

ORDINANCE NO. 4785

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, AFFIRMING THAT THE PERIODIC REVIEW AND UPDATE OF ELLENSBURG'S COMPREHENSIVE PLAN AND DEVELOPMENT REGULATIONS IS COMPLETE, AMENDING CHAPTER 15.120 "COMPREHENSIVE PLAN" OF THE ELLENSBURG CITY CODE, ADOPTING THE ELLENSBURG PERIODIC COMPREHENSIVE PLAN UPDATE, AND EXPRESSING INTENT TO COMPLETE REVIEW OF THE CITY'S CRITICAL AREAS REGULATIONS BY JUNE 30, 2018, CONSISTENT WITH RCW 36.70A.130 AND RELATED PROVISIONS.

WHEREAS, the City of Ellensburg is required to plan under RCW 36.70A.040; and

WHEREAS, the Growth Management Act (GMA), in RCW 36.70A.130, requires that counties and cities take action to review, and if needed, revise their comprehensive plans and development regulations to ensure that the plan and regulations comply with the requirements of the GMA; and

WHEREAS, the Ellensburg Comprehensive Plan initially was adopted July 17, 1995; and the last comprehensive review and update was adopted March 19, 2007; and

WHEREAS, the City of Ellensburg subsequently amended the Comprehensive Plan as necessary on an annual basis; and

WHEREAS, the City of Ellensburg has reviewed its Comprehensive Plan and development regulations for consistency with the GMA and regional plans, as well as changed conditions since the last update; and

WHEREAS, the City of Ellensburg adopted Resolution Number 2016-29, which established the Public Participation Plan and schedule for Ellensburg's 2017 Comprehensive Plan periodic review and update; and

WHEREAS, the City of Ellensburg established and broadly distributed to the public information about how to participate in the periodic review and update starting in August 2016 and throughout the periodic review and update process, consistent with RCW 36.70A.130(2), RCW 36.70A.035, and RCW 36.70A.140; and

WHEREAS, the City of Ellensburg created a Comprehensive Plan webpage and an online community forum, Eburg Talks, to share information and facilitate public participation; and

WHEREAS, the City of Ellensburg kept an updated interested parties list for the Comprehensive Plan review and update; and

WHEREAS, the City of Ellensburg collected over 800 responses to the “What Matters Most” survey that helped to establish the guiding principles for the 2017 update to the Ellensburg Comprehensive Plan; and

WHEREAS, the City of Ellensburg held seven community workshops from January to October 2017 related to the community values, land use mapping, and review of the draft comprehensive plan; and

WHEREAS, the City of Ellensburg maintained an online engagement tool, Eburg Talks, to collect community input on what matters most to the community, draft community value statements, land use mapping, and draft chapters of the comprehensive plan update; and

WHEREAS, the City of Ellensburg maintained a Comprehensive Plan website to share information regarding upcoming activities and draft documents related to the comprehensive plan update; and

WHEREAS, notices for all proposed amendments to Ellensburg’s Comprehensive Plan were sent to the Washington State Department of Commerce at least 60 days before the amendments were adopted; and

WHEREAS, between September 2016 and October 2017 the City of Ellensburg Planning Commission held 19 work sessions as part of Ellensburg’s periodic review; and

WHEREAS, in August and September 2017 the City of Ellensburg City Council held four study sessions to review the draft chapters of the Comprehensive Plan as part of Ellensburg’s periodic review and update; and

WHEREAS, on September 13, 2017, the Growth Management Services Review Team for the Washington State Department of Commerce acknowledged receipt of the 60-day notice of intent to adopt the City of Ellensburg’s 2017 periodic review and update of its Comprehensive Plan as required by RCW 36.70A.106; and

WHEREAS, the City issued the State Environmental Policy Act (SEPA) Supplemental Environmental Impact Statement to the Final Environmental Impact Statement for the City of Ellensburg Comprehensive Plan on December 8, 2017; and

WHEREAS, the City of Ellensburg is making substantial progress towards compliance with the intention to review and update critical areas regulations by June 30, 2018 consistent with RCW 36.70A.130(7)(b); and

WHEREAS, all persons desiring to either provide written testimony or speak for or against, or in relation to, the proposed Comprehensive Plan update, at a public hearing held

before the Planning Commission on November 2, 2017, were given a full and complete opportunity to be heard; and

WHEREAS, on November 2, 2017, the Planning Commission recommended that the City Council approve such proposed update; and

WHEREAS, all persons desiring to either provide written testimony or speak for or against, or in relation to, the proposed Comprehensive Plan update, at a public hearing held before the City Council on November 20, 2017, were given a full and complete opportunity to be heard, and after considering the record and deliberating, the City Council has determined that the proposed Comprehensive Plan update is in the public interest;

NOW, THEREFORE, the City Council of the City of Ellensburg, Washington do hereby ordain as follows:

**Section 1.** Chapter 15.120 “Comprehensive Plan” of the Ellensburg City Code, as last amended by subsections 1 and 2 of Ordinance 4755 is hereby amended to read as follows:

**15.120.010 Comprehensive plan.**

The Comprehensive Plan attached to this ordinance as Exhibit 1 and referenced as “Imagine Ellensburg 2037” is hereby adopted in accordance with the Growth Management Act, Chapter 36.70A RCW, and incorporated herein by reference. ~~The city of Ellensburg comprehensive plan, as amended in 2007 to comply with the Growth Management Act and as may subsequently be amended thereafter, was adopted pursuant to Ordinance 4474 (2007) and is incorporated herein by this reference.~~ The regulations contained within the LDC are intended to be consistent with and implement this comprehensive plan. [Ord. 4656 § 1 (Exh. O2), 2013.]

**~~15.120.020 — 2014 comprehensive plan amendments.~~**

~~All of the changes set forth in Sections 1 through 3 of Ordinance No. 4688 are hereby adopted and shall be incorporated into this chapter and the “City of Ellensburg Comprehensive Plan: Vision and Path, Ellensburg’s Next Legacy” as if set out in full. [Ord. 4688, 2014.]~~

**~~15.120.030 — 2015 comprehensive plan amendments.~~**

~~That document attached to Ordinance No. 4720 as Exhibit “A” and entitled City of Ellensburg Capital Facility Plans 2015 is hereby adopted and incorporated by reference in the “City of Ellensburg Comprehensive Plan: Vision and Path, Ellensburg’s Next Legacy” as an Appendix to Chapter 6 — Capital Facilities and Utilities. (AMD #15-01(a) and (b) and #15-02.) [Ord. 4720 § 1, 2015.]~~

**~~15.120.040 — 2016 comprehensive plan amendments.~~**

~~A. That document attached to Ordinance No. 4755 as Exhibit “A” and entitled City of Ellensburg Capital Improvement Plans 2016 is hereby adopted and incorporated by reference in the “City of Ellensburg Comprehensive Plan: Vision and Path, Ellensburg’s Next Legacy” as an Appendix to Chapter 6—Capital Facilities and Utilities (docket amendment 16-01).~~

~~B. That document attached to Ordinance No. 4755 as Exhibit “B” and entitled “City of Ellensburg Comprehensive Plan—Vision and Path: Ellensburg’s Next Legacy, 2016 update,” which is included as part of the Comprehensive Plan, is hereby amended to adopt and include docket amendments 16-01, 16-02, 16-03, and 16-04. [Ord. 4755 §§ 1, 2, 2016.]~~

**Section 2. Findings, Conclusions and Analysis.** Based on its review of the requirements of RCW 36.70A, the analysis and findings prepared by staff, and the public comments received, the City Council hereby finds and concludes that the development regulations and protections currently in effect comply with RCW 36.70A, with the exception of certain critical area regulations.

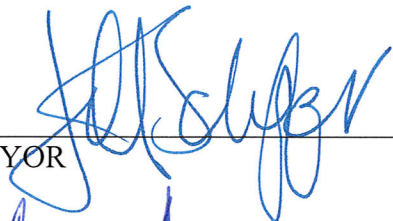
**Section 3. Critical Area Regulations.** The City will review and update critical areas regulations by June 30, 2018 consistent with RCW 36.70A.130(7)(b).

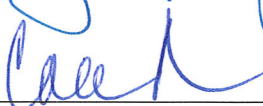
**Section 4. Severability.** If any portion of this ordinance is declared invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portion(s) of this ordinance.

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

The foregoing ordinance was passed and adopted at a regular meeting of the City Council on the 18th day of December, 2017.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CITY CLERK

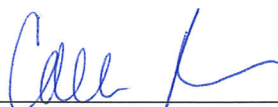
ATTEST:

Approved as to form:

  
\_\_\_\_\_  
CITY ATTORNEY

Publish: 12-21-17

I, Coreen M. Reno, City Clerk of said City, do hereby certify that Ordinance No. 4785 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, and that Ordinance No. 4785 was published as required by law.

  
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COREEN M. RENO