

Land Development Code Update

Agenda & Memorandum: LDCU Discussion Topics

Continued City Council/Planning Commission Special Meeting

May 23, 1:30 – 5:00 pm

City Council Chambers, 501 N. Anderson Street

<i>Time</i>	<i>Agenda Item</i>
1:30 PM	Permitted Uses <ul style="list-style-type: none">• PC/CC member overview – permitted uses (up to 2 minutes each)• Live Work Definition• Residential Zones<ul style="list-style-type: none">- Locational Criteria- Mix of Housing Types Permitted- Non-Residential Uses Permitted• CN Zone Use Mix and Criteria• Office Uses in the IL, CT, and CH Zones• Day Care Uses• Residential Uses in the CC and CC2 Zones• PR Zone strategy discussion
2:45 PM	Form & Intensity Standards <ul style="list-style-type: none">• PC/CC member overview – permitted uses (up to 2 minutes each)• RS & RL Zones – Density Minimum• RS & RL Zones – Density Maximum and Bonus Provisions
4:00 PM	Streetscapes and Block Standards <ul style="list-style-type: none">• Planting strip widths• Pedestrian and vehicular connectivity in Residential zones• Pedestrian & Vehicular Connectivity in Commercial Zones
4:30 PM	Article 5 <ul style="list-style-type: none">• Secondary Street II designations and standards• Corporate Franchise Architecture• Director Discretion References• ADU's and Design Review?• Pole versus Monument Signs in the CT Zones?
4:50 PM	Next Steps
5:00 PM	Adjourn – Thank You!

Discussion Topics:

Live Work Definition

Discussion: What is the definition of a live-work unit and where is it permitted? See below for suggestions. Track changes indicate changes since the last meeting.

15.13.040 D definitions.

A. **Dwelling, live-work unit.** “Live-work unit” means an individual dwelling unit that is used for residential and non-residential use types. The dwelling unit type may be any type that is permitted in the applicable zoning district. Permitted non-residential uses may be those that are permitted in the applicable zoning district.

15.31.020 Use tables (NEW)

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
RESIDENTIAL, GENERAL												
Dwelling, live-work* (EMC _____)	P ^{1,4}		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.
4. Non-residential uses may be permitted within live-work dwellings subject to Table 15.31.020 below.

NOTE: For permitted non-residential uses – see discussion below on commercial uses in the RS zone.

Locational Criteria for the Residential Zones

Discussion: CC/PC members identified the need for some criteria for zoning residential parcels appropriately. Below is suggested language for the purpose statements for the residential zones (this is updated from the first draft document). I’ve highlighted some of the most notable elements.

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

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. 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. Providing subdivision design guidelines that encourage parks, trails, open spaces, and natural features to be integrated with the design of new development.
4. Providing for a minimum density standard to avoid large scale low density sprawl.

5. Providing an opportunity to integrate compatible small-scaled retail and service uses in strategic locations that serve the surrounding neighborhood.
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.
 - g. Preservation of historic buildings.
 - h. Affordable housing.
7. Use of this zone is appropriate for:
 - a. Areas designated Mixed Residential in the Comprehensive Plan.
 - b. Predominately large acreage sites in outlying areas of the City with the capability of creating new compact and walkable residential neighborhoods.

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. 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;
3. Providing conditional use options for the development of essential complementary services and institutions;
4. Providing for a minimum density standard to avoid large scale low density sprawl.
5. 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.
 - g. Preservation of historic buildings.
 - h. Affordable housing.
7. Use of this zone is appropriate for:
 - a. Areas designated Mixed Residential in the Comprehensive Plan.
 - b. Areas characterized as 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. Providing for a variety of housing types including detached single family dwellings, cottage housing, townhouses, and multifamily;
2. Providing design standards that promote the creation of attractive, compact, and pedestrian-friendly neighborhoods;
3. Providing design guidelines that encourage parks, trails, open spaces, and natural features to be integrated with the design of new development;
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. Provide standards for maximum floor area ratio which provide a flexible way to ensure that new development is compatible in scale to adjacent developments; and
7. Provide an option for a modest floor area ratio bonus in exchange for:
 - a. Energy efficient building and site design; or
 - b. Purchase of transfer of development rights that help to preserve _____ areas outside of the city.
8. Use of this zone is appropriate for:
 - a. Areas designated Mixed Residential in the Comprehensive Plan; and
 - b. Areas within one-half mile of Central Washington University;
 - c. Areas characterized by a mix of single and multifamily buildings;
 - 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. 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. Provide standards for maximum floor area ratio which provide a flexible way to ensure that new development is compatible in scale to adjacent developments; and
4. Provide an option for a modest floor area ratio bonus in exchange for:
 - a. Energy efficient building and site design; or
 - b. Purchase of transfer of development rights that help to preserve _____ areas outside of the city.

5. Use of this zone is appropriate for:
 - a. Areas designated High Density or Mixed Residential in the Comprehensive Plan; and
 - b. Areas within one-quarter mile of Central Washington University;
 - c. Areas characterized by multifamily buildings;
 - d. Areas that are not directly adjacent to existing single family uses;
 - e. Areas adjacent to commercial zoned property; or
 - f. Areas located along corridors served by transit.

Mix of Housing Types Permitted in the RS Zone

Discussion: The proposed LDCU allows for a mixture of housing types in the RS zone, provided the overall development meets the proposed density and development/design standards. Below are applicable provisions and some updated material is in track changes.

15.31.020 Use tables (NEW)

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
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 ^{1,5}	p ¹	P	P	P	p ³			P	P		
Dwelling, multifamily* (EMC _____)	p ^{1,5}		P	P	P	p ³			P	P		
Dwelling, live-work* (EMC _____)	p ^{1,4}		P	P	P	P			P	P		
Manufactured home park* (EMC _____)			C	P	C							

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.
4. Non-residential uses may be permitted within live-work dwellings subject to Table 15.31.020 below.
5. Townhouses and multifamily dwelling units shall not be located adjacent to existing single family dwellings, except where such uses were approved on an individual plat. NOTE: KEY PROVISION PROPOSED TO ENSURE COMPATIBILITY WITH ADJACENT EXISTING DEVELOPMENTS.

Non-Residential Uses Permitted in the RS Zone

Discussion: There was some concern about opening up the RS zone to commercial uses and perhaps a conflict with NC zone provisions. Below we've added some permitted use parameters and some locational criteria to minimize conflicts and address concerns.

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												
Nurseries & greenhouses (commercial) *	P							P	P ²	P	P	P
Restaurants, bars, and brewpubs*			P ³	P ³	P ³	P	P	P	P	P	P	
Coffee house, espresso bar	P ⁹		P ³	P ³	P ³	P	P	P	P	P	P	
Retail, small scale (<2,000sf floor area)	P ⁹		P ³	P ³	P ³	P	P	P	P	P		
Retail, medium scale (2,000-20,000sf floor area)						P		P	P	P		
PERSONAL AND GENERAL SERVICE												
Day care I facilities (EMC _____)	P	P	P	P	P	P	P	P	P	P	P	
Day care II facilities (EMC _____)	C	C	C	C	P	P	P	P	P	P		
Hospitals*	C	C	C		P				C	P		
Nursing homes*	C	C	C	P	P				P	P		
Personal service establishments*	P ⁹		P ³	P ³	P ³	P	P ⁴	P	P	P		
Places of worship*	C	C	C	C	P	P			P	P		
BUSINESS SERVICE												
Offices*	P ⁹					P	P	P	P	P	P ⁸	

Development conditions:

9. Subject non-residential uses may be permitted in the RS zone subject to the following conditions:

- a. The location for planned non-residential uses shall be designated on the final plat.
- b. Non-residential uses may be integrated into subdivisions provided the subdivision encompasses at least five acres in gross land area and the planned uses are at least 1,200 feet from an existing non-residential use.
- c. Non-residential uses shall not be located adjacent to existing single family dwellings, except where such uses were approved on an individual plat.
- d. For the purpose of identifying appropriate site orientation standards for future non-residential development, the final plat shall indicate the street frontage type designation for streets fronting planned non-residential uses as either Storefront, Secondary, or Landscaped Street (see EMC Chapter

15.51).

ALTERNATIVE – WE MIGHT CONSIDER A VARIATION OF THE ABOVE PROVISION - TO ALLOW FOR AN AUTOMATIC REZONE TO CN IN CONJUNCTION WITH SUBDIVISION – FOR THE APPLICABLE PORTION OF THE SITE – PROVIDED THEY MEET THE ABOVE CRITERIA. ONE NOTABLE DIFFERENCE IS THAT IT WOULD OPEN THE AREAS UP TO A WIDER RANGE OF USES. BUT KEEP IN MIND THERE’S AN OPPORTUNITY TO DICTATE SIZE/DESIGN PARAMETERS THROUGH THE SUBDIVISION PROCESS.

CN Zone Use Mix and Criteria

Discussion: Clarification needed for the criteria to zone parcels to NC – see suggested new language below. Also keep in mind discussion above for non-residential use provisions for the RS zone.

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

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. Providing for small scale retail, personal services and other compatible uses that serve the surrounding residential neighborhood;
2. Providing for a minimum separation of Neighborhood Commercial zones of one-quarter mile to minimize their overuse, while providing the opportunity for such uses to be within reasonable walking distance of all residential uses;
3. Provide a maximize size of four acres for Neighborhood Commercial zones to maintain a small scale and compact, pedestrian-oriented design;
4. To allow for townhouses and multifamily uses as a secondary use due to their complementary nature and ability to enhance the walkability of these zones; and
5. Providing for design standards that enhance the appearance and function of Neighborhood Center uses and their compatibility with surrounding residential uses.

For comparison – below are current provisions for the NC zone:

Chapter 13.20

COMMERCIAL NEIGHBORHOOD ZONE (C-N)

13.20.020 Intent.

The purpose of the C-N zone is to provide supplemental shopping areas detached from the C-C zone. Such shopping areas shall be located so as to provide convenient shopping centers for the various outlying areas of the community. It is the intent of the C-N zone to provide for concentrated development of such shops and stores within small areas and to limit such goods and services initially to not more than one of a kind whether contained in one building or in separate buildings such as one beauty shop, one drug store, one grocery store; to avoid strip developments; and to prevent nuisances such as noise and traffic from accompanying such areas.

A development in a C-N zone shall require a minimum offering of four different classifications of goods or services, such as one drug store, one grocery store, one barber shop, one shoe repair shop, with a minimum sales area of 5,000 square feet of usable floor area and a minimum land area of 20,000 square feet. An additional 10,000 square feet of sales area for each additional acre of land to a maximum development of 80,000 total square feet of usable floor area and a maximum of eight acres shall be permitted in any one commercial neighborhood zone. [Ord. 2810 § 10.01, 1970.]

Office Uses in the IL, CT, and CH Zones

Discussion: There was discussion on the appropriateness of office uses in IL, CT, and CH zones. There was also support for providing a breakdown of different sizes of office uses. For starters, we used a similar breakdown as for retail uses. See the table below for suggestions.

15.31.020 Use tables (NEW)

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
BUSINESS SERVICE												
Offices*, small scale (<2,000sf floor area)	P ⁹					P	P	P	P	P	P ⁸	
Offices*, medium scale (2,000-20,000sf floor area)	P ⁹					P	P	P	P	P	P ⁸	
Offices*, large scale (20,001-60,000sf floor area)						P	P	P	P	P	P ⁸	

For footnote 9 – see new language on page 6 above.

Day Care Uses

Discussion: There was some discussion about day care uses and where they are appropriate or not. The below chart illustrates an updated recommendation to not provide for day care uses in the CT zone.

15.31.020 Use tables (NEW)

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
PERSONAL AND GENERAL SERVICE												
Day care I facilities (EMC _____)	P	P	P	P	P	P		P	P	P	P	
Day care II facilities (EMC _____)	C	C	C	C	P	P		P	P	P		

Residential Uses in the CC and CC2 Zones

Discussion: There was some discussion about housing uses in the CC zones – notably that some low density use types are not desirable there. The first draft had left single family dwellings as a permitted use in these zones since there were a good number currently developed there and that prohibiting them might create a hardship to homeowners in case they desired to add on or replace an existing home. Since the current non-conforming use provisions specifically allow for such additions and replacement, and since perhaps future development in these core zones should be more intensive, then perhaps they should be prohibited there. See new suggestions below.

15.31.020 Use tables (NEW)

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
RESIDENTIAL, GENERAL												
Dwelling, single family* (EMC _____)	P	P	P		P							

RS & RL Zones – Density Minimum

Discussion: While there is no current density minimum in these zones, the first draft proposes a minimum of 6 units per acre. While this matches the current maximum density in the RS zone, technically, it is physically impossible for new subdivisions to achieve this density in nearly all cases, after ROW areas are created and frontage standards are met. Considerations:

- The proposed minimum at 6 units/acre is intended to reduce sprawl and thus, energy use, by promoting more compact development patterns. Below are some considerations in determining the appropriate density.
- If CC/PC wishes to reduce the minimum density, consider 5 units/acre, but we would strongly discourage any minimum lower than 4 units/acre.

RS & RL Zones – Density Maximum and Bonus Provisions

Discussion: Based on the May 9 meeting discussion below are some suggested changes to the bonus provisions. Also keep in mind the Notes and Assumptions About Density Bonuses listed on page 20 of draft Article 3.

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

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	10-15 15-45%	See (B) below for details. This option may be applied to all development sites with at least 5 acres.
Off street trails	5-20 15-50%	See (C) below for details.
Dedicated parkland and/or other permanent open space	Up to 25 50%	See (D) below for details.
Investment in public facilities	Up to 25 50%	See (E) below for details.
Transfer of development rights (TDR)	Up to 50%	See (F) below for details.
Historic preservation	15 to 50%	See (F) below for details.
Affordable housing	15 to 50%	See (F) below for details.

B. Mix of housing types/uses.

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.	3010%
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.	4515%

C. Off-street trails.

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;	515%
	>2lf of trail/4lf of site perimeter length.	1025%
Walking, hard surface	>1lf of trail/4lf of site perimeter length;	1020%
	>2lf of trail/4lf of site perimeter length.	1530%
Multi-use	>1lf of trail/4lf of site perimeter length;	1525%
	>2lf of trail/4lf of site perimeter length.	2040%

D. Parkland and Open Space.

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.	105%
20-34% increase over base requirements.	1510%
35-49% increase over base requirements.	2015%
50% or more increase over base requirements.	3020%

G. Historic Preservation.

Concept – allow bonuses of between 15-50% based on the type/extent of historic preservation/integration.

Questions and concepts:

1. Involve preservation of designated landmarks only? What type?
2. Existing buildings or types of buildings built before a certain year – say 1950? Other?
3. Does the structure just need to be saved as is – and/or improved consistent with Sec. of Interior Standards?
4. Should the bonus system be weighted to award preservation to different types/sizes of buildings?

H. Affordable Housing.

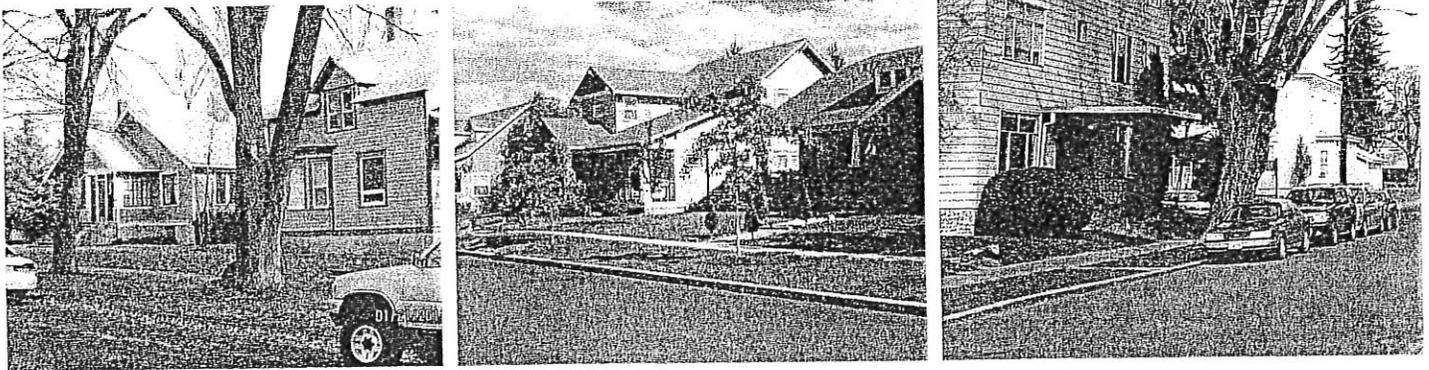
Concept - base the bonus percentage on the % of affordable units provided at a certain affordability level?

Comments/suggestions:

1. Set affordability level at 80% of median income (for County)
2. If developers choose affordability levels that are lower than 80%, maybe they can get more credit.
3. Cap the max density bonus at 50% and provide a min. level of 15%.
4. Keep in mind that they might be able to meet the affordability levels just by building smaller units and not necessarily subsidizing them with market rate units.
5. Ordinance will need to clarify affordability requirements, affordability agreements and monitoring.

Planting Strip Widths

Discussion: Current proposal is 10' planting strips. Current planting strip standards are 6 feet, which is a common requirement. 10' was chosen to provide extra space for snow removal plus provide a resource for stormwater infiltration. Below are some images that might assist in the discussion.



Left image – current strip in Ellensburg, about 10'. Middle – planting strip in Bend Oregon, about 10'. Right, planting strip near downtown Ellensburg, about 6 feet.

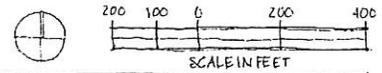
Pedestrian & Vehicular Connectivity in Residential Zones

Discussion: The first draft provides for pedestrian connectivity at 400' intervals and vehicular connectivity at 660' intervals. The NMTC proposal is to use the 660' standard for both pedestrian and vehicular connectivity – to provide consistency, since the shorter 400' dimension will essentially require 400' blocks. We showed a number of slides at the February workshop illustrating examples of block sizes both in Ellensburg and in other communities, and we'll have these available again at the meeting. The case studies on the following page might help in the discussion.



-  SINGLE FAMILY
-  SMALL SINGLE FAMILY
-  TOWN HOMES
-  COTTAGE HOUSES

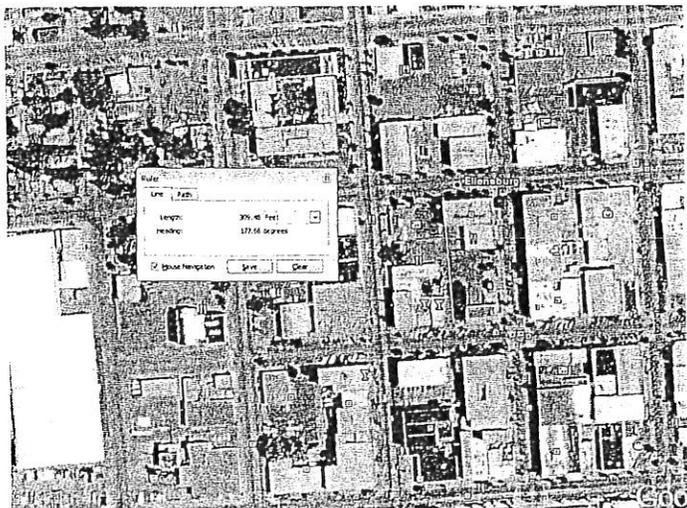
SCENARIO ②



The block along Helena just east of Cora is about 660' long. Most of the rest of the blocks would meet the 400' standard for pedestrian connections – but in this scenario, a mid-block connection would be required to meet the current 400' proposal.

Pedestrian & Vehicular Connectivity in Commercial Zones

Discussion: Based on discussion at the meeting on the 9th, We'd suggest reducing the block size standards in the CC zones to more closely match current block sizes. Since the blocks in the CC zone range from about 330 to 410 feet, maybe we go with 400' for both vehicular and pedestrian connections. This would essentially apply to any newly zoned CC and CC2 lands.



Secondary Street II Designations

Discussion: There was some discussion on whether Secondary Street II designation was appropriate for the area west of downtown. If there's a desire for this area to transition towards a pedestrian friendly mixed-use area – then consider going with the regular Secondary Street designation – which then requires buildings closer to the street and parking to the side/rear. Perhaps the Secondary Street II designation is still appropriate in other light industrial areas (?).

Corporate Franchise Architecture

Discussion: We had earlier talked about prohibiting corporate architecture in all areas, except CT zones near the interchanges – but there appears to be some interest in prohibiting it everywhere? See page 40 of Article 5.

Director Discretion References

Discussion: There was some concern over the use of Director discretion. We had suggested that PC/CC members be specific in any instances where they felt there was too much discretion. We might consider deleting references to the Director in terms of discretionary elements (...as approved by the Director), since it's not actually necessary to say it. For example – in 15.53.030 within Architectural Scale, we include a toolbox of storefront articulation options. Option 6 states, "*Other methods that meet the intent of the standards as approved by the Director.*" There is still a lot of value in allowing that extra option – and we need to state that it must meet the intent of the standards – but since some projects will also be reviewed by the Design Commission, it makes sense to strike out the Director reference, since the reviewing authority might be different for different applications.

ADU's and Design Review?

Discussion: We'd suggest that ADU applications be reviewed by the Design Commission (in addition to staff) due to the need for sensitive integration into the existing residential environment.

Pole versus Monument Signs in the CT Zones?

Discussion: The public supported allowing tall pole signs only in the interchange areas, but there appeared to be support for prohibiting such NEW pole signs everywhere? If pole signs are still allowed – consider allowing them only behind buildings and away from the street – since they'll still be visible from the freeway but reduce clutter along the streets, where they are less visible at such great heights, anyhow.

