Outstanding Code Issues

AUGUST 5, 2013

Below is a summary of code issues that have been brought up by public and/or city council members that warrant city council discussion and decisions.

Article 1 Issues

David Miller indicated he would submit some definitions.

Article 2 Issues

15.210.030 Permit review process types, defined. 15.210.40 Permit review process types; Decision-making, procedures & Notice requirements.

Council has requested a better textual and chart description of the open record/closed record/pre-decision hearings. As drafted, they are confusing.

Some discussion was had regarding Landmarks and Design decision-making for alternations to Landmark Register properties. Currently it is a public hearing but Landmarks has requested that it be a public meeting. The land use attorney has indicated there is state statute language that would allow the City to exempt certain decisions, such as the Landmark Register alteration process, from these permit review process types, provided that the record is made in support of that local decision. Some Council members did not want to carve out a special exception for Landmark processes.

A question was raised as to whether Type I permit process decisions should be appealed to court as currently drafted or would an appeal to the Hearing Examiner be less expensive and more local/

15.260 Subdivisions

Council has requested that there be better differentiation between short subdivision and subdivisions/long plats to avoid confusion.

15.280.120 Design Standards for reviews of certificates of approvals and for regional retail commercial master site plan applications.

Council has agreed with Landmarks Commission that only the Design Standards for Rehabiliation of Existing Buildings and the Regional Retail Commercial Design Standards should remain in the new Code since the new design standards in Articles 4 & 5 provide sufficient design standards other uses.

A question was also raised as to why there are separate design standards for regional retail projects. Why not also include outlet malls in those design standards.

Council has directed that that those design standards be moved from 15.280 to Article 5 15.530.020 so that all design standards are in one location.

One alternative suggestion from a Council member was that the City consider contracting the regional retail commercial design review out to a consultant rather than leaving it with Landmarks and Design Commission.

Article 3 Issues

15.300.060 Airport Overlay Zone NEED TO ADD THE AOZ Maps to the Code.

15.310 Permitted uses

Table 15.310.040 Use tables, non-residential:

- Office uses in CT zone? CC discussed reducing size of CT zone to only those areas within a certain distance (somewhere between ¼ and ½ mile has been mentioned in the past) of freeway interchanges as a partial solution. Rezone areas outside this distance to CH perhaps.
- Office uses in the I-L zone?
- Need to add outlet malls as a use
- Table 15.310.040, Note 3 allow mixed uses at corners for 'x" distance along frontage
- Table 15.310.050 Add doctor office since both college and Public Hospital have them

15.310.050(D) Supplemental P-R zone provisions.

Need specific criteria for listing on the Ellensburg Historic Resource Inventory

15.320 Form and intensity standards

- Table 15.320.030: Form and intensity standards, residential zones:
  - Density minimum in RS zone: Working on decreasing from 6 to 4 du/acre for, with some discussion of dropping minimum (follow up needed on this at next meeting). Council consensus is minimum 4 du/acre for R-S zone
  - Remove or change maximum FAR standards in some or all zones?
  - Impervious area: Allow some impervious area averaging to take place between lots and give developers credit for pervious areas in parks and other common areas. Otherwise – need to discuss what other changes are needed, if any. Note new "Impervious Area Standards" memorandum from Jon Morrow, Stormwater Program Manager.
  - Garage front setbacks. Discussion of merits of 25' versus 22' setback. Consensus is to leave at 25' for now.

- 15.320.140 Fences on alleys. Preliminary agreement on updating standards to allow up to 6' tall fences within 3' of an alley and a 5' setback for fences up to 8' tall.
- **NEED Discussion on garage alley access setbacks?** Difficult to pull large vehicles in/out of garage when access is on property line.

15.330 Density Bonus Incentives

- Consider other bonus incentives for commercial zones.
- May want a cost comparison to see if they will even be used or if only a few will be cost effective to use.
- Why are there no bonuses for commercial uses such as reduced parking bonus if LEED approved or if provide trails within the commercial development? STAFF to research.

15.340 Index of Supplemental Use Criteria

- 15.340.010 Bed and breakfasts. Preliminary agreement with the following change: Meals shall be available on the premises only for guests and employees of the inn. Rooms may not be equipped with cooking facilities; and
- 15.340.020 Home occupation. Limit deliveries to normal small parcel deliveries such as UPS and Fed-Ex .
- 15.340.060 Small wind energy systems. Mike has suggested adding language that requires building permit review based on common SWES building code issues (towers, attachments to towers and roofs/walls

15.350 Airport Overlay Zone (A-O) Standards

- 15.350.050 Permits. Discussion on whether to delete subsections (A) (2) through (4). Staff to check on how provisions mesh with County requirements.

Article 4

15.410 Streetscape Design

- Local street design: Citizen suggestion to allow street design option with rolled curbs and without planting strips.
- Local street design: Need city council decision on whether or not local street ROW's are all set at 60' in width. If they are, consider adding provision in Article 3 that front setbacks shall be measured from the back of the sidewalk, rather than the ROW edge.
- 15.420.020 Block design and connectivity standards for residential zones. Citizen concern about standards.
- 15.420.030 Reverse frontage lot provisions (fences). Citizen concern about standards.
- 15.420.060 Direct access to a public ROW. Citizen concern about standards.

Article 5

15.530 Building Design

- 15.530.030 Multifamily building articulation. Citizen concerns about standards, including departure provision.

15.540 Housing Type Standards

- 15.540.020 Minimum façade transparency. Citizen concern about standards.
- 15.540.020 Garage placement and design. Citizen concern about standards.

15.550 Off-Street Parking

- 15.550.030 Required off-street parking spaces for apartments. Citizen concern about standards.

15.580 Outdoor Lighting

- 15.580.020 Applicability – residential development. Citizen concern about standards.