

Article 3: Zoning Districts & Land Uses

Draft, April 28, 2011

NOTES: This is the first preliminary draft of code - intended for review by City Council, Planning Commission, City Staff, and interested citizens. The provisions herein are intended to replace applicable land use regulations now found in EMC Titles 12 and 13. For clarification, we have indicated in (parentheses) whether each chapter is new or updates or replaces a current EMC chapter or section.

Also, text in CAPS are special notes to reviewers. **Highlighted text** warrants special review. Lastly, at the end of some sections, we've indicated in (CAPS) that the new or updated code language is based on similar language from another community - purely for informational purposes.

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15.30 Zones, Maps and Designations

15.30.010 Purpose. (NEW)

The City is divided into zones established in this Code for the following purpose:

- A. To provide for the geographic distribution of land uses into zones that reflect the goals and policies of the Comprehensive Plan.
- B. To maintain a stability in land use designation with similar characteristics and level of activity through the provisions of harmonious groupings of zones together.
- C. To provide and efficient and compatible relationship of land uses and zones.
(SHORELINE)

15.30.020 Zoning map and boundaries. (Replacing 13.06 and 13.08)

NOTE - PROPOSED LANGUAGE HERE IS MUCH SIMPLIFIED - AND BASED ON PROVISIONS FOR CITY OF COVINGTON. EXTENSIVE LANGUAGE IN CURRENT SECTIONS ARE LIKELY UNNECESSARY.

- A. The location and boundaries of the zones defined by this chapter shall be shown and delineated on zoning maps adopted by ordinance.
- B. Changes in the boundaries of the zones, including application or amendment of interim zoning, shall be made by ordinance adopting or amending a zoning map.
- C. Zoning maps are available for public review at the Department of Community Development permit center during business hours.
- D. ADD PROVISION ABOUT REPLACING LOST OR DAMAGED ZONING MAP.

15.30.030 Zone and map designation purpose. (Revised from 13.10.020)

The purpose statements for each zone and map designation set forth in the following sections shall be used to guide the application of the zones and designations to all lands in the City. The purpose statements also shall guide interpretation and application of land use regulations within the zones and designations, and any changes to the range of permitted uses within each zone through amendments to this title.

15.30.040 Residential zones and map designations (Revised from Chapter 13.10 sections)

NOTE - BELOW IS SOME PRELIMINARY UPDATED LANGUAGE FOR THE PURPOSES OF EACH DISTRICT - LANGUAGE WILL BE REFINED.

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 neighborhood setting. These purposes are accomplished by:

1. Providing detached single family dwellings as the predominate use, with options to integrate cottage housing, accessory dwelling units, and townhouses in a relatively low urban density;
2. **Providing design standards that reinforce Ellensburg's established pattern of attractive and walkable residential neighborhoods;**
3. Promoting compact, pedestrian-friendly, and energy efficient residential neighborhood design;
4. Providing design standards 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 a flexible system of bonus incentives 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. Dedicated parkland or other open space;
 - e. Investment in desirable public facilities; and/or
 - f. Purchase of transfer of development rights that help to preserve _____ areas outside of the city.

7. **Use of this zone is appropriate for.....TO ADD CRITERIA**

B. Residential Low Density Zone (R-L)

The R-L zone is intended to protect the character of existing low density residential neighborhoods while allowing for compatible infill development. These purposes are accomplished by:

1. Providing 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 design standards that reinforce Ellensburg's established pattern of attractive and walkable residential neighborhoods; and**
3. Providing conditional use options for the development of essential

complementary services and institutions.

4. Promoting compact, pedestrian-friendly, and energy efficient residential neighborhood design;
5. Providing for a minimum density standard to avoid large scale low density sprawl.
6. Providing a flexible system of bonus incentives 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. Dedicated parkland or other open space;
 - e. Investment in desirable public facilities; and/or
 - f. Purchase of transfer of development rights that help to preserve _____ areas outside of the city.
7. Use of this zone is appropriate for.....TO ADD CRITERIA

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. Providing for a combination of detached single family dwellings, cottage housing, townhouses, and multifamily housing types;
2. Providing design standards that promote the creation of attractive, compact, and pedestrian-friendly neighborhoods;
3. Providing design standards that encourage parks, trails, open spaces, and natural features to be integrated with the design of new development; and
4. Providing conditional use options for the development of essential complementary services and institutions.
5. Providing for a minimum density standard to avoid large scale low density sprawl.
6. ADD - UTILIZE HEIGHT LIMIT, FAR, AND DESIGN STANDARDS OVER MAX DENSITY LIMIT TO PROMOTE INFILL DEVELOPMENT THAT REINFORCES DESIRED CHARACTER....
7. Providing (ADD LANGUAGE ON HEIGHT OR FAR BONUS FOR TDR AND/OR ENERGY EFFICIENCY)
8. Use of this zone is appropriate for.....TO ADD CRITERIA

D. Residential High Density Zone (R-H)

NOTE - TO REMOVE OVERLAY DESIGNATION AND MAKE A REGULAR ZONING DISTRICT.

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. Providing for multifamily dwellings and a minimum density limit;
2. Providing design standards that promote compact and walkable development patterns that are well integrated with surrounding and compatible development; and
3. ProvidingTO ADD LANGUAGE
4. ADD - UTILIZE HEIGHT LIMIT, FAR, AND DESIGN STANDARDS OVER MAX DENSITY LIMIT TO PROMOTE INFILL DEVELOPMENT THAT REINFORCES DESIRED CHARACTER....
5. Providing (ADD LANGUAGE ON HEIGHT OR FAR BONUS FOR TDR AND/OR ENERGY EFFICIENCY)
6. Use of this zone is appropriate for.....TO ADD CRITERIA

15.30.05 0 Commercial and mixed-use zones (Revised from Chapter 13.10 sections)

NOTE - LANGUAGE BELOW IS FROM EXISTING CHAPTER 13.10 AND WILL BE UPDATED IN A MANNER CONSISTENT WITH ORGANIZATION AND CONTENT REFERENCED ABOVE.

- A. Commercial Neighborhood Zone (C-N) EXISTING LANGUAGE TO BE REFINED.
- B. Tourist Commercial Zone (T-C) EXISTING LANGUAGE TO BE REFINED.
- C. Highway Commercial Zone (C-H) EXISTING LANGUAGE TO BE REFINED.
- E. Residential Office Zone (R-O) EXISTING LANGUAGE TO BE REFINED.
- F. Central Commercial Zone (C-C) EXISTING LANGUAGE TO BE REFINED.
- G. Central Commercial II Zone (C-CII) EXISTING LANGUAGE TO BE REFINED.
- H. Light Industrial Zone (I-L) EXISTING LANGUAGE TO BE REFINED.
- I. Heavy Industrial Zone (I-H) EXISTING LANGUAGE TO BE REFINED.

15.30.06 0 Special districts (Revised from Chapter 13.10 sections)

NOTE - FOR NOW, THESE SUBSECTIONS WERE COPIED FROM CURRENT CHAPTER 13.10 - AND MOST/ALL WILL BE REFINED, AS NEEDED.

A. Master Site Plans for Regional Retail Commercial Projects

NO CHANGES IN CONTENT FOR THESE REGIONAL RETAIL PROVISIONS ARE ANTICIPATED.

B. Public Reserve Zone (P-R)

CURRENT CHALLENGE IS WHEN PUBLIC USE ENDS - NO PROCESS FOR TRANSFER TO PRIVATE - WILL BE CONSIDERING OPTIONS.

~~C. Manufactured Home Park Zone (MHP)-~~

CONSIDER DELETING AS A SEPARATE ZONE AND MAKE THE USE CONDITIONAL IN APPROPRIATE ZONES AND REFINE STANDARDS.

~~D. Manufactured Home Subdivision Zone (MHS)-~~

ZONE NOT NECESSARY.

C. Downtown Historic District AGAIN, MORE OF AN OVERLAY RATHER THAN A ZONE

E. Planned Unit Development OVERLAY -WITHIN A PARTICULAR DISTRICT - NOTE THAT THE PROPOSED DENSITY BONUS PROVISIONS MAY MAKE PUD'S NEARLY OBSOLETE. TO DATE, ONLY ONE PUD HAS BEEN COMPLETED.

15.31 Permitted uses (current Chapters 13.10 - 13.37)

15.31.010 Purpose (NEW)

- A. The purpose of this subchapter 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.
Exception: 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 (ADD LINK).
- D. All applicable requirements of this Code, or other applicable State or Federal requirements, shall govern a use located in the City.

15.31.020 Interpretation of land use tables. (NEW)

- A. The land use tables in this chapter determine whether a use is allowed in a zone district. The zone 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 review procedures specified in Chapter ___ and the general requirements of the code.
- 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 Chapter [redacted] and conditional use fees as set forth in the current fee resolution (MIKE WILL BE ADDRESSING THIS), and the general requirements of the code.
- E. Clarification of uses and special conditions:
 - 1. If a * appears after the use, then the use is defined in EMC Chapter 15.13.
 - 2. Where an EMC 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.
 - 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.
 - 5. All applicable requirements shall govern a use whether or not they are cross-referenced in a section.

15.31.020 Use tables (NEW)

NOTE - WE’VE REWORKED CURRENT USES LISTS IN INDIVIDUAL ZONING CHAPTERS INTO USE TABLES FOR RESIDENTIAL AND COMMERCIAL USES COMBINING ALL THE MAJOR ZONES. A MAJOR GOAL HERE IS TO AVOID A SUPER-LONG AND OVERLY DETAILED LIST OF USES IN FAVOR OF CONSOLIDATED AND GENERALIZED USES - WITH LINKS TO DETAILS ELSEWHERE.

FOR NOW - WE’VE SET THIS UP IN TRACK CHANGES FORMAT TO INDICATE CHANGES FROM THE CURRENT CODE.

Table 15.31.020 Residential-based uses.

Use	R-S	R-L	R-M	R-H	R-O	C-N	T-C	C-H	C-C	C-CII	I-L	I-H

Use	R-S	R-L	R-M	R-H	R-O	C-N	T-C	C-H	C-C	C-CII	I-L	I-H
RESIDENTIAL, GENERAL												
Dwelling, single family* (EMC _____)	P	P	P		P				P	P		
Dwelling, cottage* (EMC _____)	P	P	P		P				P	P		
Dwelling, duplex* (EMC _____)	P ¹	P ^{1,2}	P		P				P	P		
Dwelling, townhouse* (EMC _____)	P ¹	P ¹	P	P	P	P ³			P	P		
Dwelling, multifamily* (EMC _____)	P ¹		P	P	P	P ³			P	P		
Dwelling, live-work* (EMC _____)			P	P	P	P			P	P		
Manufactured home park* (EMC _____)			C	P	C							
GROUP RESIDENCES												
Boarding houses, lodging houses, sororities, fraternities*		C	CP	CP	C				P	P		
Community residential facility I*	C	C	P	P	P	P			P	P		
Community residential facility II*			C	C	C	C			P	P		
STAFF - WHAT WOULD CRF'S AND ASSISTED LIVING FACILITIES FALL UNDER RIGHT NOW?												
Senior citizen assisted housing*			P	P	P	P			P	P		
RESIDENTIAL ACCESSORY USES												
Accessory uses, residential*	P	P	P	P	P	P	P	P	P	P	P	P
Accessory dwelling unit* (EMC _____)	P	P	P	P	P				P	P		
Home occupations* (EMC _____)	P	P	P	P	P	P	P	P	P	P	P	P
TEMPORARY LODGING												
Bed & breakfast*			P	P	P				P	P		
Hotels/Motels*							P	P	P	P		
Recreational Vehicle* (EMC _____)	P	P	P	P	P	P	P	P	P	P	P	P

Development conditions:

1. Subject use may be permitted subject to density bonus incentives set forth in Table 15.32.030 and EMC Chapter 15.33.
2. Duplexes are permitted in the R-L zone per the following conditions.
 - a. Lots at least 10,890 square feet in area.
 - b. Corner lots where entries are provided on separate streets.
3. Residential uses are permitted in the C-N zone provided non-residential 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.

Table 15.31.020 Non-residential uses.

Use	R-S	R-L	R-M	R-H	R-O	C-N	T-C	C-H	C-C	C-CII	I-L	I-H
RETAIL												
Auto sales, new & used							P ¹	P	P ²	P		
Commercial use providing drive-through service							P	P		P		
Farmers markets*						P			P	P		
Fruit stands*						P	P	P	P	P	P	
Heavy retail*								P	P ²	P	P	P
Nurseries & greenhouse s (commercial) *	P							P	P ²	P	P	CP
Restaurants, bars, and brewpubs*			P ³	P ³	P ³	P	P	P	P	P	P	
Retail, small scale (<2,000sf floor area)			P ³	P ³	P ³	P	P	P	P	P		
Retail, medium scale (2,000-20,000sf floor area)						P		P	P	P		
Retail, large scale (20,001-60,000sf floor area)						P ⁵		P	P	P		
Retail, super scale (>60,000sf floor area)						P	C		C	C		
NOTE - WE'VE COMBINED SEVERAL RETAIL USES INTO ONE GENERAL RETAIL CATEGORY, BUT PARCELED THEM INTO DIFFERENT CATEGORIES BASED ON SIZE. WE THOUGHT IT WAS IMPORTANT TO INCLUDE A VERY SMALL SCALE SIZE (2,000), AS WELL AS MEDIUM, LARGE, AND SUPER SIZES. 60K WAS CHOSEN AS THE												

Use	R-S	R-L	R-M	R-H	R-O	C-N	T-C	C-H	C-C	C-CII	I-L	I-H
THRESHOLD FOR LARGE, SINCE A LARGE NEW GROCERY CAN BE UP TO 50-60K, WHEREAS THE EXISTING FRED MEYER IS ABOUT 125,000. WALMARTS AND COSTCO'S ARE TYPICALLY IN THE 120-150K RANGE.												
Regional retail commercial projects (EMC _____)							C	C		C	C	
NOTE - THIS IS THE EXISTING REGIONAL RETAIL PROVISION - WHILE IT'S NOT CURRENTLY INCLUDED AS A CONDITIONAL USE IN THE I-L AND CC2, IT'S REFERENCED IN THE COMP PLAN FOR THOSE AREAS.												
PERSONAL AND GENERAL SERVICE												
Day care I facilities family day care homes (EMC _____)	P	P	P	P	P	P	P	P	P	P	P	
Day care II facilities child day care center (EMC _____)	C	C	C	C	P	P	P	P	P	P		
General service establishments*						P ⁶	P ⁷	P	P ²	P	P	
Heavy services (see Heavy retail and services definition)*								P	P ²	P	P	P
Hospitals*	C	C	C		P				C	P		
Kennels or cattery* (EMC _____)								P		P	P	
Nursing homes*	C	C	C	CP	CP				P	P		
Personal service establishments*			P ³	P ³	P ³	P	P ⁴	P	P	P		
Places of worship*	C	C	C	C	P	P			P	P		
Radio station (commercial)		C										
BUSINESS SERVICE												
Convention center*									P	P		
Offices*						P	P	P	P	P	P ⁸	
Miniwarehouse facility*								C			P	P
INDUSTRIAL												
Light industry*										P ²	P	P
Hazardous waste treatment (on-site)*							C	C	C	C	C	C
Heavy industry*												C

Development conditions:

1. Sales of used vehicles in this zone is limited to uses that include sales of new vehicles as the primary use.
2. Use must be enclosed entirely within a building.
3. Use is permitted if located adjacent to a street corner and within a **mixed-use building**.
4. Includes hair care/beautician uses only, provided it is subordinate to another permitted use. No other personal service establishments are permitted.
5. Grocery stores shall be the only retail uses permitted with more than 20,000 square feet of **gross** floor area.
6. Except for gas service stations, the use must be enclosed entirely within a building.
7. Includes gas service stations with truck stop facilities only. No other general service uses are permitted.
8. Except for office uses that are accessory to a permitted use, office uses may be permitted through the Transfer of Development Rights program (SUBJECT TO THE CITY ADOPTING AN ORDINANCE DICTATING EXCHANGE RATES AND STANDARDS).

NOTE: EXISTING COMMERCIAL USES - THE CHART BELOW INCLUDES USES CURRENTLY ADDRESSED IN CODE THAT HAVE BEEN CONSOLIDATED INTO MORE GENERALIZED USE CATEGORIES LISTED IN THE CHART ABOVE. FOR EACH USE, WE'VE INDICATED WHAT PROPOSED USE CATEGORY THEY FIT INTO, AND WHAT PERMITTED USE CHANGES ARE PROPOSED, IF ANY.

Use	R-S	R-L	R-M	R-H	R-O	C-N	T-C	C-H	C-C	C-CII	I-L	I-H
Equipment sales and service (farm and construction) Heavy retail and service								P		C		
Agriculture supply sales Heavy retail and service								P				
Lumber sales Heavy retail and service								P				
Equipment yards Heavy retail and service											P	
Grocery store Retail							C		P			
Hair care/beautician Personal service establishments							C		P			
Hardware stores Retail									P			
Laundromat Personal service establishments									P			
Repair and construction service Heavy retail and service								P				
Veterinary offices and clinics General service establishments					C*	P ⁴		CP	P ²	P	P	
Warehouses/ mini-storage General service establishments if less than 50k, otherwise Light industry								C			C	
Call centers, claim centers Light industry										P ²	P	
Cement and asphalt batch plants Heavy industry												C
Food and drug processing Light industry										P ²	P	

Use	R-S	R-L	R-M	R-H	R-O	C-N	T-C	C-H	C-C	C-CII	I-L	I-H
Glue manufacturing Heavy industry												C
Industrial and manufacturing, fabricating or processing of products mostly Light industry, except some would fall under Heavy industry										P ²	P	P
Junkyards, wrecking yards Heavy industry												C
Livestock feeding, cattle sales, livestock auctions Heavy industry												C
Printing, publishing, and allied industries Light industry										P ²	P	P
Research and development, including biotech, software Light industry										P ²	P	P
Sawmills, woodworking plants Heavy industry												C
Slaughterhouses, meat processing Heavy industry												C
Warehouse Light industry										P ²	P	P
Welding and machine shops Light industry										P ²	P	P
Wholesale Light industry										P ²	P	P

Table 15.31.030 Special uses. NOTE - DEFINITIONS MAY BE NEEDED FOR SOME OF THE USES.

Use	R-S	R-L	R-M	R-H	R-O	C-N	T-C	C-H	C-C	C-CII	I-L	I-H
PARK, OPEN SPACE & RECREATIONAL												
Cemeteries, columbarium or mausoleums	P	P										
Gardening or fruit raising (non-commercial)	P	P	P	P	P	P	P	P	P	P	P	P

Use	R-S	R-L	R-M	R-H	R-O	C-N	T-C	C-H	C-C	C-CII	I-L	I-H
Gun clubs and rifle ranges												
Golf course	P											
Recreation - outdoor (commercial)*	C						P	P			C	
Recreation - indoor (commercial)*							P	P	P	P	C	
Recreational vehicle parks (EMC _____)							P	P				
Resorts*												
Golf driving range	C						C	C				
Parks, Playgrounds (public or private)	P ¹											
CULTURAL & ENTERTAINMENT												
Adult entertainment *							P ²					
Art, performing arts, and recording studios							P	P	P	P		
Museums							P		P	P		
EDUCATIONAL												
Schools	C	C	C	C	C			C	C	C		
GOVERNMENTAL												
Court								P	P	P		
Fire facility								P				
Interim recycling facility	P ³	P										
Police facility						P ⁴	P	P	P ⁴	P	P	
Public agency or utility office						P	P	P	P	P	P	P
Public agency or utility yard	P ⁵	P	P	P	C ⁵	P	P	P				
Utility facility*	P	P	P		P	P	P	P	P	P	P	P
RESOURCE												
Agriculture*	P1											
REGIONAL												
PLACEHOLDER IF NEEDED												

Development conditions:

1. Lighting for structures and fields shall be directed away from residential areas through the use of exterior full cut-off shields or through optics within the fixture.

2. Adult entertainment facility standards:
 - a. All such establishments must be at least 1,000 feet from any residential zone, parks, schools, historic district, any dwelling, freeway, highway, interstate, or major arterial (see map on file in the city clerk's office);
 - b. All such establishments must comply with Chapter 13.49 ECC, Adult Entertainment Licenses;
3. Interim recycling facility conditions:
 - a. Interim recycling facilities in the residential zones shall be limited to drop box facilities accessory to a public or community use such as a school, fire station or community center.
 - b. In C-N, T-C, C-C, and C-CII zones all processing and storage of material shall be within enclosed buildings, except of drop box facilities for the collection and temporary storage of recyclable materials. Yard waste processing is not permitted.
4. Limited to "storefront" police offices. Such offices shall not have:
 - a. Holding cells;
 - b. Suspect interview rooms (except in the NC zone); or
 - c. Long-term storage of stolen properties.
5. 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.

15.32 Form and Intensity Standards (Replacing Chapters 13.10 - 13.37)

15.32.010 Purpose (NEW)

- A. To promote forms of development that reinforce and/or enhance the desired character of Ellensburg neighborhoods.
- B. To promote compatibility between developments.

15.32.020 Interpretation of tables (NEW)

- A. The form and intensity standards tables address the form and intensity of development specific to individual zoning districts. The zone district is located on the vertical column and the form/intensity topic being addressed is located on the horizontal row of these tables.
- B. Where an EMC reference/link appears after the form and intensity topic, then the use is subject to standards set forth in that section or chapter.
- C. If a number appears in the box at the intersection of the column and the row, refer to the development condition with the corresponding number immediately following the table. If there are multiple numbers, then all development conditions apply.

15.32.030 Form and intensity standards table - Residential zones (NEW)

NOTE - LIKE THE USE LISTS, WE'VE REWORKED THE FORM AND INTENSITY STANDARDS IN INDIVIDUAL ZONING CHAPTERS INTO TABLES COMBINING FOR RESIDENTIAL AND COMMERCIAL ZONES.

SIMILARLY - WE'VE SET THIS UP IN TRACK CHANGES FORMAT TO INDICATE CHANGES FROM THE CURRENT CODE.

Table 15.32.030 Form and intensity standards table - Residential zones.

Topic	R-S	R-L	R-M	R-H	R-O
DEVELOPMENT INTENSITY AND CONFIGURATION					
Minimum lot area (EMC _____)	7,000sf None ¹	7,000sf None ¹	7,000sf None ¹	10,000sf None ¹	7,000sf None ¹
NOTE - NEW APPROACH LARGELY MOVING AWAY FROM MINIMUM LOT SIZES - TO ALLOW FOR DENSITY AVERAGING - SINCE DENSITY MAXIMUMS REMAIN BELOW.					
Minimum frontage (EMC _____)	60 ft None ^{1,2}	60 ft None ^{1,2}	50 ft None ^{1,2}	60 ft None ^{1,2}	50 ft None ^{1,2}
NOTE - STRICT BLOCK SIZE STANDARDS WILL HELP REDUCE THE NEED FOR STRICT FRONTAGE STANDARDS.					
Density, minimum (EMC _____)	NA 6/du/ac re ³	NA 6/du/ac re ³	NA 8/du/ac re ³	8 15 du/acr e	NA 8/du/ac re ³

Topic	R-S	R-L	R-M	R-H	R-O
NOTE - WE SUGGEST ADDING DENSITY MINIMUMS IN ALL THE R-ZONES AS A HIGH PRIORITY IN PROMOTING MORE COMPACT GROWTH AND REDUCING LONG TERM ENERGY DEMANDS. FOR THE R-S ZONE, WE SUGGEST A MINIMUM OF 6 DUE TO THE LARGE EXTENT OF THE RS ZONE AND POTENTIAL LONG TERM IMPACTS OF VERY LOW DENSITY SPRAWL. IF 6/ACRE SEEMS TOO HIGH, WE WOULD NOT RECOMMEND GOING ANY LOWER THAN 4/ACRE. ALSO NOTE THAT PARCELS 1 ACRE OR LESS ARE EXEMPT FROM DENSITY MINIMUMS IN MOST ZONES.					
Density, maximum (base) (EMC _____)	6 du/acre	8 du/acre	12 du/acre No limit	12 du/acre No limit	12 du/acre No limit
Density, maximum with bonus (see EMC Chapter 15.33)	12 du/acre ⁴	16 du/acre ⁴	No limit	No limit	No limit
NOTE - WHILE WE STRONGLY SUPPORT A DENSITY BONUS SYSTEM FOR THE R-S AND R-L ZONES, WE SUGGEST REMOVING THE MAXIMUM DENSITY LIMITS IN THE R-M, R-O, AND R-H DISTRICTS ENTIRELY AS THE BEST WAY TO PROMOTE INFILL DEVELOPMENT IN THESE DISTRICTS, WHICH ARE LARGELY BUILT OUT IN SOME MANNER.					
Maximum Lot Coverage	40%	40%	50%	85% of non setback area	50%
WE SUGGEST USING FLOOR AREA RATIO AND MAXIMUM IMPERVIOUS AREA STANDARDS TO MORE EFFECTIVELY MEET COMMUNITY DESIGN AND ENVIRONMENTAL GOALS. 0.5 IS A GOOD STANDARD FOR SINGLE FAMILY AREAS, WHILE 1.25 AND 2.0 FOR THE R-M AND R-H, RESPECTIVELY, SEEM REASONABLE AFTER SKETCHING OUT SOME CASE STUDY EXAMPLES ON TYPICAL SITES. KEEP IN MIND THAT FAR PROVISIONS WORK TOGETHER WITH HEIGHT, SETBACK, AND PROPOSED DESIGN STANDARDS.					
Maximum floor area ratio (FAR) ⁶ (EMC _____)	0.5 ⁵	0.5 ⁵	1.0 ⁶	1.5 ⁶	1.0 ⁶
Maximum impervious area (EMC _____)	X% ⁷	X% ⁷	X% ⁷	X% ⁷	X% ⁷
IMPERVIOUS AREA STANDARDS TO BE COMPLETED.					
Maximum building height (EMC _____)	35 ft	35 ft	35 ft ⁸	40 45 ft ⁸	35 ft ⁸
BUILDING PLACEMENT (EMC _____) ¹⁰					
Minimum front yard (EMC _____)	15 ft ⁹	15 ft ⁹	15 ft ⁹	15 ft ⁹	15 ft ⁹
Minimum rear yard (EMC _____)	10 ft 20ft	10 ft 20ft	10 ft 20ft	10 ft 20ft	10 ft 20ft
NOTE THAT GARAGES OFF ALLEYS WILL BE EXEMPT FROM REAR SETBACKS - THIS WILL BE ADDRESSED LATER IN CHAPTER.					
Minimum interior side yard (EMC _____)	5 ft/10 ft	5 ft/10 ft	5 ft/10 ft	5 ft/10 ft	5 ft/10 ft
Minimum interior side yard (corner) (EMC _____)	5 ft	5 ft	5 ft	5 ft	5 ft

Topic	R-S	R-L	R-M	R-H	R-O
_____)					

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. **FRONTAGE - ADDRESS - LEGAL ACCESS TO PUBLIC STREET REQUIRED - DOES NOT NECESSARILY MEAN LOTS MUST FRONT ONTO PUBLIC STREET.**
3. The density minimum shall apply only to lots greater than one acre in size.
4. Exception: Projects complying with Net Zero Energy provisions may exceed the maximum density limits as set forth in EMC 15.33.020(A).
5. The maximum FAR standards for Townhouses and multifamily uses, where permitted through density bonus provisions, may be increased, as set forth on the final plat.
6. See **EMC 15.33.030** for FAR bonus provisions.
7. **PLACEHOLDER RELATED TO MAXIMUM IMPERVIOUS AREA STANDARDS/EXCEPTIONS.**
8. For buildings, or portions thereof, with pitched roofs, the maximum height may be increased by five feet. Applicable roof slopes must be at least 4:12 to qualify for this additional height.
9. Porches and covered entries may extend up to six feet into the front yard.
10. Reduced or eliminated setbacks may be permitted through the design review process for non-residential or mixed-use buildings provided the design meets the purpose of the district and applicable standards and guidelines. (TO ADD RELEVANT LINKS).

15.32.040 Form and intensity standards - Non-residential Zones (NEW)

Table 15.32.040 Form and intensity standards table - Non-residential zones.

Standard	C-N	T-C	C-H	C-C	C-CII	I-L	I-H
DEVELOPMENT INTENSITY AND CONFIGURATION							
Minimum lot area (EMC _____)	5,000sf None ¹	None ¹					
Density, minimum (EMC _____)	NA	NA	NA	NA	NA	NA	NA
Density, maximum (EMC _____)	None	None	None	None	None	NA	NA
Maximum Lot Coverage	50%	None	None	None	None	None	None
Maximum floor area	TO BE COMPLETED						

Standard	C-N	T-C	C-H	C-C	C-CII	I-L	I-H
ratio (FAR) (EMC _____)							
Maximum impervious area (EMC _____)	TO BE COMPLETED						
Maximum building height (EMC _____)	35 ft	35 ft ²	35 ft ²	None 3 5 ft ³	None 70 feet	None 35 feet ^{2,4}	None
FOR YELLOW HIGHLIGHTED BOXES - CONSIDER BONUS INCENTIVES FOR ENERGY EFFICIENCY AND TDRs							
BUILDING PLACEMENT (EMC _____)							
Minimum front yard (EMC _____)	15 ft 10 ft ⁵	10 ft ⁵ 15 ft	10 ft ⁵ 15 ft	None ⁵	None ⁵	None 10 ft ⁵	None 10 ft
Minimum rear yard (EMC _____)	None20 ft	10 ft	10 ft	None	None	None	None
Minimum side yard (EMC _____)	None5 ft/10 ft	None	None	None	None	None	None

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 sites outside of the historic district, the height limit shall be 6-stories or 70 feet, whichever is more.
4. PLACEHOLDER TO ALLOW GREATER HEIGHT IN I-L ZONE THROUGH EITHER ENERGY EFFICIENCY OR TDR INCENTIVE.
5. For exceptions and detailed standards, see EMC _____(SITE ORIENTATION STANDARDS IN ARTICLE 5).

PLACEHOLDER FOR SECTIONS CLARIFYING DENSITY AND FORM AND INTENSITY STANDARDS

15.32.050 Lot and Density Calculations (NEW)

15.32.060 Height Exceptions (NEW)

15.32.070 Setback Measurements (NEW)

15.32.080 Lot or Site Divided by Zone Boundary (NEW)

15.32.080 Sight Distance Requirements (NEW)

15.33 Density bonus incentives

15.33.010 Purpose

- A. To promote a variety of housing types.
- B. To promote green building policies and practices.
- C. To promote compact development patterns that encourage the use of non-motorized forms of transportation.
- D. To promote the integration of parks, open spaces, trails, natural area preservation, and public facilities into the design of new developments.
- E. To encourage (PLACEHOLDER FOR TDR)

NOTES AND ASSUMPTIONS ABOUT DENSITY BONUS FOR REVIEWERS:

- THE DRAFT HEREIN IS JUST OUR FIRST DRAFT, AND WE FULLY EXPECT REFINEMENTS WILL BE NEEDED TO FIT THE OBJECTIVES OF THE COMMUNITY.
- THE INTENT WAS TO FIND THE SWEET SPOT WITH THE BONUS MEASURES - NOT TOO CHALLENGING THAT NO ONE WILL BOTHER, BUT NOT TOO EASY IN THAT THE CITY GETS NOTHING IN RETURN.
- BETWEEN THE DIFFERENT TYPES OF BUSES - THE GOAL WAS TO CREATE SOME EQUITY/BALANCE - AVOIDING THE SCENARIO WHERE ONE TYPE OF BONUS IS MUCH EASIER THAN ANOTHER.
- NOT ALL DEVELOPERS WILL CHOOSE TO USE THE BONUS SYSTEM - AND NOT ALL THOSE THAT DO WILL CHOOSE THE MAXIMUM BONUS.
- NET ZERO ENERGY PROJECTS ARE THE ONLY BONUS MEASURE THAT ALLOWS MORE THAN DOUBLE THE DENSITY INCREASE. THAT IS BECAUSE THEY ARE VERY DIFFICULT AND MORE EXPENSIVE TO DO. VERY FEW OF THESE PROJECTS HAVE BEEN COMPLETED IN WASHINGTON STATE. THEREFORE, A SIGNIFICANT BONUS IS NEEDED TO PROVIDE AN INCENTIVE.
- THE BONUS PROVISIONS ARE STRUCTURED TO ENCOURAGE APPLICANTS TO UTILIZE MULTIPLE TYPES OF BONUS ELEMENTS, SUCH AS ENERGY EFFICIENT DESIGN, TRAILS, AND HOUSING MIX.
- AS WE PROCEED, WE WILL DEVELOP SOME CASE STUDIES TO HELP PARTICIPANTS UNDERSTAND HOW THIS MIGHT WORK.

15.33.020 Density bonus system for the R-S and R-L zones (NEW)

Table 15.33.020 below summarizes the types of bonus elements and the range of density bonuses by percentages for each element. Details and conditions for each bonus element are provided in paragraphs (A) through (F) in this section.

Developments may use a combination of bonus elements provided they comply with the maximum density provisions set forth for the zone in Table 15.32.030. An exception to the maximum density provisions are only provided for projects complying with Net Zero Energy standards as set forth in paragraph (A) below.

Table 15.33.020. Density bonuses for the R-S and R-L zones.

Bonus element	Density bonus % increase	Special conditions
Energy efficient construction/ Built Green, LEED or other similar environmental certification	25-150%	See (A) below for details.
Greater mix of housing types/ uses	15- 45%	See (B) below for details. This option may be applied to all development sites wit h at least 5 acres.
Off street trails	15-50%	See (C) below for details.
Dedicated parkland and/or other permanent open space	Up to 50%	See (D) below for details.
Investment in public facilities	Up to 50%	See (E) below for details.
Transfer of development rights (TDR)	Up to 50%	See (F) below for details.

A. Energy efficient construction. Four tiers of density incentives are employed to promote increasing levels of efficiencies in new developments: 15%, 30% and 60% energy use reductions, and net zero energy. The following table outlines possible compliance paths for single family, duplex and townhomes developments, particularly those in the R-S and R-L zones.

Table 15.33.020(A). Energy efficiency Density bonuses for the R-S and R-L zones.

NOTE - AS THIS TABLE IS RELATIVELY COMPLICATED, WE'RE TRYING TO FIND BEST TABLE FORMAT THAT'S USER FRIENDLY - WE WELCOME COMMENTS ON WHAT'S CONFUSING AND HOW IT COULD BE IMPROVED.

Energy Performance Thresholds & Density Bonus % Increase	15% Energy Savings = 20% Density Bonus Increase	30% Energy Savings = 50% Density Bonus Increase	60% Energy Savings = 100% Density Bonus Increase	Net Zero Energy = 150% Density Bonus Increase
Compliance Paths for Single Family, Cottages, Duplexes, and Townhouses				
Outcome-Based			Passive House (OBC)?	Living Building Challenge
Prescriptive or Modeled Performance-Based	Built Green 4-star*	Built Green 5-star*		
	LEED-Homes** Min. 2 points EAc1 (OBC?)	LEED-Homes** Min. 13 points EAc1 (OBC?)	LEED-Homes** Min. 26 points EAc1 (OBC?)	
	Northwest Energy Star (13%***)			
	Prescriptive compliance through WSEC**** 2 additional credits beyond code	Prescriptive compliance through WSEC**** 4 additional credits beyond code	Prescriptive compliance through WSEC**** 7.5 additional credits beyond code	
Compliance Paths for Multifamily				
Outcome				Living Building Challenge
Performance	LEED-NC certified** w/min 3 points earned for EA c1 (16% energy savings)	LEED-NC certified** w/min 10 points earned for EA c1 (30% energy savings)		

B. Mix of housing types/uses. Up to a 50 percent density bonus may be provided for providing a diversity of housing types and/or providing for a . This option may be applied to all development sites at least five acres in area.

1. Housing mix density bonus table.

Table 15.33.020(B). Housing mix density bonuses.

Housing mix	Density bonus
At least 33% of the dwelling units are “alternative housing types” as defined below. At least two alternative housing types must be employed, with each type accounting for no less than 5% of the total units.	15%
At least 50% of the dwelling units are “alternative housing types” as defined below. At least two alternative housing types must be employed, with each type accounting for no less than 10% of the total units.	30%
At least 67% of the dwelling units are “alternative housing types” as defined below. At least three alternative housing types must be employed, with each type accounting for no less than 10% of the total units.	45%

2. Alternative housing types include:

- a. Accessory dwelling units (ADU), complying with design standards set forth in EMC 15.54.040. **Also note that while ADU’s do not count** as a unit for the purpose of calculating density, they may be counted as an alternative housing type for the purpose of calculating the percentage of alternative housing types to total permitted units.
- b. Small detached single family homes. This includes homes no larger than 1,400 square feet in gross floor area, excluding an attached or detached garage or other non habitable floor area. Such homes must comply with design standards set forth in EMC 15.54.020.
- c. Cottage dwelling units, complying with design standards set forth in EMC 15.54.050. Also note that each cottage shall count as one-half of a dwelling unit, for the purpose of calculating allowed density. However, for the purpose of determining the percentage of alternative housing types, each cottage dwelling may be counted as a single unit.
- c. Duplexes or triplexes, complying with design standards set forth in EMC 15.54.030.
- d. Townhouses, complying with design standards set forth in EMC Article 5 and notably EMC 15.54.060.
- e. Multifamily buildings, complying with design standards set forth in EMC Article 5.
- f. Proposed non-residential uses may be included as an alternative housing type for the purpose of calculating the percentage of alternative housing types to total permitted units. Each 2,500 square feet of lot area where ground floor non-residential uses are required shall equate to one alternative housing type for the purpose of calculating the percentage of alternative housing types to total permitted units.

3. The specific location, mixture, and amount of housing shall be indicated on the final plat to ensure compliance with the density bonus provisions herein.

C. Off-street trails.

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

Table 15.33.020(C). Off-street trail density bonuses.

Trail Type	Trail Extent	Density Bonus %
Walking, soft surface	>1lf of trail/4lf of site perimeter length;	15%
	>2lf of trail/4lf of site perimeter length.	25%
Walking, hard surface	>1lf of trail/4lf of site perimeter length;	20%
	>2lf of trail/4lf of site perimeter length.	30%
Multi-use	>1lf of trail/4lf of site perimeter length;	25%
	>2lf of trail/4lf of site perimeter length.	40%

2. Standards for trails. Trails may either be a soft surface walking path, a hard surfaced walking path, or a wider hard surfaced multi-use pathway. **(ADD LINK TO CITY STANDARDS - AND/OR ADD SUPPLEMENTAL DIMENSIONS/STANDARDS)**
3. Context. The trails must be integrated into the design of the development as an amenity as determined by the City. **ADD EXAMPLES, DETAILS, PERHAPS TIE TO CPTED PRINCIPLES IN TERMS OF VISIBILITY FROM DWELLING UNITS.**

D. Parkland and Open Space.

1. Density bonus. The density bonus percentage is based on the amount of additional dedicated parkland and/or permanently protected open space on-site as set forth below.

Table 15.33.020(D). Parkland and open space density bonuses.

Increase in the amount of park/open space	Density bonus %
10-19% increase over base requirements.	10%
20-34% increase over base requirements.	15%
35-49% increase over base requirements.	20%
50% or more increase over base requirements.	30%

2. Parkland and open space standards.
 - a. Parks and open space integrated into new subdivisions shall meet the design criteria set forth in EMC 15.41.040.
 - b. Provisions for long term maintenance for parks and open space shall be required by the City. (NOTE TO STAFF - DETERMINE WHETHER WE NEED TO INCLUDE MORE SPECIFIC LANGUAGE - ADDRESSING COVENANTS, ARTICLES OF INCORPORATION, AND/OR OTHER GUARANTEES?)

E. Investment in public facilities.

Developments qualify for a density bonus for constructing on-site public facilities consistent with the Comprehensive Plan. The number of bonus units is based on the investment made by the developer in the facility, up to a maximum of a 50 percent density bonus. (NOTE - OBJECTIVE HERE WOULD BE TO COME UP WITH #'S/STANDARDS SO THAT THIS OPTION IS SOMEWHAT ON PAR WITH TDR EXCHANGE RATES, THOUGH THOSE RATES MAY CHANGE DEPENDING ON MARKET CONDITIONS. WHILE THIS OPTION MAY BE MORE COMPLICATED, IT'S WORTH CONSIDERING AT THIS POINT.)

F. Transfer of Development Rights.

1. Density bonus. Developments may purchase the rights to develop additional units through the City's TDR program (THIS IS SUBJECT TO THE CITY ADOPTING A TDR PROGRAM - FOR NOW THIS COULD BE A PLACEHOLDER) in the amount equal to a 50 percent increase in on-site density. For example, if 60 dwelling units are permitted under base maximum density requirements, then up to 30 additional dwelling units may be developed on the site if purchased through the City's TDR program.

15.33.030 Floor area ratio (FAR) bonus system for the R-M and R-O zones (NEW)

Projects may qualify for FAR bonuses in the R-M, R-H, and R-O zones per the following:

1. Projects obtaining Built Green, LEED or other similar environmental certification may increase the allowable FAR by 0.25 FAR in the R-M and R-O zones and by 0.5 in the R-H zones.
2. Projects may increase the allowable FAR by 0.25 FAR in the R-M and R-O zones and by 0.5 in the R-H zones through the City's TDR program (PLACEHOLDER FOR FUTURE ADOPTION).

15.33.040 Height bonus system for the I-L zone (NEW)

Projects may qualify for additional building height allowances in the I-L zone per the following:

1. Projects obtaining Built Green, LEED or other similar environmental certification may increase the allowable height by one floor or 12 feet (whichever is more).
2. Projects may increase the allowable height by up to two floors or 25 additional feet through the City's TDR program (PLACEHOLDER FOR FUTURE ADOPTION - OPPORTUNITY TO CREATE A TIERED SYSTEM BASED ON HOW MANY

DEVELOPMENT RIGHTS ARE PURCHASED).

15.34 Index of Supplemental Use Criteria

CHAPTER TO BE COMPLETED - WE WILL INCORPORATE AND REFINE APPLICABLE EXISTING SUPPLEMENTAL STANDARDS - TWO EXAMPLES ARE INCLUDED BELOW.

15.34.010 Purpose (NEW)

15.34.020 Bed and Breakfasts (NEW)

Bed and breakfasts shall be permitted in accordance with the use tables in EMC 15.31.020, subject to the following:

- A. An approved floor plan shall be kept on file with the Inspections Department.
- B. An owner shall reside on site.
- C. There shall be no substantial modifications to the exterior appearance of the structure; however, fire escapes, handicapped entrances and other features may be added to protect public safety.
- D. Breakfast shall be available on the premises only for guests and employees of the inn. Rooms may not be equipped with cooking facilities. No other meals shall be provided on the premises.
- E. Parking shall not be allowed between the building and the street. (REFINED FROM DURHAM, NC)

15.34.020 Recreational vehicle (NEW)

Recreational vehicles (RVs) may be occupied for temporary lodging for up to two weeks (two weeks equals one occupancy) on a lot with the permission of the property owner subject to the following conditions:

- A. Limited to one recreational vehicle per lot plus additional recreational vehicles for every additional 10,000 square feet of lot, above the minimum lot size for a particular zone;
- B. No more than two occupancies per calendar year per lot;
- C. Such occupancy does not create a public health hazard or nuisance;
- D. RV must be parked on approved surface that meets the off-street parking construction standards in the engineering guide;
- E. RV may not be parked in yard setbacks;
- F. RV may be occupied for temporary lodging for up to 30 days if connected to approved utilities including water and wastewater disposal;
- G. No business occupation shall be conducted in said recreational vehicle;

- H. Recreational vehicles shall not use generators;
- I. Any deviation from time limits, number of occupancies per year, and number of recreational vehicles allowed may be proposed through a **temporary use permit**, EMC _____. (FROM CITY OF SHORELINE)

15.35 Master Site Plans for Regional Retail Commercial Projects (Chapter 13.25)

NOTE - NO SUBSTANTIAL CHANGES WILL BE PROPOSED

15.35.010 Purpose (13.25.010)

15.35.020 Where regional retail commercial master site plans are permitted (current 13.25.020)

15.35.030 _____

15.35.040 _____

15.36 Airport Overlay Zone (Chapter 13.11)

NOTE - NO SUBSTANTIAL CHANGES WILL BE PROPOSED

15.36.010 Purpose (13.11.010)

15.34.020 Placeholder for remaining sections

15.38 Annexations (TO BE COMPLETED)

NOTE THAT WE WILL ADD POLICY RELATED TO ANNEXATIONS PLUS WE ARE PLANNING ON TAKING OUT ALL INDIVIDUAL ANNEXATIONS OUT OF THE CODE - CURRENTLY LISTED IN EMC 10.02