

ORDINANCE NO. 4798

AN ORDINANCE RELATING TO THE CITY OF ELLENSBURG LAND DEVELOPMENT CODE, TITLE 15; AND AMENDING CHAPTER 15.300 “ZONES, MAPS AND DESIGNATIONS” OF THE ELLENSBURG CITY CODE.

WHEREAS, chapter 15.300 of the Ellensburg City Code (ECC) currently provides a description of the geographic distribution of land uses into zones that reflect the goals and policies of the 2006 comprehensive plan; and

WHEREAS, the City Council adopted an updated Comprehensive Plan on December 18, 2017 which includes updated future land use map designations and updated goals, policies, and programs; and

WHEREAS, according to RCW 36.70A.040 development regulations must implement comprehensive plans; and

WHEREAS, the proposed amendments to the Ellensburg City Code are covered by the Final Supplemental Environmental Impact Statement issued on the 2017 Ellensburg Comprehensive Plan on December 8, 2017; and

WHEREAS, the proposed ordinance was forwarded to the Planning Commission for review in a public hearing held on March 22, 2018, and based on public testimony and other evidence received at said hearing, the Commission developed recommendations to be considered by City Council during a public hearing; and

WHEREAS, pursuant to RCW 36.70A.106, notice of the City’s intent to amend Chapter 15.300 was sent to the Washington State Department of Commerce on March 2, 2018; and

WHEREAS, on March 20, 2018, the Growth Management Services Review Team for the Department of Commerce granted expedited review of the proposed amendments, and confirmed that the Growth Management Act notice to state agency requirements in RCW 36.70A.106 were met; and

WHEREAS, the City Council conducted a public hearing, received and considered public comments, and considered said amendments contained in Ordinance No. 4798 during a duly noticed public hearing held on April 16, 2018;

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

**Section 1.** Section 15.300.040 Residential zones and map designations of the Ellensburg City Code and subsection 1 of Ordinance 4656 (Exh. O2) is hereby amended to read as follows:

**15.300.040 Residential zones and map designations**

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

1. Allowing detached single-family dwellings as the predominate 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 allow 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 ~~mixed~~ residential neighborhood in the comprehensive plan; and
  - ~~b. Predominately large acreage sites in outlying areas of the city with the capability of creating new compact and walkable residential neighborhoods.~~
  - b. Areas characterized predominantly by single family dwellings.

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

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

- a. Energy efficient building and site design;
  - b. Mix of housing types;
  - c. Off-street trails;
  - d. Purchase of transferable development rights (subject to the city adopting a TDR program) that help to preserve valuable resource lands outside of the city;
  - e. Preservation of historic buildings; and/or
  - f. Affordable housing; and
7. Use of this zone is appropriate for any of the following, or combinations thereof:
- a. Areas designated ~~mixed~~ residential in the comprehensive plan; ~~and~~
  - b. Areas characterized as by, or immediately adjacent to, areas which are predominately ~~detached~~ single-family in character.

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

- 1. Allowing a variety of housing types including detached single-family dwellings, cottage housing, townhouses, and multifamily;
- 2. Providing standards and guidelines to help ensure that new infill development will be compatible in scale and character with existing development;
- 3. Providing standards and guidelines that reinforce and/or enhance the character and walkability of streets within the zone;
- 4. Providing standards and guidelines that promote the integration of usable open space for residential uses;
- 5. Providing standards and guidelines that encourage parks, trails, open spaces, and natural features to be integrated with the design of new development on large sites;

6. Providing a minimum density standard to avoid large scale low density sprawl;
7. Providing an option for a modest floor area ratio bonus (see ECC 15.330.030) in exchange for:
  - a. Energy efficient building and site design; or
  - b. Purchase of transferable development rights (subject to the city adopting a TDR program) that help to preserve valuable resource lands outside of the city; and
8. Use of this zone is appropriate for any of the following, or combinations thereof:
  - a. Areas designated ~~mixed~~ residential, neighborhood mixed use, or community mixed use in the comprehensive plan; ~~and~~
  - b. Areas characterized by a mix of single- and multifamily buildings;
  - ~~c. Areas within one half mile of Central Washington University;~~
  - ~~d.~~ Areas located along designated arterial streets;
  - ~~e.~~ Areas adjacent to commercial zoned property; ~~or~~
  - ~~f.~~ Areas located along corridors served by transit.

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

1. Allowing multifamily dwellings and providing a minimum density limit;
2. Providing standards and guidelines that promote compact and walkable development patterns that are well integrated with surrounding multifamily developments;
3. Providing standards and guidelines that promote the integration of usable open space for residential uses;

4. Providing standards for maximum floor area ratio which provide a flexible way to ensure that new development is compatible in scale to adjacent developments;
5. Providing an option for a modest floor area ratio bonus (see ECC 15.330.030) in exchange for:
  - a. Energy efficient building and site design; or
  - b. Purchase of transferable development rights (subject to the city adopting a TDR program) that help to preserve valuable resource lands outside of the city; and
6. Use of this zone is appropriate for any of the following, or combinations thereof:
  - a. Areas designated ~~high density or mixed residential~~ blended residential neighborhood, urban neighborhood, or community mixed use in the comprehensive plan; ~~and~~
  - ~~b. Areas within one quarter mile of Central Washington University;~~
  - eb. Areas characterized by multifamily buildings;
  - ~~dc.~~ Areas adjacent to commercial zoned property; ~~or~~
  - ed. Areas located along corridors served by transit.

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

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

**Section 2.** Section 15.300.050 Nonresidential and mixed-use zones of the Ellensburg City Code as last amended by subsection 12 of Ordinance 4769, is hereby amended to read as follows:

**15.300.050 Nonresidential and mixed-use zones.**

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

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

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

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

C. Commercial Highway Zone (C-H). The C-H zone is intended to accommodate diversified commercial establishments. These purposes are accomplished by:

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



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

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

- 1. Allowing a variety of housing types including detached single-family dwellings, cottage housing, townhouses, and multifamily;
- 2. Providing for office uses that are compatible in scale and character with permitted residential uses;
- 3. Providing for limited small scale nonresidential uses on street corner sites provided they are integrated with residential or office uses in a mixed-use building;
- 4. Providing standards and guidelines to help ensure that new infill development will be compatible in scale and character with existing development;
- 5. Providing standards and guidelines that reinforce and/or enhance the character and walkability of streets within the zone;
- 6. Providing a minimum density standard to avoid large scale low density sprawl;
- 7. Providing an option for a modest floor area ratio bonus (see ECC 15.330.030) in exchange for:
  - a. Energy efficient building and site design; or
  - b. Purchase of transferable development rights (subject to the city adopting a TDR program) that help to preserve valuable resource lands outside of the city; and
- 8. Encouraging historic preservation and adaptive re-use of historic properties;

9. Use of this zone is appropriate for:

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

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

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

F. Central Commercial II Zone (C-C II). The C-C II zone is intended to provide for orderly expansion of the downtown commercial core. The zone is not to be used to allow strip

commercial development or C-C II zones physically separate from the downtown commercial core. These purposes are accomplished by:

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

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

1. Allowing a range of general service and light industrial uses which can be operated in a relatively clean, quiet and safe manner compatible with adjoining industrial uses and without serious effect, danger or hazard to nearby residential uses;
2. Providing for eating and drinking establishments that serve other permitted uses in the zone;
3. Providing for offices as an accessory use, except where owners have purchased development rights from county properties within defined sending areas (subject to the city's adoption of a TDR program); and

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

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

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

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

1. Allowing the processing of raw materials and the manufacturing, processing, storing, and compounding of semi-finished or finished durable or nondurable products; and

2. Providing design standards and guidelines that provide for flexibility in the layout of buildings and site features, yet enhance the appearance of I-H zone uses and their compatibility with surrounding uses;

3. Use of this zone is appropriate for areas designated heavy industrial in the comprehensive plan. [Ord. 4769 § 12, 2017; Ord. 4656 § 1 (Exh. O2), 2013.]

**Section 3.** Section 15.300.060 Special districts of the Ellensburg City Code, as last amended by subsection 1 of Ordinance 4656 (Ex. 02), is hereby amended to read as follows:

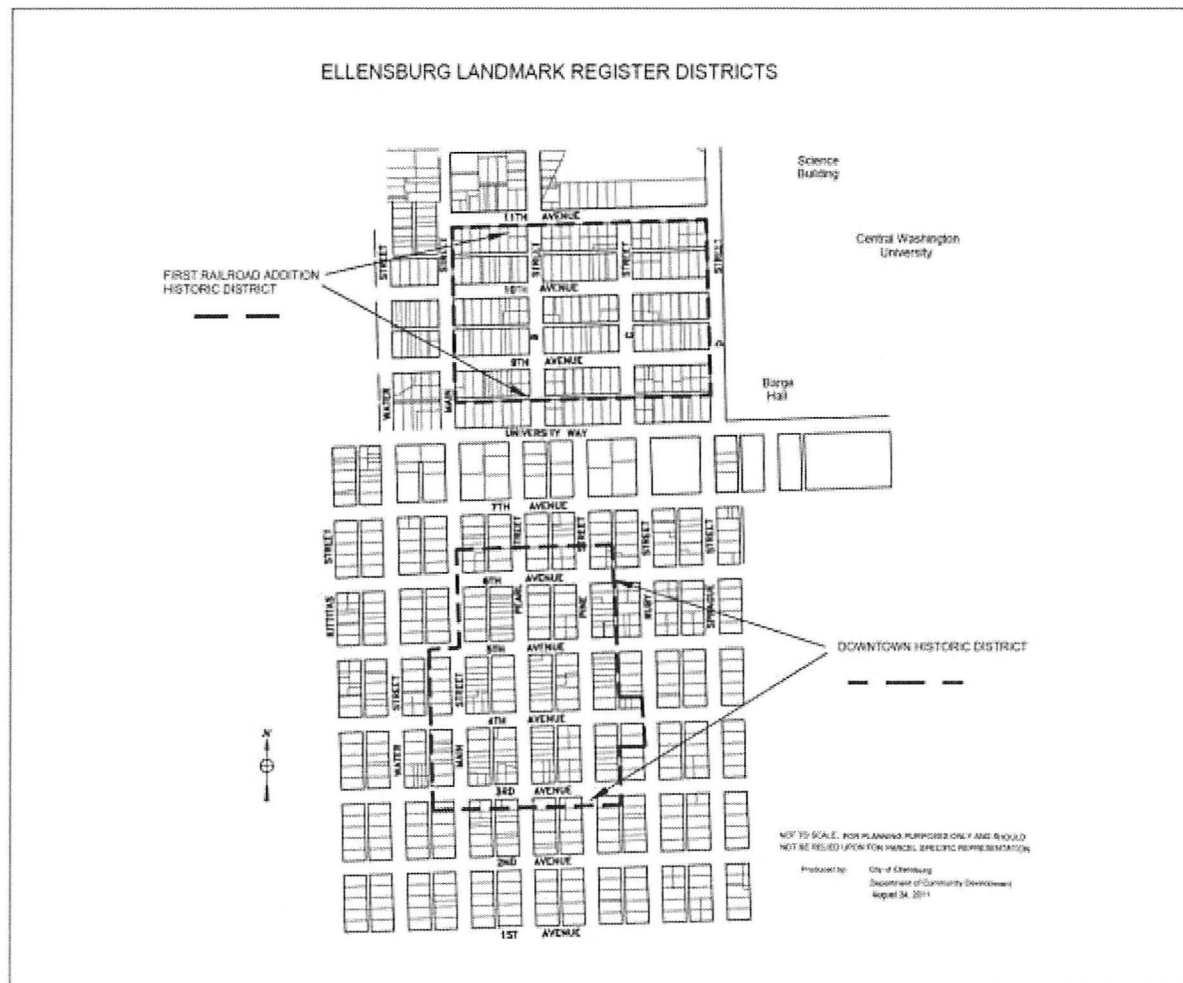
**15.300.060 Special districts**

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

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

B. Downtown Historic District.

1. Designated. The geographic area identified in Figure 15.300.060(B) is designated an Ellensburg landmark district, hereafter to be known as the downtown historic district. The requirements of this chapter and Chapter 15.280 ECC shall apply to all existing structures or structures hereafter constructed within this district; and
2. No person, firm or corporation shall construct any new, or reconstruct, alter, remodel, paint, repair or demolish any existing structure within the downtown historic district prior to completing the review process required by the city landmarks and design ordinance (Chapter 15.280 ECC).



**Figure 15.300.060(B). Downtown and First Railroad Addition Historic District boundaries.**

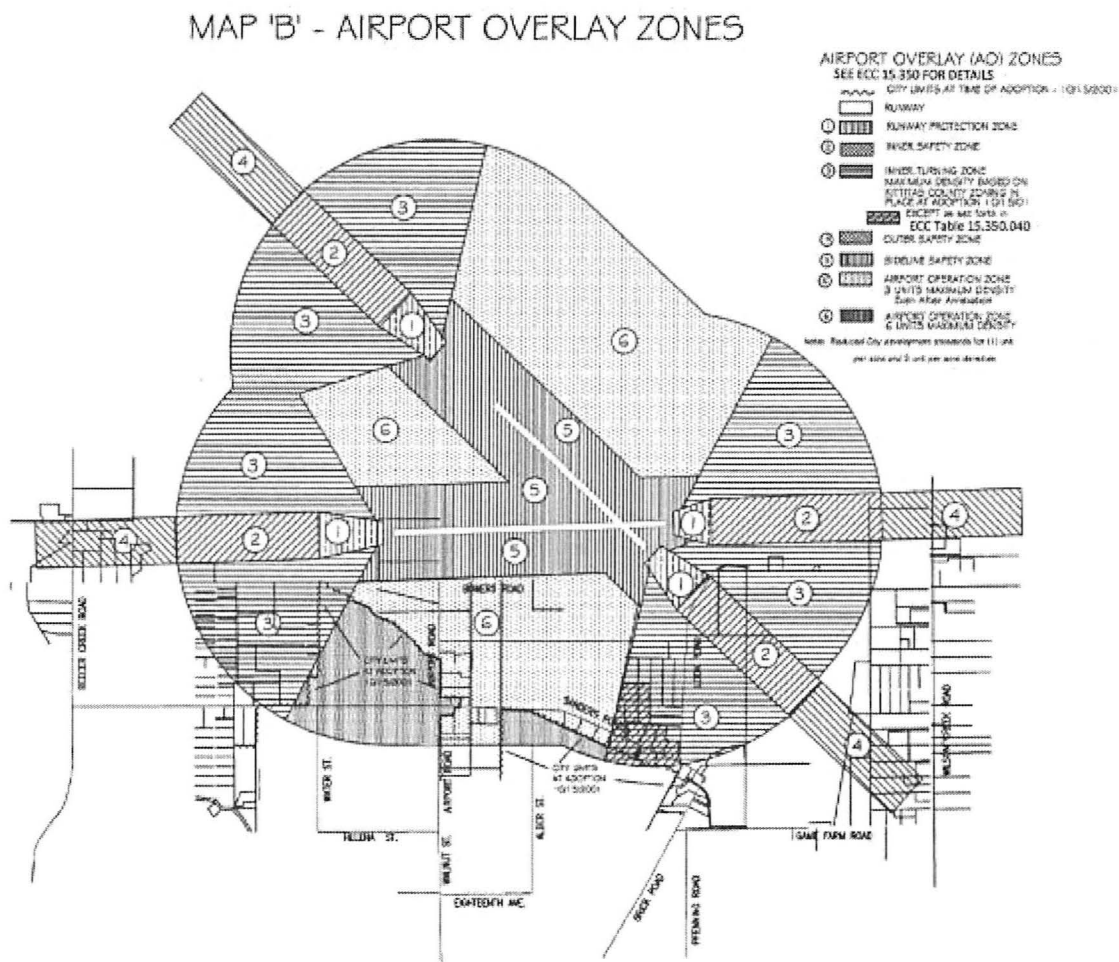
**C. First Railroad Addition Historic District.**

1. Designated. The geographic area identified in Figure 15.300.060(B) is designated as an Ellensburg landmark district, hereafter to be known as the First Railroad Addition Historic District. The requirements of this chapter and Chapter 15.280 ECC shall apply to all existing structures or structures hereafter constructed within this district; and
2. No person, firm or corporation shall construct any new, or reconstruct, alter, remodel, paint, repair or demolish any existing structure within the First Railroad Addition Historic District prior to completing the review process required by the city landmarks and design ordinance (Chapter 15.280 ECC).

**D. Airport Overlay Zone (A-O).** The airport overlay (A-O) zone encompasses properties located on, adjacent to, and in the vicinity of Bowers Field, in order to protect the health,

welfare, safety, and quality of life of the general public, property owners, airport operators, and aviation community. The intent is also to ensure compatible land uses in the vicinity of the affected environments of the airport overlay zone.

Properties within the A-O overlay zone (see Figure 15.300.060(D)) are subject to the standards in Chapter 15.350 ECC, Airport Overlay Zone (A-O) Standards, in addition to the provisions of the underlying zoning district. Where there is a conflict between the provisions of the A-O overlay zone and the underlying zoning district, the provisions of the A-O overlay zone shall apply.



**Figure 15.300.060(D). Airport overlay zone and applicable airport safety zones as described in Chapter 15.350 ECC.**

[Ord. 4656 § 1 (Exh. O2), 2013.]

**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 7<sup>th</sup> day of May, 2018.

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

ATTEST:

Approved as to form:

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

Publish: 5-10-18

I, Coreen M. Reno, City Clerk of said City, do hereby certify that Ordinance No. 4798 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, and that Ordinance No. 4798 was published as required by law.

  
\_\_\_\_\_  
COREEN M. RENO