Land Development Code Gap Analysis/Audit
Draft – October 1, 2010

Table 1: Gap Analysis of Regulatory Issues Identified in the Comprehensive Plan

The purpose of Table 1 is to identify gaps in the Land Development Code per the recently updated Comprehensive Plan. The table is organized by categories that range from general code organization and usability to particular types of development (commercial development, for instance). The first three columns identify the specific code issue, specific Comp Plan goal or policy, related code section and relevant details. The comments/considerations column includes relevant observations and items to be considered in this code update process. The comments and considerations are based on a combination of the consultant team's technical review, staff input, and stakeholder input received thus far. Also included is a column related to energy use. If there is a checked box under the energy issue column, then there are significant energy use implications related to the particular code issue.

Code Issue	Comp Plan Direction	Current Code/ Standards	Comments/Considerations	Energy Issue
GENERAL CODE ORGANIZATION, ELEMENTS & USABILITY				
User-friendly codes and consistency	**Goal LU-1-A:** Provide clear and consistent development review standards and processes. **Policy LU-2-B-3:** Streamline development review processes.	Land use permit application/review procedures are in Title 1 (Chapter 1.68) whereas subdivision procedures are in Title 12 and other zoning permits are in Title 13.	• Current provisions and organization are very confusing. • Staff has prepared draft updated process provisions, including organization into permit "types" similar to most other communities. • Illustrations are needed to help clarify review process. • Interest in consolidating all process/procedures material in one chapter/title.	
Flexible development regulations	**Policy LU-1-A-6:** Review alternative development regulations such as binding site plans, cluster subdivisions, and other tools.	No current option for binding site plan (new ordinance is needed – also see RCW 58.17.035) Cluster subdivisions are permitted only through a PUD.	• Binding site plan ordinance is needed – (review RCW 58.17.035 and other examples.) • Clustering lots is only permitted through the PUD ordinance, which has only been used once and is viewed as too costly and time consuming for the limited benefits. • Consider allowing clustering/density bonus provisions within the standard subdivision approval process.	
Provisions for phased development	**Policy LU-2-D-3:** Phase developments to ensure optimal use of land.	Phasing is permitted through subdivisions and PUD.	• Update phasing provision per State Subdivision Code from 5 to 7 years. – RECENTLY COMPLETED • PUD phasing provisions to be reviewed. • Consider whether other phasing provisions may be needed outside of the subdivision and PUD processes.	

Code Issue	Comp Plan Direction	Current Code/ Standards	Comments/Considerations	Energy Issue
UGA/COUNTY COORDINATION/ZONING ISSUES				
UGA coordination with County	**Policy LU-2-A-3:** Coordinate with County to revise zoning to include Urban Reserve Zone for areas within and surrounding UGA. Also - **Policy CFU-1-C-1:** Adopt an urban reserve land use designation for those areas in the UGA furthest from existing urban Development.	For areas outside city limits but within the UGA – variable zoning exists. Most areas to the north and east are zoned Urban Residential, which is almost identical to the City's R-S zone (7,000sf lots min).	• Although this is beyond the scope of this project, MAKERS will contact County planners to discuss issue.	
	Policy LU-4-A-1: Participate in County land use planning to ensure that zoning regulations are consistent with Ellensburg's plans. (Goal LU-6 covers similar City-County coordination)	See above.	• Coordinate with County planners throughout the planning process.	
	Policy T-3-G-1: Coordinate with County to identify and preserve major rights-of-way corridor and connectivity.	City has identified ROW corridors to be protected/implemented in conjunction with new development. (ID document)	• Contact County planners/maintain coordination with County planners throughout the planning process.	☒
	Policy T-7-A: Coordinate with County to align ROW's in a manner that helps conserve prime farmland.	City has identified ROW corridors to be protected/implemented in conjunction with new development. (ID document)	• Contact County planners/maintain coordination with County planners throughout the planning process.	
	Policy CFU-1-A-2: Consider a tiered UGA to give preference to land development nearer to the city.	There is no specific preference in Code for closer in land development.	• Staff note: City now employs a market-based approach – if developers are willing to pay for the extension of roads, water and sewer to their property (within UGA), they can develop it per zoning (even if on outer edge). Perhaps UGA is not large enough to warrant tiered growth zones?	☒
	Policy CFU-1-A-2: Revise zoning to incorporate specific standards for compact urban-style projects in planned unit developments in the UGA.	Current subdivision/zoning standards (other than City Center districts) do not encourage compact development. To date, only one project has used the PUD provision.	• Consider revisions to subdivision and zoning standards that meet objectives. For example, consider changes that allow for/encourage clustering of lots. Consider updating density provisions including density bonus provisions in exchange for high quality design and/or energy efficient design.	☒

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GENERAL GROWTH, LAND USE & COMMUNITY DESIGN ISSUES				
Compatible development in neighborhoods	**Policy HP-2-A-13:** Create design standards that help to continue the existing façade patterns within the immediate neighborhood of a project building.	All developments are subject to base zoning requirements (permitted uses, minimum yards, maximum building height, minimum open space, maximum density, and minimum parking requirements). Historic landmarks, historic district properties, and most commercial and multifamily developments are subject to design review (Chapter 1.45 design standards and guidelines)	• Review and revise current standards/guidelines as necessary to meet objectives. Specifically, consider façade articulation standards for various types of development/neighborhoods set to intervals consistent with existing/desired development patterns and include a toolbox of façade articulation options for applicants to choose from. Offer departure options provided the alternative meets the intent of the standards (clear intent statements are needed). Provide good and bad graphic examples.	
Pedestrian access along major transportation corridors	**Policy T-3-H:** Enhance pedestrian and vehicular links between downtown and the university and along Canyon Road, University Way, and Dolarway Road. **Policy T-6-A-1:** Review zoning designations along major transportation corridors.	Section 3 Street Standards call for sidewalks in conjunction with new development or publicly initiated improvements. Section 3 also includes standards for driveway design and placement. The existing design standards and review process set forth in Chapter 1.45 address the design of most commercial and multifamily development along these corridors. Existing standards encourage pedestrian-oriented development.	• The Non-Motorized Transportation Committee (NMTC) has been working on updated street design standards for arterials and all other streets. The LDCU team recently met with the NMTC to discuss proposed policies and standards, other ideas/concepts to enhance pedestrian access, the respective roles & products of each group, and next steps. • Consider updates to applicable zoning regulations and design standards provisions to meet objectives. Current standards include ambiguous language that can be troublesome to implement and pose potential legal challenges. • Encourage mixed uses along major transportation corridors to decrease transportation-related energy use.	☒
RESIDENTIAL USES				
Infill development in residential neighborhoods	**Policy LU-2-B:** Create a density bonus system for infill development	No density bonuses currently available, except for PUD process (Chapter 13.38) (up to 30 percent). No maximum density currently in CC zones.	Consider updating density provisions in applicable zoning districts. Examples could include: • Consider density bonus provisions based on community benefit features and/or energy efficient features (examples include tier bonuses based on level of efficiency or level of green standard achieved, i.e. higher bonuses for higher performing buildings). • Consider eliminating maximum dwelling unit/acre in areas	☒

Code Issue	Comp Plan Direction	Current Code/ Standards	Comments/Considerations	Energy Issue
			intended for townhouses and multifamily housing types – instead let height limit, market conditions and design standards dictate density.	
Housing type variety	**Policy LU-8-A-3:** Revise zoning and subdivision standards to permit a variety of less consumptive housing types. **Policy LU-8-A-4:** Limit the amount of land that can be used for single family development. **Policy H-2-A:** Encourage housing type variety: 1. Revise zoning and subdivision regulations to allow more density, offer more design flexibility, and mixing of uses. 2. Locate housing near services to minimize transport cost 3. Create a workable model for cottage housing and cluster housing. **Policy H-2-B-3.** Ensure that zoning allows duplexes, triplexes, and fourplexes within the city.	Title 13 provides for permitted use lists in zoning districts. Accessory dwelling units and cottage housing are not addressed in the zoning code. The zoning code includes provisions for duplexes, triplexes, fourplexes, and multifamily, but does not call out townhouses as a particular housing type.	Consider updates to subdivision and zoning district provisions including: • Consider allowing cluster developments as part of the regular subdivision process. • Consider providing for average minimum lot sizes over strict lot size minimums. • Consider density bonus provisions based on community benefit features and/or energy efficient features (examples include tier bonuses based on level of efficiency or level of green standard achieved, i.e. higher bonuses for higher performing buildings). • Consider eliminating maximum dwelling unit/acre in areas intended for townhouses and multifamily housing types – instead let height limit, market conditions and design standards dictate density. • Consider a cottage housing ordinance with incentives for cottage housing in single family areas (such as two cottage units = one regular dwelling unit) provided they adhere to strict cottage housing design standards. • Consider revisions to the list of permitted housing types based on Comp Plan policies, community input, and design standards.	☒
Accessory dwelling units	**Policy H-2-B-2.** Ensure that regulations allow for accessory dwelling units.	Accessory dwelling units are not addressed in current codes. Washington Housing Policy Act requires cities to plan for and provide more affordable housing opportunities, including ADUs, in their communities	• Explore optional provisions for encouraging ADU's within the residential and mixed-use zoning districts. This includes an option for both attached and detached ADU's. Provide a clear definition, size limits, and design provisions.	☒
Affordable housing	**Policy H-2-C.** Create affordable housing opportunities: 1. Create senior housing. 2. Revise zoning to accommodate innovative	Title 14 (Traffic Impact Fees) exempts low income housing from impact fees. Also, the PUD ordinance provides for incentives for low income housing (up to 10%	• Consider other incentive options for affordable housing. A possible consideration includes density bonuses as part of regular subdivision process.	

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	housing solutions. **Policy H-3-E-6:** Develop a density bonus program for providing affordable units (under 80% median income).	density bonus). To date, neither provision has been used.		
		COMMERCIAL & MIXED USES		
Guiding regulations for north and south interchange areas	**Policy LU-1-A-3:** Create a regional retail zone and design guidelines. **Policy LU-2-D:** Study application of form-based codes for the interchange area. **Policy LU-3-H-1:** Consider adopting development regulations for the west and south interchange areas to address compatibility issues. **Policy LU-4-D-1:** Examine zoning/ design standards for development along Canyon Road and University Way to recognize area's unique qualities, opportunities, and contribution to the city's character.	Underlying zoning in these areas is Tourist Commercial (T-C) with some Highway Commercial (C-H) zoning in the south interchange area. In 2007, the City adopted Chapter 13.25, Master Site Plans for Regional Retail Commercial Projects. EMC 1.45.540(F) includes design standards for regional retail areas. Staff noted that the Comp Plan LU Map identifies the Light Industrial zone (IL) as an implementing zone for regional retail in those interchange areas, but implementing language has not been adopted.	• Staff noted that this was a major policy issue in the recent Comp Plan update and that there is now a preliminarily approved master site plan for a regional retail commercial development at the west interchange that meets the requirements of the chapter. • Staff also noted that the code update should address the topic of subarea planning – particularly for the interchange areas. • Review Chapter 13.25, work closely with staff, and consider options/edits, as warranted. Avoid changes that conflict with recent Comp Plan update. • Consider zoning/design standard updates applicable to other portions of the Canyon Road and University Way corridors that meet objectives. This includes standards for development frontages, including building/parking lot location, building orientation, pedestrian access, façade design, and landscaping standards.	
Neighborhood commercial development	**Policy LU-1-A-4:** Modify the Commercial Neighborhood zone to incorporate "urban satellite village" concepts to serve areas distant from downtown.	Staff has noted that the current C-N provisions set forth in Chapter 13.20 are too restrictive to effectively serve newly developed areas.	• Consider updates to the C-N zone to meet objectives. For example, expand the current list of permitted uses and consider revising the siting limitations for the C-N zone.	☒
Office/business park provisions	**Policy LU-1-A-5:** Create an office/business park zoning district or allow office/business parks within an existing zone (such as IL, IH, CT, and CH) and develop design standards.	The Light Industrial District (I-L) includes minimum size restrictions that make business parks challenging, if not prohibitive (min 5,000sf for individual tenant). Highway Commercial (C-H) and Tourist Commercial (C-T) both allow office uses. Office uses are prohibited as a primary	• Explore options/benefits/drawbacks of office park provisions in the I-L zone.	

Code Issue	Comp Plan Direction	Current Code/ Standards	Comments/Considerations	Energy Issue
		use in the Heavy Industrial district (I-H).		
Mixed-use development	**Policy LU-1-B-1:** Revise zoning to encourage mixed-use.	Both Central Commercial zones (CC-1 and CC-2) allow for mixed-use (commercial and residential). The R-O zone allows a limited mix of office and residential uses. The Neighborhood Commercial zone (C-N) does not allow mixed-use.	• Consider options to broaden the mix of uses in the R-O and C-N zones. • Explore options to allow some neighborhood commercial/ office uses in large residential developments. • Consider options for residential uses in C-T and C-H zones.	☒
Strip commercial development	**Policy LU-4-B:** Discourage uncoordinated strip development	Zoning provisions (Title 13) and design standards (Chapter 1.45) influence the coordination of commercial development.	• Consider options to update zoning and design standards provisions to meet objectives. For example, provisions for the design of side and rear yards have a big impact on this issue. Also, provisions for internal pedestrian and vehicular impact affect the issue.	☒
Setback flexibility in commercial districts	**Policy LU-7-C-2:** Revise zoning to permit zero or reduced buildings setbacks in commercial districts.	No setbacks are required for uses in the Central Commercial (C-C), Light Industrial (I-L), and Heavy Industrial (I-H) zones. The Highway Commercial zone (C-H) provides for minimum front and rear setbacks, but no side yards. All other zones allowing commercial uses require setbacks.	• Consider options for reduced front yard setbacks in some commercial zones (where not currently allowed). • Review design standard provisions for the treatment of side yards in commercial and mixed-use development to ensure that developments are coordinated and compatible.	☒
DOWNTOWN/HISTORIC DISTRICT (CENTRAL COMMERCIAL ZONES)				
Design of Downtown development	**Policy LU-1-A-1+2:** Prepare a Downtown Historic District urban design and land use plan to maintain and enhance the district's intimate scale and character + Review and revise the Downtown Historic District Design Guidelines. (Policies HP-1-B and HP-2-A are similar – addresses materials, massing, rhythm of downtown) **Policy LU-1-B-3:** Study the use of form-based zoning for application in the CC	The provisions of the Central Commercial zone (C-C-1)(Chapter 13.28), Downtown Historic District (Chapter 13.37), and design standards (Chapter 1.45) influence the design of new development downtown.	• Review current zoning and design provisions and consider changes as needed to meet objectives. Per early review and stakeholder input, some considerations include updates to site and building design provisions, ground floor uses, landscape design, and pedestrian amenities. • Consider a system of form-based development frontage standards for downtown.	

Code Issue	Comp Plan Direction	Current Code/ Standards	Comments/Considerations	Energy Issue
	zones.			
Historic preservation and adaptive reuse	**Policy HP-1-A:** Develop comprehensive criteria and review local guidelines to ensure continued adequacy of project review for demolition, remodels, or infill development within historic district. *(this involves more than just downtown).* **Policy HP-3-A-2:** Review and publicize existing ordinances related to demolition and ensure they effectively discourage destruction of historic structures.	Chapter 1.45 currently addresses development applications for landmarks and historic districts.	• Consider update options for Chapter 1.45, notably: ○ Move chapter out of Title 1 and into a unified development code. ○ Clarify standards/guidelines. ○ Consider separating design review provisions for historic properties from provisions for non-historic properties. ○ Consider other policy related design review updates per community input (for example, should City discourage design emphasizing a false sense of historicism?). ○ Consider modifications to Section 1.45.380 involving modifications to landmarks register properties. For example – participants were concerned that single family homes are exempt from provision. Also, consider applying provisions to other pre-1950's structures outside of historic districts that qualify as "eligible for the National Register" (participant request) • Explore opportunities for incentivizing adaptive reuse in the land development codes as a means of lowering energy impact associated with demolition and new construction. Consider how up-zoning can encourage demolition of existing structures with lower densities. • Consider how energy efficiency upgrades and renewable energy systems can be applied to existing buildings in downtown and historic districts while preserving existing character.	☒
Compatible retail development downtown	**Policy HP-3-B-3:** Review design guidelines for appropriateness and effectiveness to inform design of large retail projects in or adjacent to the Downtown Historic District.	Chapter 1.45 design standards and guidelines address issue. Also, basic dimensional standards for the applicable zoning district apply.	• Design standards in Chapter 1.45 lack clarity – both to staff and applicants. Update provisions to provide clear minimum standards, and develop criteria for departures.	
Residential infill development donwtown	**Policy LU-1-A-3:** Create a residential density bonus incentive program to reward developers for infill housing projects in and around the Central	Current CC zone allows residential development at unlimited heights and density.	• Since unlimited heights and densities are now allowed, other incentive ideas need to be explored. Possible considerations include fast track permitting and reduced fees. • Explore whether other existing regulatory provisions are	☒

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	Commercial zones.		discouraging residential infill development.	
Downtown pedestrian access	**Policy T-3-C:** Enhance pedestrian access throughout downtown.	Current codes influencing pedestrian access downtown include public street design standards (Section 3 of Public Works Standards), Central Commercial zone (C-C-1)(Chapter 13.28), Downtown Historic District (Chapter 13.37), and design standards (Chapter 1.45).	• Coordinate with Non-motorized Transportation Committee in their plans to update street design and pedestrian access provisions. • Review and update zoning (Title 13) and design standard (Chapter 1.45) provisions, as needed. Notable elements are ground level use provisions, storefront and façade design, blank wall treatments, pedestrian amenity provisions, and other provisions affecting development frontages.	☒
INDUSTRIAL USES				
Uses compatible with industrial uses	**Policy LU-1-B-8:** Locate compatible uses with the industrial property near the proposed third I-90 interchange at Umptanum Road.	Much of the land adjacent to the Umptanum Road/1-90 overpass is now unincorporated County land within the UGA. Nearby properties along Industrial Way are zoned Heavy Industrial (I-H) (see Chapter 13.32).	• Staff noted that that 3rd interchange was found to be unworkable and that the Comp Plan references to it were supposed to be removed.	
INSTITUTIONAL USES				
Locate new public uses in the downtown area	**Policy LU-3-B:** Review and revise zoning, if necessary, to permit public uses downtown + prohibit large public uses other than schools and public safety facilities distant from downtown.	Public uses are permitted in the Central Commercial (C-C), Neighborhood Commercial (C-N) & Light Industrial (I-L) zones. Also, public museums are allowed in the Tourist Commercial (C-T) zone.	• Consider revisions to permitted use lists outside of the C-C-1 zone to implement Comp Plan policy.	☒

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ENVIRONMENTAL ISSUES & GREEN BUILDING				
Low impact development	**Policy LU-3-D-5:** Create stormwater runoff designs and strategies that minimize the amount of land necessary to treat runoff from parking areas.	Stormwater Standards, Chapter 4 Site Design and Low Impact Development	• Consider adding pervious pavements, rain gardens, and conveyance swales integrated into parking design standards to address stormwater runoff. Also consider provisions for light-colored hardscapes. • Consider requiring low impact development BMPs where feasible on a development site. Or create incentives to encourage LID over conventional practices such as reduced stormwater utility fees.	☒
Green building	**Policy LU-9-A:** Encourage and support "Green Building Policies and Practices"	Current codes that influence green building strategies: • Public Works Development Standards including stormwater, water and waste-water connections, street design, and parking standards. • Zoning provisions (Title 13) including densities, setbacks, open space (pervious area), building heights. • Chapter 13.38 PUD (density bonuses for energy efficiency and environmental design practices) • Design standards (Chapter 1.45). Most notably, 1.45.540.F.5.d.vi of the design standards states that "Green building practices or environmentally sensitive and innovative design and materials are encouraged and should comply with LEED standards."	• Consider how the land use code supports green building practices. One pathway is through standards that require principals of green design. Another is through flexibility in the codes to allow for innovative green projects to serve as models for sustainable development. Consider a combination of both approaches for this effort. • Determine most appropriate location in Land Development Code for energy efficient design provisions and provide guidance on green building policies and practices. • Consider provisions for electric vehicle charging stations.	☒
Water & energy efficiency	**Policy CFU-6-C:** Promote water and energy efficiency and alternative energy sources. Promote the use of solar and other renewable technology within the community. Promote and support the use of Energy Star and Green Building	Applicable EMC titles include Title 3 (Building & Fire), Title 4 (Public Works & Construction), Title 9 (Utilities), Title 12 (Subdivisions), and Title 13 (Zoning). Also see Public Works Development Standards including stormwater, water	• Consider density bonus provisions for high performance water/energy efficient design elements. • See related green building comments/considerations.	☒

Code Issue	Comp Plan Direction	Current Code/ Standards	Comments/Considerations	Energy Issue
	practices in new construction.	and waste-water connections, street design, and parking standards.		
PARKING				
Provisions to avoid excessive parking	**Policy LU-2-D-1:** Prohibit over-parking or charge a fee for projects providing more parking than required by code.	Parking space requirements are currently addressed in Section 6 of the Public Works' Development Standards.	• Consider regulatory options to implement policy. Examples could include requiring parking provided above code minimum to be compact-size spaces.	☒
Flexibility on the minimum number of parking spaces provided	**Policy LU-3-D-3:** Review parking requirements to reduce/eliminate minimum requirements in downtown, while still ensuring sufficient parking for shoppers and residents. **Policy LU-3-E-1:** Develop parking standards that provide credit for mixing uses.	Parking space requirements are currently addressed in Section 6 of the Public Works' Development Standards. Currently there are no minimum parking requirements for uses in the C-C zone, except for residential uses outside of the historic district.	• Consider regulatory options to provide greater flexibility for parking in most zoning districts. • Consider allowing a mix of regular and compact-size parking spaces to meet minimum requirements.	☒
STREETS AND MULTI-MODAL CIRCULATION				
Connectivity	**Policy T-3-J:** Design of new streets shall use a grid system with ½ mile intervals for arterials, attempt to maintain ¼ mile intervals for auto circulation, and pedestrian connections at 200-800' intervals. **Policy T-2-B-4:** Minimize the use of culdesacs.	Chapter 12.08 (Major Subdivisions) references that blocks shall be as established in the public works development standards. Section 3 of Public Works Standards provides standards notes that subdivision/block layout shall be in conformance with the Comprehensive Plan and that blocks shall not be less than 400' nor more than 1,200' in length	• Continue to coordinate with the NMTC on standards for connectivity. Proposed current standards implement Comp Plan policies. Other consideration: ○ Map required connections. • The NMTC's current proposal is to prohibit culdesacs, except where unavoidable (unique terrain, lot shape).	☒
Traffic calming measures	**Policy LU-7-C-3:** Introduce traffic calming measures to slow traffic on non-arterial streets.	Section 3 of Public Works Standards provides standards for the design of public streets.	• The NMTC has drafted standards for reduced local street widths – which would act to reduce travel speeds. Continue to coordinate LDCU with NMTC.	
Street widths	**Policy T-2-B-3:** Minimize street widths.	Section 3 of Public Works Standards provides standards for the design of public streets.	• The LDCU team is coordinating with the Non-Motorized Transportation Committee, which has been working on updates to street design standards. Current draft standards	☒

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			emphasize reduced roadway widths.	
Street design	**Policy T-4-A:** Enhance the appearance of public rights-of-way: • Ensure a net gain of trees in ROW. • Provide separation of vehicles and pedestrians in ROWs. • Accommodate on-street parking in commercial districts. • Consider aligning streets to take advantage of views when designing subdivisions.	Current street design standards (Section 3) do not call for planting strips between sidewalks and streets. The current street design standards do not address whether there should or should not be on-street parking in commercial districts.	• Again, the LDCU team is coordinating with the Non-Motorized Transportation Committee, which has been working on updates to street design standards. Current draft standards emphasize reduced roadway widths and the inclusion of planting strips and street trees. • Confirm fire access requirements in code are consistent with emergency response vehicle requirements. • Consider alternative paving options.	☒
Provisions to encourage walking and bicycling	**Policy T-10-A-1:** Implement the Non-Motorized Transportation Plan that increases the number of residents who choose to walk or bicycle in lieu of driving.	Section 3 of Public Works Standards provides standards for the design of public streets. The City adopted a Non-Motorized Transportation Plan in 2008.	• Continue to coordinate with the NMTC on provisions to implement the NMTP (street/sidewalk design, connectivity provisions, bicycle parking, and transit access provisions).	☒
Multi-modal streets	**Policy LU-7-A-2:** Revise street standards to allow for multiple modes.	Section 3 of Public Works Standards provides standards for the design of public streets.	• Continue to coordinate with the NMTC on their update of the street design standards.	☒
Transit compatible design	**Policy T-10-B-2:** Design higher density projects to be compatible with future public transportation services. **Policy LU-7-B-2:** Design subdivisions to be compatible with future transit service.	Title 12 addresses the design of subdivisions. Other existing provisions that affect transit access include zoning provisions (Title 13) and the design standards (Chapter 1.45). Block standards (which impact transit use) are addressed in Section 3 of the Public Works Development Standards.	• Review and update subdivision design provisions as needed. • Update zoning district provisions (particularly residential zones) to encourage transit supportive development. Notable examples include provisions to provide flexibility on residential density. Also – the ability to cluster lots and multifamily uses near transit corridors is critical. • Update connectivity provisions as noted above.	☒

Table 2: Gap Analysis of Other Code Issues Not Currently Identified in the Comprehensive Plan

This table identifies other issues to be addressed in the land use code update based on coordination with staff, the consultant team's technical review, and stakeholder input. The table is organized the same as Table 1, except that the some of the categories (headings highlighted in light blue) are different (some are based on the EMC title the topic is currently addressed in.

Code Issue	Current Code/ Standards	Comments/Considerations	Energy Issue
CODE ORGANIZATION, FORMAT, AND GENERAL APPROACH			
Code organization	Land development code provisions are scattered over several different titles of EMC.	Consider one single Unified Development Code that includes administration, procedures, zoning district provisions (including land uses), development & design standards, subdivisions, environmental standards, and definitions. **See draft code reorganization proposal.**	
Provide visual explanations of standards	Other than maps, no illustrations are provided in EMC. The design guidelines (referenced in Chapter 1.45), however, provide good illustrations for desirable/compatible development.	Code will include plenty of illustrations – both good and bad examples of development per applicable standards. Graphics will include a combination of computerized illustrations, hand drawn graphics, and photo examples.	
Legally defensible codes	Current code section include ambiguous language where minimum standards are not clear.	The code update seeks to provide clear minimum standards. For provisions that are difficult or impossible to put into black and white, prescriptive language, the code will include clear criteria and graphics to help guide applicants, public officials, and staff.	
Design departures	Current code doesn't reference the term departures specifically, but design related provisions – notably Chapter 1.45 Design Review – are very ambiguous and often lack predictable criteria upon which to develop projects and review projects.	In concert with clear minimum standards, include some provision for departures via the existing design review process (not a variance). These departure provisions should be specifically spelled out – and good criteria, including good and bad examples are needed to guide applicants and decision makers.	
TITLE 12: SUBDIVISIONS			
Terms such as major and minor subdivision are not consistent with State Subdivision Code	Title 12.	Review per State Subdivision Code requirements: • Change term "major subdivision" to simply "subdivision" • Review process and submittal requirements	

Code Issue	Current Code/ Standards	Comments/Considerations	Energy Issue
Short subdivision	Title 12.	• Review state requirements • Review other City examples (process and submittals)	
Subdivision design standards	Current provisions that effect design are street design and block standards (Section 3 of Public Works Development Standards) and zoning provisions (Title 13) for the applicable district (lot sizes and shapes, setbacks, building heights).	Consider design provisions in the LDCU process such as subdivision design that contributes to the development of "neighborhoods", provisions encouraging or requiring design diversity (this could be different lot sizes, shapes, or different setbacks), provisions for subdivisions with open space or where creeks or canals run within or alongside subdivisions. Also allow more design flexibility within the standard subdivision process (as an easier alternative to the PUD process).	☒
TITLE 13: ZONING CODE			
Home occupation provisions	Term defined in 13.04.490, including provisions.	Per kickoff meeting discussion – consider updates to provisions to encourage home occupations while minimizing impacts.	☒
Use definitions	Title 13 – including definitions chapter and zoning district chapters.	Needs simplification.	
Residential Suburban zone (R-S)	Chapter 13.12.	• Biggest problem – zone often assigned to areas after annexation – results in extensive R-S zoned areas. • 7,000sf lot sizes pose challenges. Consider flexibility options. • Consider increasing setbacks for garages (15' now).	☒
Residential Low Density, Medium Density, and High Density zones (R-L, R-M, and R-H)	Chapters 13.14, 13-16, and 13-17.	• Consider alternative density and housing type approaches. • Consider increasing setbacks for garages (15' now). • Consider updating permitted and conditional uses. • Consider updating parking provisions in the R-H zone.	☒
Residential Office zone (RO)	Chapter 13.18.	• Consider alternative density, housing type, and permitted use approaches. • Review parking provisions.	☒
Neighborhood commercial zone (C-N)	Chapter 13.20	• Reconsider site restrictions, use provisions, and design standards.	☒
Tourist Commercial zone and Highway Commercial zone (T-C and H-C)	Chapters 13.22 and 13.24.	• Reconsider use provisions. • Update dimensional standards.	☒
Public Reserve zone	Chapter 13.	• Need provisions that anticipate conversion from public to private use.	

Code Issue	Current Code/ Standards	Comments/Considerations	Energy Issue
		• Some thought has been given to eliminating zone and allowing public uses in other zones (consider options). • CWU is the largest property in PR zone – ongoing coordination with university needed. Consider implications to university and surrounding neighborhoods with any changes to district provisions. • To compare with other city codes with large universities.	
Central Commercial zones	Chapter 13.	CCI zone • Reconsider use provisions – including where residential uses are appropriate, refine mix of permitted uses appropriate to the desired character in downtown, and provide a mechanism and criteria for siting compatible production/manufacturing uses in the zone (micro-brewery/woodworking). • Provide street based development frontage standards (addressing building location/setback/transparency, and parking location). CCII Zone: • Review mix of uses and update confusing language that address pre-existing industrial types of uses under the earlier industrial zoning. • Review dimensional standards. • Consider appropriate design standards for area – particularly given the broad mix of uses. Again – consider street based development frontage standards. Parking provisions need to be reviewed	☒
Industrial zones	Chapters 13.30 and 13.32.	• Interest in allowing for broader mix of uses (more office) in light industrial zone – consider options and benefits/drawbacks. • Update applicable design standards for both zones – given broad mix of uses.	☒
MHP and MHS	Chapter 13.	• Current provisions in MHP don't allow anything other than manufactured homes – consider provisions for more flexibility. • Update site design requirements and review process. • Review similar provisions in other communities for comparison. • MHS zone has never been utilized and perhaps is not necessary at all. Consider alternative options.	
PUD	Chapter 13.	• Provision has been used only once – perceived as too complex. • Current incentives are not great enough to warrant additional effort. • Consider updates in concert with greater design flexibility in traditional subdivision process and updates to permitted use/housing types in zoning districts.	☒

Code Issue	Current Code/ Standards	Comments/Considerations	Energy Issue
		• Compare other PUD provisions in similar communities.	
Off-street parking standards	Parking space requirements are currently addressed in Section 6 of the Public Works' Development Standards. Also – Chapter 13.42 addresses off-street parking (though it mostly just refers to Section 6).	• Consider basing standards on the number of bedrooms. • Put off-street parking space provisions with the rest of the land use code provisions (and not in public works standards). • Review parking space requirements for all uses. • Review change of use provisions, consider options.	
Fences and hedges	Chapter 13.44	• Consider updated fence height, location, design provisions – notably in areas close to the street.	
Wireless communication	Chapter 13.45	• Updates to facility location and design provisions need to be considered.	
Non-conforming uses	Chapter 13.46	• Staff has noted that current language is confusing. • Consider updated standards and review procedures (compare with standards from other communities)	
Manufactured homes	Chapter 13.47	• Review/update per related changes to zoning provisions. • Compare with applicable provisions in other communities.	
Variances	Chapter 13.48	• Process and approval criteria need review/update. • Compare with applicable provisions in other communities.	
Conditional use permits	Chapter 13.50	• Process and approval criteria need review/update. • Compare with applicable provisions in other communities.	
Special use permits	Chapter 13.50	• Provision has never been used (at least in past 18 years) – consider whether needed at all, or consider options.	
Fees and charges	Chapter 13.54	• Specific fee provisions should be moved out of code (provide fee resolution instead). • Provide for a pre-application provision elsewhere in the land use code.	
Public hearings	Chapter 13.56	• Provisions should be included in a new "process" chapter.	
Board of Adjustment	Chapter 13.58	• Consider whether this is needed in the land use code (versus Title 1)	
Rezones	Chapter 13.60	• Take the list of individual rezones out of code and put the rezone process and criteria in a new process/procedures chapter.	
Violations	Chapter 13.64	• Section needs to be updated per current legal requirements pre city attorney. • Remove unrelated chart at the end of the section.	

Code Issue	Current Code/ Standards	Comments/Considerations	Energy Issue
OTHER ISSUES TO BE ADDRESSED/EXPLORED			
SEPA provisions	Chapter 1.42	• Staff has documented deficiencies of current chapter, including comment period and appeal provisions. • Move chapter into unified land development code title.	
Signs	Chapter 3.12	• Move chapter into unified land development code title. • Current language is confusing and needs to be updated. • Citizen concerns about the proliferation of pole signs – particularly on Canyon Road, interest in seeing updated standards and review process. • There needs to be an appeal process for signs.	
Landscaping	Chapter 4.38	• Consider requirement for design professional (landscape architect or certified nursery person) for larger projects. • Provide more direction on the mixture and types of landscaping for different areas. Consider the inclusion of designated landscaping "Type" standards, like many other communities. • Provide examples, visuals.	
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