City of Ellensburg
WASHINGTON

Land Development Code Update:

CC/PC Discussion Topics

January 28, 2013

MAKERS
architecture · planning · urban design

1. Use of Hearing Examiner

- **100 cities** in WA use a Hearing Examiner (mrsc.org)
- **Purpose:** Have a professionally trained individual make objective quasi-judicial decisions supported by adequate record and free from political influences.
- Allows local legislative and advisory bodies to focus on policy-making
- Potentially reduce liability exposure
- CC has discretion in establishing how HE system will operate

Info source: http://www.mrsc.org/subjects/planning/hearex.aspx

2. Visitable /Universal Design Housing

PC proposal: Add 15-50% density bonus for barrier free design:

- At least one no-step entrance
- 32" clear passage through doors
- 36" hallway widths
- Bath on mainfloor constructed to accommodate ADA requirement

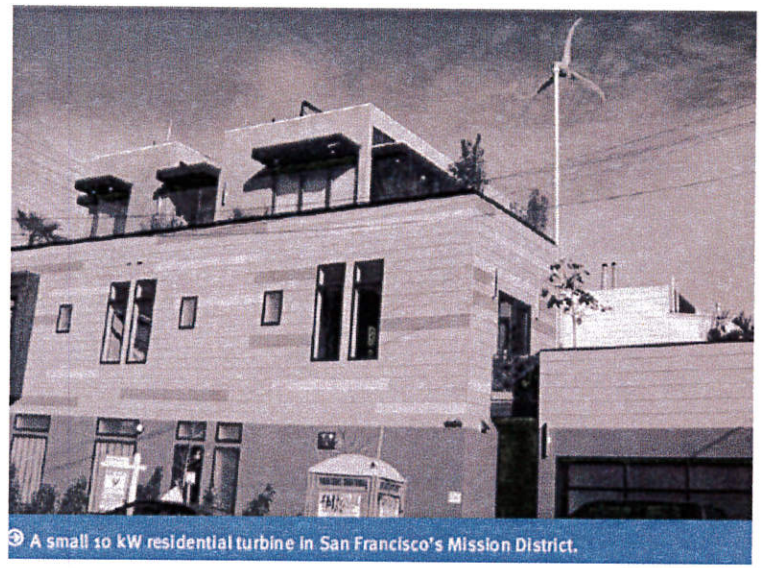
Staff/MAKERS:

- Consider effect/relationship with other density bonuses
- Suggest limiting density bonus to 10-15% max

Info sources: http://en.wikipedia.org/wiki/Visitability
http://www.pbs.org/hometime/house/udesign.htm
http://www.accessiblesociety.org/topics/housing/visitability.html

3. Small Wind Energy Systems

PC proposal: Remove SWES as a permitted use in the CT, CH, CC, and RH zones



A small 10 kW residential turbine in San Francisco's Mission District.

Staff/MAKERS:

- SWES ordinance was a key measure to remove barriers to providing alternative sources of energy production
- Pay close attention to height and setback provisions – which would make SWES harder to implement in historic core with smaller lots

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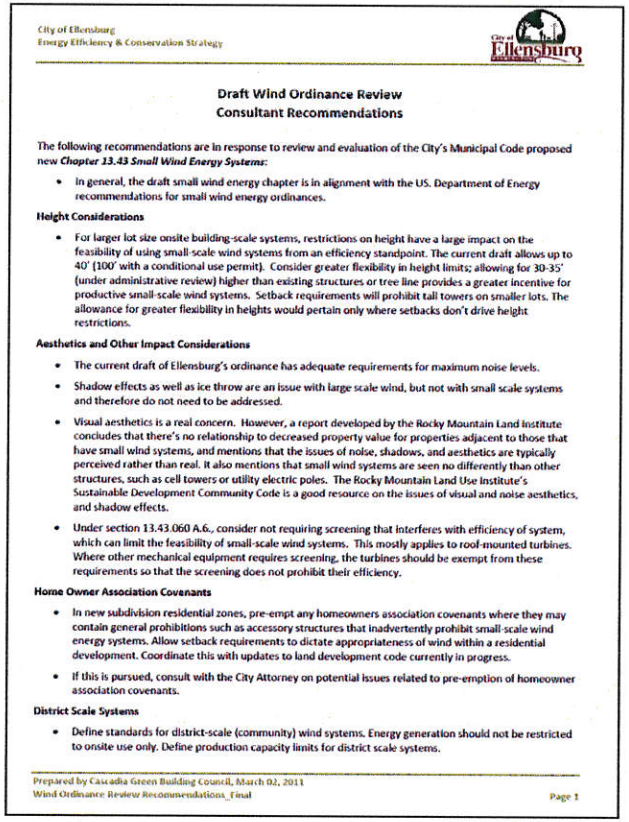


City of Ellensburg
Energy Efficiency & Conservation Strategy

Draft Wind Ordinance Review
Consultant Recommendations

The following recommendations are in response to review and evaluation of the City's Municipal Code proposed new ***Chapter 13.43 Small Wind Energy Systems***:

- In general, the draft small wind energy chapter is in alignment with the US. Department of Energy recommendations for small wind energy ordinances.

Height Considerations

- For larger lot size onsite building-scale systems, restrictions on height have a large impact on the feasibility of using small-scale wind systems from an efficiency standpoint. The current draft allows up to 40' (100' with a conditional use permit). Consider greater flexibility in height limits; allowing for 30-35' (under administrative review) higher than existing structures or tree line provides a greater incentive for productive small-scale wind systems. Setback requirements will prohibit tall towers on smaller lots. The allowance for greater flexibility in heights would pertain only where setbacks don't drive height restrictions.

Aesthetics and Other Impact Considerations

- The current draft of Ellensburg's ordinance has adequate requirements for maximum noise levels.
- Shadow effects as well as ice throw are an issue with large scale wind, but not with small scale systems and therefore do not need to be addressed.
- Visual aesthetics is a real concern. However, a report developed by the Rocky Mountain Land Institute concludes that there's no relationship to decreased property value for properties adjacent to those that have small wind systems, and mentions that the issues of noise, shadows, and aesthetics are typically perceived rather than real. It also mentions that small wind systems are seen no differently than other structures, such as cell towers or utility electric poles. The Rocky Mountain Land Use Institute's Sustainable Development Community Code is a good resource on the issues of visual and noise aesthetics, and shadow effects.
- Under section 13.43.060 A.6., consider not requiring screening that interferes with efficiency of system, which can limit the feasibility of small-scale wind systems. This mostly applies to roof-mounted turbines. Where other mechanical equipment requires screening, the turbines should be exempt from these requirements so that the screening does not prohibit their efficiency.

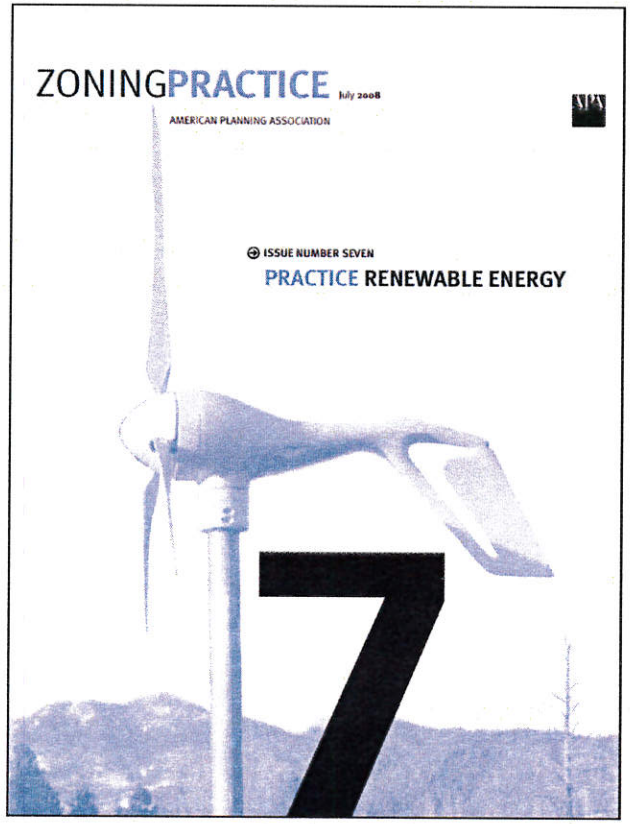
Home Owner Association Covenants

- In new subdivision residential zones, pre-empt any homeowners association covenants where they may contain general prohibitions such as accessory structures that inadvertently prohibit small-scale wind energy systems. Allow setback requirements to dictate appropriateness of wind within a residential development. Coordinate this with updates to land development code currently in progress.
- If this is pursued, consult with the City Attorney on potential issues related to pre-emption of homeowner association covenants.

District Scale Systems

- Define standards for district-scale (community) wind systems. Energy generation should not be restricted to onsite use only. Define production capacity limits for district scale systems.

Prepared by Cascadia Green Building Council, March 02, 2011
Wind Ordinance Review Recommendations_Final
Page 1



4. Building Heights Downtown

Current Proposal:

- 35’ max in CC within historic dist.
- 70’ max in CC outside of historic dist.
- 70’ max in CC-2

PC proposal: 45’ in CC zone

(question: for all CC? What about 70’ max outside historic district?)

35’ is similar or a little higher than many of the historic 2-story buildings.

45’ allows at least a 3rd floor and possibly 4 floors (residential on upper floors)

5. Remove Office Uses in the CT zone

PC proposal: Remove opportunity for office uses in the CT zone.

Considerations:

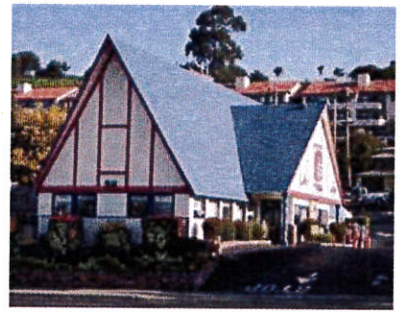
- Focus office uses in the downtown area – to support retail uses, pedestrian activity, and be located closer to housing (reducing energy use) vs. at the interchange areas
- Change to zoning in early 2000's allowed offices in the CT zone and several have located there with success.

6. Franchise Architecture

PC proposal: Remove provision that wouldn't allow types of franchise architecture that would be difficult to adapt to other uses.

Considerations:

- Many other communities have adopted similar measures
- Even if provision is removed, franchises must still meet other site and building design provisions of Article 5



7. High Visibility Street Corners

PC proposal: Remove provision requiring special design at select intersections

Considerations:

- Perhaps not needed given other site/building design provisions?
- Refine map/list of applicable locations. Options:
  - Require at all intersections (non-residential/ mixed-use zones)?
  - Require at all intersections along Storefront Streets?
  - Other mix of locations?

8. Bicycle Parking

PC proposal: Updated language (see handout)

Considerations:

- Closely examine updated language in new code – but keep in mind that we didn't see the specific comments until after the updated code was prepared

9. Signs

Eliminate very tall pole signs?

- Current code has max 35' height for signs in all C, I, and R-O zones – but with provision for up to 100' in CT for freeway oriented signs.
- Proposed code:
  - Pole signs (up to 35' max) **only** allowed in CT zone within ½ mile of I-90 and they must be setback from street by 200' (rear of property)

NOTE that some communities have adopted ordinances requiring non-conforming signs to be removed by a certain date. It can be done, but it is **very challenging** and the city must be very committed to actively enforcing the provision.

9. Signs

R-O Zone Signs: Clarification and Considerations

- Back-lit signs are not allowed in R-O zone.
- Pole signs aren't allowed in R-O zone, but monument signs are – PC recommends not allowing monument signs in R-O zone.

Staff: Consider new language allowing these types of signs in R-O district in place of monument signs:

10. Thresholds for Major/Minor Design Review

	Thresholds for Project Requiring Landmarks' Review (difference between Major/Minor projects)	
	Existing	Proposed
Non-res building	4,000sf	15,000+sf
Multifamily bldg	5+ units	10+ units

Rationale: The proposed LDC standards will be easier to interpret.

Departures:

- Previous draft - Minor projects seeking a departure would need to go through design review (with Landmarks/Design Commission)
- Updated draft – Minor projects seeking a departure would stay as a Type I review (administrative approval)