.130.150)											C	C	
Hazardous waste treatment (on-site) (see definition of “ on-site ” in ECC 15.130.150)							C	C	C	C	C	C	A ⁹
Heavy industry (ECC													

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.
11. Includes light industrial activities that result in the production of goods placed for [on-site](#) retail sale. Special restrictions:
- No power tools or equipment are allowed which by their decibel, frequency, and/or other feature of their operation would negatively impact the surrounding area by reason of decibel levels, light (see Chapter [15.580](#) ECC for standards), dust or other physical effect; and
 - Production or manufacturing activity shall not occur between the hours of 10:00 p.m. and 6:00 a.m.
12. Subject use is permitted in the district only when accessory to a permitted use (see [accessory use](#) definition in ECC [15.130.010](#)).
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.
14. All [marijuana](#) retail, production and processing facilities are subject to the requirements of Chapter [15.370](#) ECC.
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	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			C		A
Recreation – indoor (commercial)*							P	P	P	P	C		A

2. Adult entertainment is regulated pursuant to Chapter [6.72](#) ECC. Zoning locational standards within the C-T zone for adult entertainment [establishments](#) are:

All such [establishments](#) must be at least 1,000 feet from any residential zone, [parks](#), schools, historic district, any [dwelling](#), freeway, highway, interstate, or major arterial (see map on file in the [city](#) clerk's office).

3. Limited to "[storefront](#)" police offices. Such offices shall not have:

- a. Holding cells;
- b. Suspect interview rooms (except in the C-N zone); or
- c. Long-term storage of stolen properties.

4. Public agency or utility [yard](#) conditions:

- a. Utility [yards](#) 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](#).

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.

Recreational vehicle parks (ECC 15.340.050)							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
CULTURAL AND ENTERTAINMENT													
Adult entertainment establishment*							P ²						
Art, performing arts, and recording studios								P	P	P			P/A ⁷
Museums									P	P			P/A ⁷
EDUCATIONAL													
Schools	C	C	C	C	C			C	C	C			P ⁵
GOVERNMENTAL													
Court								P	P	P			P
Fire facility								P					P
Police facility						P ³		P	P ³	P	P		P
Public agency or utility office*						P	P	P	P	P	P	P	P/A
Public agency or utility yard	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴	P		P	C ⁴	P	P	P	P/A
Utility facility ^{*8}	P	P	P		P	P	P	P	P	P	P	P	P
Fairgrounds													P
Public transportation passenger terminals								P	P	P	P		P
RESOURCE													
Gardening or fruit raising (accessory use or noncommercial)	P	P	P	P	P	P	P	P	P	P	P	P	P/A ⁷
Agriculture*	P ⁹												
Small wind energy systems (ECC 15.340.060)	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰ /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](#).

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. [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.]

15.310.050 Supplemental P-R zone provisions.

A. Permitted Accessory Uses.

1. Services such as food, pharmacies, gift shops, bookstores, newsstands, flower shops and similar uses, and facilities such as vehicle service and repair, storage yards, and physical plants, that are associated with a permitted use, integral to the operation of the permitted use itself, and owned and operated by the public institution involved or conducted through a lease or contract with a private individual or entity;

2. Facilities accessory to an institution, such as housing and dining facilities for students, staff or faculty of colleges, universities, and hospitals, are allowed within the principal building(s);

3. Retail services, such as concessions and rental facilities usually associated with public parks, fairgrounds, other public recreation facilities, and public educational institutions;

4. Helipads operated in conjunction with a public hospital;

5. Human medical offices, such as doctor or dentist facilities, operated in conjunction with a primary permitted use.

B. Conditional Use. Buildings located within 100 feet of a residential zone and intended to be higher than 35 feet may be permitted within the P-R zone through the granting of a conditional use permit according to the procedures set out in ECC 15.250.040.

C. Master Planning. Recognizing that some institutions require long-range development plans and consist of large areas of land with multiple land uses, a master plan may be prepared for all, or a portion, of an entity's land area which is subject to this chapter and which master-planned land encompasses an area of three acres or more. See ECC 15.250.080 for application requirements, review procedures, and decision criteria for such master plans.

D. 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 surplusd 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. In the event that the P-R zoned property is developed with a structure that is not consistent with the development allowed in the abutting zones, such as a large school in the middle of a single-family residential zone, the rezone applicant may request to rezone the property to a

different zoning classification other than the abutting zones; provided, that a concomitant agreement that identifies the types of future uses that will be permitted in the [structure](#) has been proposed by the [applicant](#) and agreed to by [city](#) council as part of any rezone approval.

2. In the event that the P-R zoned property is developed with a [structure](#) that has been identified on the Ellensburg [historic resource inventory](#) and the property owner desires to demolish all or part of the [structure](#), a [certificate of appropriateness](#) for such demolition must first be applied for and approved by the [landmarks and design commission](#) pursuant to ECC [15.280.090](#)(D) before the rezone [permit](#) review can be initiated. [Ord. 4807 § 45, 2018; Ord. 4656 § 1 (Exh. O2), 2013.]

Mobile Version



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

**State Environmental Policy Act (SEPA)
DETERMINATION OF NONSIGNIFICANCE (DNS)**

Proponent: Chad Bala of Terra Design Group, Cle Elum, WA; for Pat Deneen of Tearaway Ridge, LLC, Cle Elum, WA; owner.

Description: A SEPA Environmental Checklist for a non-project, site-specific Rezone on Bull Rd. in Ellensburg. The applicant seeks a Rezone from Residential Suburban (R-S) to Light Industrial (I-L) Zoning on this 41.18-acre property, which can be further identified by Parcel ID # 17827.

Location: This parcel is located on the south end of Bull Rd, immediately north of I-90 and just east of Exit 109, in Ellensburg.

Lead Agency: City of Ellensburg

File #: P19-071

The lead agency for this proposal has determined that it 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 197-11-340(2); 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

Signature: Kirsten Sackett **Date:** 9-13-19

Pursuant to ECC 15.270.200, the City of Ellensburg establishes Administrative Appeal Procedures, contained in ECC 15.230.040 thru 15.230.110, which shall be made to the Hearing Examiner, as applicable to the matter being appealed.



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

STAFF REPORT

TO: Andy Kottkamp, City of Ellensburg Hearing Examiner

FROM: Angela San Filippo, Long Range Planner
City of Ellensburg Community Development Department

RE: Open Record Public Hearing for Rezone Application P19-122, from Residential Suburban (R-S) to Light Industrial (I-L) Zoning, Submitted by Terra Design Group Inc., agent for Owner Teanaway Ridge LLC

DATE: Thursday, December 12, 2019, 4:30 pm in the City Council Chambers, Ellensburg City Hall.

1. GENERAL INFORMATION

Applicant: Terra Design Group Inc., agent for owner Teanaway Ridge LLC.

Requested Action: The applicant seeks to rezone one 41.18-acre parcel from Residential-Suburban (R-S) to Light Industrial (I-L). A State Environmental Policy Act (SEPA) Determination of Non-Significance (DNS) was issued for the rezone request on September 13, 2019, 2019.

Location: The parcel is located on Bull Road, adjacent to Interstate-90 in Ellensburg; Kittitas County Assessor's Parcel ID number 17827 for a total of 41.18 acres (**Exhibit 1**).

2. BACKGROUND AND SITE INFORMATION

Site History: The parcel is currently undeveloped. The parcel is bordered by residential zoning to the north (Residential-Suburban in City limits, and Urban Residential in Kittitas County), and Interstate-90 to the South. The unincorporated land to the east, west, and the other side of Interstate-90 is zoned by Kittitas County as Commercial Agriculture.

The parcel was annexed into the City of Ellensburg in 2014 by Ordinance 4680 and was assigned Residential-Suburban (R-S) zoning at that time, consistent with the Comprehensive Plan land use designation of Mixed Residential.

Site Characteristics: The site topography is flat and undeveloped. There is a riverine wetland running north to south on the eastern side of the property. The United States Fish and Wildlife National Wetlands Inventory indicate the channel was human excavated and does not meet the Federal Wetland Classification Standard.

Zoning of Surrounding Properties: A zoning map of the surrounding properties is attached as **Exhibit 2**. The current zoning of the surrounding properties is further described below.

Incorporated lands: The incorporated property to the north of the parcel is zoned Residential-Suburban (R-S) and is primarily undeveloped.

Unincorporated lands: The unincorporated lands to the north of the parcel are zoned Urban Residential and is undeveloped.

The unincorporated land to the east and west of the property are zoned Commercial Agriculture. The unincorporated parcel to the west of the property is currently developed as a single family residence.

Interstate-90 is located directly to the south of the property. on the other side of Interstate-90 is unincorporated land and is zoned Commercial Agriculture by Kittitas County.

Comprehensive Plan Designations: A map of the comprehensive plan future land designations is attached as **Exhibit 3**. The parcel is designated Light Industrial in the Comprehensive Plan.

Access: Access to this parcel would be from Bull Road to the east of the property.

Public Comments: During the SEPA notification process, comments were received from Washington State Department of Fish and Wildlife, Washington State Department of Transportation, and Ellensburg Public Works Department. None of the comments received were specific to the rezone. Subsequent to the SEPA environmental review, public notice and distribution of the site specific rezone request was undertaken.

Notice of the open record public hearing (**Exhibit 4**) was published in the legal section of the Daily Record on November 2, 2019, and the site was posted with a land use action sign on November 7, 2019 (**Exhibit 5**). On November 1, 2019 notice of the rezone was mailed to property owners within 300 feet of the proposed site (**Exhibit 6**). As a result of the notification process comments have been received from: Ellensburg Public Works and Energy Services Departments, and the Fire Marshal.

Ellensburg Public Works did not have direct comments on the rezone but cautioned that any development on the property may trigger improvements consistent with the Public Works Development Standards. The Ellensburg Light Department indicated the City electrical utility is the exclusive electrical provider to the property and there are no electrical distribution facilities in the vicinity of this parcel. Additionally, costs to extend electrical distribution facilities to this parcel will be at the applicant's expense. The Fire Marshal comments indicate that emergency vehicle access must meet current fire code requirements including aerial apparatus access and fire hydrant numbers and spacing must meet current fire code requirements.

3. ENVIRONMENTAL (SEPA) REVIEW

The required SEPA checklist was submitted on June 6, 2019 and a SEPA Determination of Non-Significance was issued on September 13, 2019 (**Exhibit 7**).

4. APPLICATION ANALYSIS

A. Ellensburg City Code Requirements for Site-Specific Rezone

Per Ellensburg City Code, site-specific rezone applications are subject to the Type IV review process, and the Hearings Examiner provides a recommendation to City Council after holding an open record public hearing. The Hearings Examiner must find that the application is in compliance with the decision criteria in ECC 15.250.060.

The criteria for consideration of a site specific rezone are set forth in ECC 15.250.060(C). The applicant has the burden of establishing that all of the following criteria apply to the proposed rezone:

1. Conditions have changed since the imposition of the zoning classification on the property;
2. The proposed rezone bears a substantial relationship to the public health, safety, morals, and general welfare;
3. The proposed rezone is consistent with the comprehensive plan;
4. The proposed rezone to a particular zoning district shall be consistent with the development standards in the Land Development Code for the zoning district.

B. Analysis of Whether the Application Satisfies the Criteria for a Site-Specific Rezone

The applicant has submitted an application (**Exhibit 8**) with a narrative (**Exhibit 9**), and support materials (**Exhibit 10**) addressing the rezone criteria found in ECC 15.250.060(C). The information submitted by the applicant is followed by staff analysis.

1. Conditions have changed since the imposition of the zoning classification on the property.

Applicant narrative: *The history of this property incorporated numerous changes throughout the recent past. These changes resulted in the property being included into the City of Ellensburg's urban growth area, following up with a rezone in 2005/06 (See Tab D. Ord. 2006-22). Another change that occurred was the approval, by the City of Ellensburg, of the Fenceline LLC Annexation (See Tab E. Ord 3680) in 2014. This annexation action included this property into city limits and changed the zoning to residential-suburban. The most recent change was the City of Ellensburg's adopted Comprehensive Plan where the land use designation was changed, for this specific parcel (Parcel # 17827), to Light Industrial (See Tab F, Pg. 29. Future Land Use Map). This specific change in the land use designation created an inconsistency between the current zoning of the parcel (Residential-Suburban) and the goals and policies of the light industrial land use designation. In order to fully implement the City's comprehensive plan regarding the Light Industrial land use the land use goals and*

zoning need to be consistent. This will allow for the consistent implementation of the zoning standards while at the same time meeting the intent and goals of the city designating this parcel as Light Industrial.

Staff analysis: The Ellensburg Comprehensive Plan was thoroughly reviewed and updated in 2017. The 2017 Comprehensive Plan resulted in changing the land use designation of this parcel from Mixed Residential to Light Industrial.

2. The proposed rezone bears a substantial relationship to the public health, safety, morals, and general welfare.

Applicant narrative: *The comprehensive plan and zoning standards were developed bearing a substantial relationship to the public health, safety, morals, and general welfare for the community as a whole. The fact that this site-specific rezone is compatible with the comprehensive plan demonstrates this non-project site-specific rezone has a substantial relationship to the public health, safety, and welfare. By changing the zoning from Residential-Suburban to Light Industrial creates consistency with the land use goals (See Tab F.) and allows the following to occur: designating larger tracts of industrial land eliminates other constraints associated with industrial lands; Location of this industrial designated property adjacent to I-90 along its southern border lessens the impact between other uses and zones that are not designated light industrial; The designating of this parcel as Light Industrial also falls in line with future infrastructure improvement of Bull Road and reflects the common goals and future land use plans for this area regarding land use and future transportation needs (See Tab G. Existing and Future Arterial/Collector Corridors map).*

With the aforementioned, by rezoning this parcel to Light Industrial, creating consistency with the land use goals of the city's comprehensive plan for Light Industrial, and the development standards under the Light Industrial zone proves that this proposal bears a substantial relationship to the public health, safety, morals, and general welfare for the community and its future goals as outlined in the comprehensive plan.

Staff analysis: The population and employment projections in the comprehensive plan indicate that in order to maintain a similar ratio of jobs per household, Ellensburg will need to add almost 7,000 jobs by the year 2037. The primary zones that generate employment are commercial and industrial. The economic development chapter of the current Comprehensive Plan indicates that Ellensburg's annual employment growth rate of 0.7% between 2002 and 2013, was slower than countywide employment growth.

Additionally, the Comprehensive Plan notes that between 2002 and 2014 there was a slow decline in the number of Ellensburg residents who work in Kittitas County, and a steady increase in the number of Ellensburg residents who work outside Kittitas County. This site specific rezone, which would result in more Light Industrial zoned property in the City limits, may encourage employment growth.

3. The proposed rezone is consistent with the comprehensive plan.

Applicant narrative: *This site-specific rezone is consistent with the City of Ellensburg's Comprehensive Plan that was adopted on November 5th, 2018 (Ord. 4811), designating this parcel as Light Industrial.*

The property is zoned Residential-Suburban and is within the land use designation of "Light Industrial" as described in the City of Ellensburg's Comprehensive Plan (See Tab F. Pg. 29 Future Land Use Map). This request is to create consistency and compatibility with the City's zoning and land use designation as required by the growth management act. The proposed rezone meets the land use goals of the Light Industrial land use designation of the City's Comprehensive Plan.

Staff analysis: Staff finds this site specific rezone request to be consistent with the following comprehensive plan goals and policies:

Goal LU-1: Encourage development that creates a variety of housing, shopping, entertainment, recreation, gathering spaces, employment, and services that are accessible to neighborhoods.

Goal LU-5: Plan for commercial and industrial areas that serve the community, are attractive, and have long-term economic vitality.

Policy A: Provide a diversity of commercial and industrial lands to provide an array of business and development opportunities that serve the community.

Goal ED-2: Stimulate and diversity Ellensburg's economy.

Policy A: Encourage growth that will provide goods and services to the local and regional economy.

Policy B: Promote the retention and expansion of existing businesses as well as the development of new businesses.

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

4. The proposed rezone to a particular zoning district shall be consistent with the development standards in the LDC for the zoning district.

Applicant narrative: *Currently the subject parcel is zoned Residential-Suburban (See Tab H. Current Zoning Map). This current zoning districts purpose is to allow for a mix of predominantly single-family detached dwelling units. This zone is inconsistent with the land use designation of Light Industrial that has been applied to this property. This land use designation of Light Industrial is to accommodate light manufacturing, office, technology centers, storage, and light assembly, and support services to industry. As one can see in the current zoning of residential-suburban along with the current land use designation of Light Industrial contains compatibilities. By rezoning this parcel to a Light Industrial zoning district creates consistency between the land*

use goals of the comprehensive plan and the zoning districts development standards of Light Industrial (See Tab I. Residential-Suburban zoning district, Light Industrial zoning district & Uses within each zoning district).

Staff analysis: Staff finds the rezone proposal consistent with the purpose of the Light Industrial zone as set forth in ECC 15.300.050(G); Light Industrial 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.

Staff finds the rezone proposal consistent with the following standards of the Light Industrial zone as set forth in ECC 15.300.050(G):

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;
4. Providing design standards and guidelines that enhance the appearance and function of uses in the zone and their compatibility with surrounding uses; and
5. Use of this zone is appropriate for areas designated light industrial or industrial residential in the comprehensive plan.

The applicant seeks Light Industrial (I-L) zoning to align with the comprehensive plan land use designation. Any future development proposals will be responsible for meeting all development standards under the Land Development Code.

5. RECOMMENDATION

Staff finds the proposal to be consistent with the criteria outlined in 15.250.050 pertaining to rezones. As such, staff recommends that the Hearing Examiner recommend approval to the City Council of the rezone request, from Residential-Suburban (R-S) to Light Industrial (I-L) zoning with the following condition:

- A. 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. Location Map
2. Current Zoning Map
3. Comprehensive Plan Land Use Designation
4. Order Confirmation - Legal Notice of Open Record Public Hearing

5. Affidavit of Posting and Land Use Action Signs
6. Area of Notification Map and Notification Letter
7. SEPA DNS
8. Rezone Application
9. Rezone Application Supporting Materials, as submitted by applicant, including Attachments labeled by the applicant as A thru J



December 12, 2019

City of Ellensburg
501 N. Anderson St.
Ellensburg, WA 98926

RE: Rezone P19-122 from Residential Suburban to Light Industrial Zoning

Dear City of Ellensburg's Hearing Examiner, Mr. Kottkamp

My name is Chad Bala of Terra Design Group and the Authorized Representative of the landowner. The intent of this letter is to clarify a couple of items that I have noticed within the staff report and submit this letter with those clarifications along with the support of Staff's analysis for the approval of this site specific rezone from Residential Suburban to Light Industrial zoning.

Clarification #1

On page 2 under Access it is described that Bull Road is to the east of the property. I would like to clarify that Bull Road is to the west of the subject property.

Clarification #2

On page 5 & 6 under Criteria #4 . Third line from the bottom states the following: "As one can see in the current zoning of residential-suburban along with the current land use designation of Light-Industrial contains compatibilities." In my review of the submittal application and specifically Exhibit C, Pg 31 of staff's packet the word compatibilities should read as incompatibilities.

As further support, I would like to submit RCW 36.70A.040 where the Growth Management Act requires that development regulations must implement comprehensive plans. This alone supports that a jurisdiction's development regulations and comprehensive plans must be consistent. Therefore by rezoning this property from Residential-Suburban to Light-Industrial creates consistency not only with the City's comprehensive plan but also with implementation of the development regulations.

Sincerely,

Chad Bala

509.607.0617
www.terradesigngroup.net

P.O. Box 686
Cle Elum WA 98922

LAND USE CONSULTANTS



RCW 36.70A.040

**Who must plan—Summary of requirements—Resolution for partial planning
—Development regulations must implement comprehensive plans.**

(1) Each county that has both a population of fifty thousand or more and, until May 16, 1995, has had its population increase by more than ten percent in the previous ten years or, on or after May 16, 1995, has had its population increase by more than seventeen percent in the previous ten years, and the cities located within such county, and any other county regardless of its population that has had its population increase by more than twenty percent in the previous ten years, and the cities located within such county, shall conform with all of the requirements of this chapter. However, the county legislative authority of such a county with a population of less than fifty thousand population may adopt a resolution removing the county, and the cities located within the county, from the requirements of adopting comprehensive land use plans and development regulations under this chapter if this resolution is adopted and filed with the department by December 31, 1990, for counties initially meeting this set of criteria, or within sixty days of the date the office of financial management certifies that a county meets this set of criteria under subsection (5) of this section. For the purposes of this subsection, a county not currently planning under this chapter is not required to include in its population count those persons confined in a correctional facility under the jurisdiction of the department of corrections that is located in the county.

Once a county meets either of these sets of criteria, the requirement to conform with all of the requirements of this chapter remains in effect, even if the county no longer meets one of these sets of criteria.

(2)(a) The county legislative authority of any county that does not meet either of the sets of criteria established under subsection (1) of this section may adopt a resolution indicating its intention to have subsection (1) of this section apply to the county. Each city, located in a county that chooses to plan under this subsection, shall conform with all of the requirements of this chapter. Once such a resolution has been adopted, the county and the cities located within the county remain subject to all of the requirements of this chapter, unless the county subsequently adopts a withdrawal resolution for partial planning pursuant to (b)(i) of this subsection.

(b)(i) Until December 31, 2015, the legislative authority of a county may adopt a resolution removing the county and the cities located within the county from the requirements to plan under this section if:

(A) The county has a population, as estimated by the office of financial management, of twenty thousand or fewer inhabitants at any time between April 1, 2010, and April 1, 2015;

(B) The county has previously adopted a resolution indicating its intention to have subsection (1) of this section apply to the county;

(C) At least sixty days prior to adopting a resolution for partial planning, the county provides written notification to the legislative body of each city within the county of its intent to consider adopting the resolution; and

(D) The legislative bodies of at least sixty percent of those cities having an aggregate population of at least seventy-five percent of the incorporated county population have not: Adopted resolutions opposing the action by the county; and provided written notification of the resolutions to the county.

(ii) Upon adoption of a resolution for partial planning under (b)(i) of this subsection:

(A) The county and the cities within the county are, except as provided otherwise, no longer obligated to plan under this section, and

(B) The county may not, for a minimum of ten years from the date of adoption of the resolution, adopt another resolution indicating its intention to have subsection (1) of this section apply to the county.

(C) The adoption of a resolution for partial planning under (b)(i) of this subsection does not nullify or otherwise modify the requirements for counties and cities established in RCW 36.70A.060, 36.70A.070(5) and associated development regulations, 36.70A.170, and 36.70A.172.

(3) Any county or city that is initially required to conform with all of the requirements of this chapter under subsection (1) of this section shall take actions under this chapter as follows: (a) The county legislative authority shall adopt a countywide planning policy under RCW 36.70A.210; (b) the county and each city located within the county shall designate critical areas, agricultural lands, forestlands, and mineral resource lands, and adopt development regulations conserving these designated agricultural lands, forestlands, and mineral resource lands and protecting these designated critical areas, under RCW 36.70A.170 and 36.70A.060; (c) the county shall designate and take other actions related to urban growth areas under RCW 36.70A.110; [and] (d) if the county has a population of fifty thousand or more, the county and each city located within the county shall adopt a comprehensive plan under this chapter and development regulations that are consistent with and implement the comprehensive plan on or before July 1, 1994, and if the county has a population of less than fifty thousand, the county and each city located within the county shall adopt a comprehensive plan under this chapter and development regulations that are consistent with and implement the comprehensive plan by January 1, 1995, but if the governor makes written findings that a county with a population of less than fifty thousand or a city located within such a county is not making reasonable progress toward adopting a comprehensive plan and development regulations the governor may reduce this deadline for such actions to be taken by no more than one hundred eighty days. Any county or city subject to this subsection may obtain an additional six months before it is required to have adopted its development regulations by submitting a letter notifying the department of its need prior to the deadline for adopting both a comprehensive plan and development regulations.

(4) Any county or city that is required to conform with all the requirements of this chapter, as a result of the county legislative authority adopting its resolution of intention under subsection (2) of this section, shall take actions under this chapter as follows: (a) The county legislative authority shall adopt a county-wide planning policy under RCW 36.70A.210; (b) the county and each city that is located within the county shall adopt development regulations conserving agricultural lands, forestlands, and mineral resource lands it designated under RCW 36.70A.060 within one year of the date the county legislative authority adopts its resolution of intention; (c) the county shall designate and take other actions related to urban growth areas under RCW 36.70A.110; and (d) the county and each city that is located within the county shall adopt a comprehensive plan and development regulations that are consistent with and implement the comprehensive plan not later than four years from the date the county legislative authority adopts its resolution of intention, but a county or city may obtain an additional six months before it is required to have adopted its development regulations by submitting a letter notifying the department of its need prior to the deadline for adopting both a comprehensive plan and development regulations.

(5) If the office of financial management certifies that the population of a county that previously had not been required to plan under subsection (1) or (2) of this section has changed sufficiently to meet either of the sets of criteria specified under subsection (1) of this section, and where applicable, the county legislative authority has not adopted a resolution removing the county from these requirements as provided in subsection (1) of this section, the county and each city

within such county shall take actions under this chapter as follows: (a) The county legislative authority shall adopt a countywide planning policy under RCW 36.70A.100; (b) the county and each city located within the county shall adopt development regulations under RCW 36.70A.060 conserving agricultural lands, forestlands, and mineral resource lands it designated within one year of the certification by the office of financial management; (c) the county shall designate and take other actions related to urban growth areas under RCW 36.70A.110; and (d) the county and each city located within the county shall adopt a comprehensive land use plan and development regulations that are consistent with and implement the comprehensive plan within four years of the certification by the office of financial management, but a county or city may obtain an additional six months before it is required to have adopted its development regulations by submitting a letter notifying the department of its need prior to the deadline for adopting both a comprehensive plan and development regulations.

(6) A copy of each document that is required under this section shall be submitted to the department at the time of its adoption.

(7) Cities and counties planning under this chapter must amend the transportation element of the comprehensive plan to be in compliance with this chapter and chapter 47.80 RCW no later than December 31, 2000.

[2014 c 147 § 1; 2000 c 36 § 1; 1998 c 171 § 1; 1995 c 400 § 1; 1993 sp.s. c 6 § 1; 1990 1st ex.s. c 17 § 4.]

NOTES:

Effective date—1995 c 400: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect immediately [May 16, 1995]." [1995 c 400 § 6.]

Effective date—1993 sp.s. c 6: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect June 1, 1993." [1993 sp.s. c 6 § 7.]

EXHIBIT 2

DAILY RECORD/KITTITAS PUB
C/O IDAHO STATE JOURNAL RECEIVABLES
PO BOX 1570
POCATELLO ID 83204
(509) 925-1414
Fax (509) 925-5696

ORDER CONFIRMATION

Salesperson: MEGAN WOODRUFF

Printed at 12/30/19 10:29 by mwo18

Acct #: 84015

Ad #: 1980816

Status: New WHOLD

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

Start: 01/04/2020 Stop: 01/04/2020
Times Ord: 1 Times Run: ***
STD6 2.00 X 8.46 Words: 261
Total STD6 16.92
Class: 0001 LEGAL NOTICES
Rate: LEG3 Cost: 148.90
Affidavits: 1

Contact: BETH LEADER
Phone: (509) 925-8614

Fax#:

Email: leaderb@ci.ellensburg.wa.us

Agency:

Ad Descrpt: N/PUB HEARING P19122

Given by: KIRSTEN SACKETT

P.O. #: P19122/K SACKETT

Created: mwo18 12/30/19 10:23

Last Changed: mwo18 12/30/19 10:29

PUB ZONE EDT TP RUN DATES
DR A 97 S 01/04
DRWN LEG3 97 S 01/04

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

Quote from Daily Record/Kittitas County Publishing (509) 925-1414
This ad will run as quoted unless cancellation is received. Please contact your sales rep 24 hours prior to first run date to cancel order.

Name (print or type)

Name (signature)

(CONTINUED ON NEXT PAGE)

DAILY RECORD/KITTITAS PUB
C/O IDAHO STATE JOURNAL RECEIVABLES
PO BOX 1570
POCATELLO ID 83204
(509) 925-1414
Fax (509) 925-5696

ORDER CONFIRMATION (CONTINUED)

Salesperson: MEGAN WOODRUFF

Printed at 12/30/19 10:29 by mwo18

Acct #: 84015

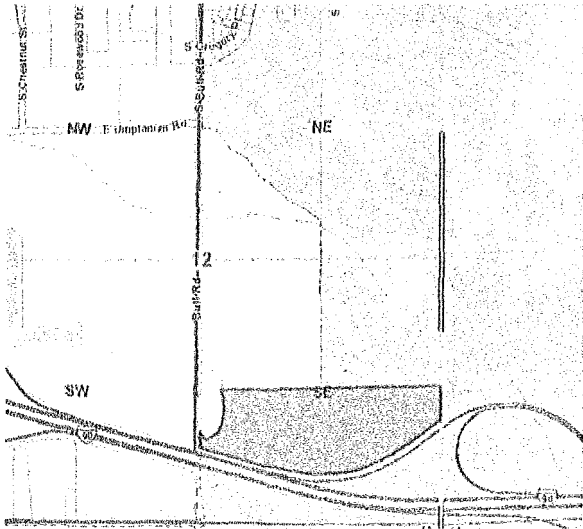
Ad #: 1980816

Status: New WHOLD WHOI

**NOTICE OF A PUBLIC HEARING
REZONE REQUEST**

NOTICE IS HEREBY GIVEN that the Ellensburg City Council will hold a closed record public hearing on **Tuesday, January 21, 2020 at 7:00 pm** in City Council Chambers, 501 North Anderson Street, to consider a rezone application (P19-122) submitted by Terra Design Group Inc., on behalf of Teanaway Ridge LLC. The applicant seeks a rezone of parcel number 17827 from Residential-Suburban (R-S) to Light Industrial (I-L). The submitted application and related documents are available for review at the City of Ellensburg Community Development Department, 501 North Anderson Street, Ellensburg, WA. Anyone wishing to receive a copy of the rezone request is invited to call (509) 962-7231 or visit the Community Development Department. A SEPA Determination of Nonsignificance (DNS) for the rezone was issued on September 13, 2019.

Project Location: The parcel is located off of Bull Road, Ellensburg. Kittitas County Assessor's Parcel Number 17827.



NOTICE IS FURTHER GIVEN that all persons interested may appear at such time and place and be heard for or against the matter, or written comments may be filed with the Community Development Department, 501 North Anderson Street, or via email: sackettk@ci.ellensburg.wa.us

Written comments must be submitted by 5:00 pm on Tuesday January 21, 2020.

The City of Ellensburg strives to make our meetings and activities readily accessible by individuals with disabilities. Please furnish your request in sufficient time for the City to provide a reasonable accommodation. A "Request for Accommodation" form may be obtained from the City Clerk (First Floor - City Hall).

PUBLISH: Daily Record: January 4, 2020



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 signs 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: December 30, 2020	PLANNER: Kirsten Sackett – Community Development Director
PROJECT NAME: Rezone of parcel 17827 from R-S to I-L	FILE NUMBER: P19-122

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.**

Chad Bala
Signature

1-2 20 20
Date

Please return the above affidavit and a photograph of the posted sign(s) to Angela San Filippo, Long Range Planner, by email: sackettk@ci.ellensburg.wa.us; Fax 509-962-7232; mail; or deliver to: Community Development Dept., City Hall, 501 North Anderson Street, Ellensburg, WA 98926.



ORDINANCE NO. ****

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, RELATING TO ZONING AND AMENDING TITLE 15 OF THE ELLENSBURG CITY CODE BY CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE CITY OF ELLENSBURG FROM RESIDENTIAL-SUBURBAN (R-S) TO LIGHT INDUSTRIAL (I-L).

WHEREAS, on October 28, 2019 the City received an application (P19-122) from Terra Design Group Inc., agent for property owner Teanaway Ridge LLC, requesting a rezone on 41.18 acres located off of Bull Road, Parcel ID Number 17827 (“application”); and

WHEREAS, the application proposed to rezone the parcels from Residential-Suburban (R-S) to Light Industrial (I-L); and

WHEREAS, pursuant to ECC Table 15.210.050(D), a Site-Specific Rezone Application is processed under a Type IV review, which requires a Hearing Examiner recommendation to City Council after an Open Record Hearing, with the final decision to be made by City Council after a Quasi-Judicial Closed Record Hearing; and

WHEREAS, the City SEPA official issued a Determination of Non-Significance (DNS), on September 13, 2019 for the site-specific rezone; and

WHEREAS, the Hearing Examiner held a duly noticed open record hearing on December 12, 2019, received evidence and heard testimony regarding the proposed rezone; and

WHEREAS, on December 17, 2019 the Hearing Examiner issued Recommended Findings of Fact, Conclusions of Law, Decision and Conditions of Approval for the rezone request from R-S to I-L; and

WHEREAS, the Ellensburg City Council held a duly noticed closed record hearing on January 21, 2020 and at the conclusion of the hearing approved a motion to adopt the Hearing Examiner’s Recommended Findings of Fact, Conclusions of Law, Decision and Conditions of Approval, and to approve the applicant’s request to rezone the subject property from R-S to I-L;

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

Section 1. The City Council adopts the findings of fact and conclusions based thereon, made and entered by the Hearing Examiner in support of the recommendation to the City Council for approval with regard to the rezone for the hereinafter described property located on Bull Road, with Parcel ID Number 17827, as set forth in the Hearing Examiner’s “Recommended Findings of Fact, Conclusions of Law, Decision and Conditions of Approval,” dated December 17, 2019.

Section 2. Title 15 of the Ellensburg City Code is hereby amended by changing the city's zoning map as adopted in ECC 15.300.020 for the following described area from Residential-Suburban (R-S) to Light Industrial (I-L):

PARCEL 17827: Parcel B-4 of that certain survey as recorded August 30, 2002, in book 28 of surveys, page 9. Under Auditor's File No. 200208300001. Records of Kittitas County, Washington, being a portion of the southeast quarter of section 12, Township 17 North, Range 18 East, W.M., Kittitas County, Washington.

Section 3. That the official zoning map of the City of Ellensburg, as well as the Global Information System (GIS) data shall be amended to incorporate the zoning changes herein provided.

Section 4. Except as modified herein, each and every provision of the City Land Development Code, Title 15, as amended, shall remain in full force and effect.

Section 5. Severability. 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 6. Corrections. Upon the approval of the City Attorney, the City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 7. Effective Date. This ordinance shall take effect and be in full force five (5) days after publication as required by law.

The foregoing ordinance was passed and adopted at a regular meeting of the City Council on the ____ day of _____, 2020.

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, that Ordinance No. **** was published as required by law.

BETH LEADER, CITY CLERK



MANAGER'S REPORT

DATE: January 21, 2020
TO: Ellensburg City Council
FROM: John Akers, City Manager

1. Open House for Willow Street Improvements Project.

The City of Ellensburg is holding an open house for the Willow Street Improvements Project. Work on Willow Street from Mountain View Avenue to Capitol Avenue is planned for the spring and summer of 2020. Project details will be discussed, and questions will be answered by City staff on the evening of Wednesday, January 29th at the City Hall Council Chambers from 4:30 p.m. to 6:00 p.m. The Willow Street Improvements Project will include street widening, curb/gutter, sidewalks, bicycle lanes, buffer strips, street trees, storm drainage improvements, asphalt surfacing, and sewer extension.

