



## DEPARTMENT OF COMMUNITY DEVELOPMENT

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# EXECUTIVE SUMMARY

## LAND DEVELOPMENT CODE UPDATE

September 1, 2011

### BACKGROUND

In 2010 the Ellensburg City Council recognized a need to update the City's land development code regulations in order to:

- correct inconsistencies within the codes and between the codes and the City's Comprehensive Plan;
- provide a more user-friendly development code;
- implement the policy direction adopted in the City's 2007 Comprehensive Plan Update;
- provide for future development that was more energy efficient and that improved walkability in the community;
- provide more development options with a clearer vision of what the desired end product should be; and,
- bring the old 1970's codes up to date with current best planning practices.

City staff worked with a consultant, the Planning Commission, the public, and City Council to develop a draft new unified development code that addresses those needs. While there have been several preliminary drafts of individual pieces of that new code available for review, this document is the Draft Master Code version of the new Land Development Code (LDC) that will be used during the public review process leading up to eventual adoption of the new Land Development Code. It is available for reviewing on the City's webpage at [www.ci.ellensburg.wa.us](http://www.ci.ellensburg.wa.us) or at the Community Development Department or at the City Library.

The public is encouraged to review the document and to provide comments on it as the draft document undergoes review by the Planning Commission and City Council during this Fall with an anticipated adoption date of December. Comments can be provided in writing to the Community Development Department or in person at Planning Commission and City Council special meetings to review the document. A schedule of that review process will be posted on the City's webpage.

The general approach taken in this new LDC was to consolidate the development code regulations currently scattered throughout the City Code into a single new code Chapter Title 15 and to organize the regulations in a manner that grouped similar pieces of the land development process together.

**Article 1: General Provisions**

This Article includes:

- a **User Guide** to assist the public in finding the necessary Code sections that relate to their particular situation *Chapter 15.10 ECC*
- general purpose, authority, roles and responsibilities, vesting, and interpretation provisions *Chapter 15.11 ECC*
- a chapter addressing the **Comprehensive Plan** adoption *Chapter 15.12 ECC*
- all **Definitions** that apply to the entire LDC *Chapter 15.13 ECC*
  - Note that for each word in the code that is defined in Chapter 15.13, we intend to include direct web-links that allow the definition to “pop-up” when you scroll over the word.

**Article 2: Permits and Procedures**

This Article includes chapters that address:

- **5 permit review process types** that are based on an increasing level of public notice and review process requirements, who makes the decision, the type of hearings involved in the decision, and appeal opportunities *Chapter 15.21 ECC*
  - Review Process Type I are simple decisions made by the Director based on compliance with specific non-discretionary and non-technical standards. They require no notice, limited administrative review and decision, and no appeal opportunity. Examples include: permitted use decisions, boundary line adjustments, non-conforming use determinations, site development permits and home occupations.
  - Review Process Type II are relatively simple decisions made by the Director based on standards and clearly identified criteria. They require some public notice but typically do not require a public hearing. The decision is issued in writing with supporting documentation for approval, for approval with modifications, or for denial of the application. These type permits are appealable to the Hearing Examiner. Examples include: Code interpretations, major and minor design review, sign permits, short subdivisions of 9 or fewer lots, and some critical area determinations.
  - Review Process Type III are applications that are site-specific, are likely to have some impact on surrounding properties, and involve the use of discretionary judgment in the review of the application. They require public notice and a public hearing. The decision is issued with formal findings and conclusions after an open record public hearing. These type permits are appealable, typically to City Council. Examples include: conditional use permits, variances, and landmark district activities.
  - Review Process Type IV are applications that are site-specific, are likely to have a large impact on surrounding properties, and involve the use of discretionary judgment in the review of the application. They require public notice and a public hearing. The decision is issued with formal findings and conclusions after an open record public hearing before City Council. These type permits are appealable to court. Examples include: preliminary subdivision applications, master site plans for regional retail commercial projects, and site specific rezones.

- Review Process Type V are legislative, non-project actions that apply to large areas of the City or to the entire City. They are heard by City Council and some may require public notice and public hearing. These type of decisions are appealable to court or to the Growth Management Hearings Board. Examples include: adoption or amendment to the Comprehensive Plan, adoption or amendment to the codes and development regulations, area-wide rezones, and annexations.
- Detailed descriptions of the **permit review procedures** followed for each permit review type and for land use hearings and appeals *Chapters 15.22 and 15.23 ECC*
- A revised chapter for **non-conforming uses and structures** that creates two levels of non-conformity: benign and detrimental *Chapter 15.24 ECC*
- **Review and decision criteria** for specific types of permit applications *Chapter 15.25 ECC*
- **Subdivision** procedures *Chapter 15.26 ECC*
- Environmental protection (**SEPA**) *Chapter 15.27 ECC*
- **Landmarks and Design** Register Procedures *Chapter 15.28 ECC*
- Code **enforcement** *Chapter 15.29 ECC*

### **Article 3: Zoning Districts & Land Uses**

This Article includes Chapters that:

- Establish **zoning districts and maps** *Chapter 15.30 ECC*
- Identify the **uses** permitted in each zoning district *Chapter 15.31 ECC*
- Establish **form and intensity standards** for the zoning districts (setback requirements, height limits, densities, etc.) *Chapter 15.32 ECC*
- Create new **density bonus incentives** that allow for increased density in exchange for providing certain community desired features *Chapter 15.33 ECC*
- Identifies **supplemental use criteria** for uses that are unique or that require more restrictive regulations such as adult entertainment, small wind energy systems, and home occupations *Chapter 15.34 ECC*
- Establish specific regulations for master site plans for **regional retail commercial** projects *Chapter 15.35 ECC*
- Establish specific overlay regulations for the **Airport Overlay Zone** *Chapter 15.36 ECC*
- Establish **annexation** procedures *Chapter 15.37 ECC*

### **Article 4: Community Design**

This Article provides new community design standards that are intended to result a more uniform and desired development pattern along the city's streets and in new subdivisions. It includes Chapters that:

- Create new **streetscape design standards** for arterial streets, collector streets, local streets. The standards address right-of-way width, street surface width, bicycle lane options, sidewalks, and planting strips. *Chapter 15.40 ECC*
- Creates new **subdivision and block design** that: *Chapter 15.41 ECC*
  - enhance connectivity between developments and adjoining lands and result in more walkable developments by requiring maximum block lengths and pedestrian accessways

- establishes community design provisions to result in new developments being integrated into existing surrounding neighborhoods, existing parks and open space and natural amenities
- establishes new lot design options including zero lot lines and courtyard access lots

### **Article 5: Project Design**

This Article provides new project design standards to establish a more desired development pattern on lots within new developments or as infill in existing developed areas. It is a major implementation tool of the 2007 Comprehensive Plan and is guided by the community's expressed desire to preserve and enhance the city's historic resources and character, ensure new development is of high-quality and is appropriate to the city's character, upgrade the visual appearance of principal vehicular corridors, ensure new development is compatible with existing development, promote increased pedestrian, bicycling, transit use, and compact and energy efficient development patterns, and enhance the community's livability.

This Article applies primarily to new development which would include building additions, site improvements and new signage. Some of the standards apply to only commercial and multifamily, while others apply to specific housing types, so it is important to fully determine the applicability of the standard to your project. Many of the standards provide a choice between several options. And many of the standards have departure options that allow individual flexibility in design provided it meets the intent of the standard.

It includes Chapters that:

- Establish new **site orientation standards** *Chapter 15.51 ECC*
  - Creates **5 street frontage types**, each with unique requirements for frontage setbacks, parking location, vehicle access, ground floor uses, building entry, weather protection, storefront transparency (windows and doors versus full walls), and groundfloor and façade heights
  - Includes maps designating streets in commercial zones as one of the five street frontage "types" mentioned below
  - Zoning districts dictate the street frontage types
  - Storefront Streets are intended to emphasize and/or reinforce a "Main Street" setting with storefronts adjacent to sidewalks
  - Secondary Streets are either storefront design or may have the frontages setback from the sidewalk by a landscaped area
  - Secondary Street 2 are the same as Secondary Streets but allow for more flexibility as to the location of parking along street frontages
  - Landscaped Streets are the remainder of the streets in the community
  - Gateway Streets are specific to certain identified vehicular gateways in to the community
  - Provides a departure option
- Establishes new **site planning & design elements** for layout of buildings, open spaces, circulation elements, and large site developments. *Chapter 15.52 ECC*
  - side and rear yard designs to address solar access and privacy issues through setbacks and landscaping
  - open space requirements for non-residential and multifamily uses via pedestrian-oriented spaces, common open spaces, recreational areas, etc.

- internal pedestrian access and design standards
- internal vehicular circulations standards
- service area and mechanical equipment standards
- lighting design
- parking lot design with screening, pathways, etc.
- special feature and amenity standards for pedestrian furniture and streetscape amenities
- architectural scale
- Establishes new **building design** standards | *Chapter 15.53 ECC*
  - Architectural scale design standards with departure options
  - Building articulation, roofline/cornice design, roofline modulation, maximum façade width,
  - Building elements and details in general and for high visibility street corner buildings in particular
  - Window design
  - Building materials
  - Blank wall treatments
  - Energy efficient building design
- Establishes new **housing type** standards *Chapter 15.54 ECC*
  - Single family design standards for:
    - Entries and façade transparency
    - Garage placement and design
    - Driveway standards
    - Minimum useable open space
    - Energy efficiency
  - Duplex and triplex design standards
  - Accessory dwelling unit design standards (ADUs)
  - Cottage housing design standards
  - Townhouse design standards
- Establishes new **off-street** parking standards *Chapter 15.55 ECC*
  - Only a few changes from current standards
  - It has been moved from Public Works Development Standards to the City Code
- Establishes new **signage** standards *Chapter 15.56 ECC*
  - Revises current sign standards in Chapter 3.12 and includes landmarks and design commission suggestions from earlier sign code review
  - Emphasis on monument signs and wall signs instead of pole signs
- Establishes new **landscaping** standards *Chapter 15.57 ECC*
  - Creates **5 landscaping types** based on function
    - Type A is a full screen and visual barrier typically for use between residential and nonresidential uses or to screen unwanted views
    - Type B is a filtered screen that functions as a visual separator typically between differing types of residential development and to screen unwanted views from pedestrians

- Type C is a see-through screen that softens the appearance of parking areas and building elevations and is typically appropriate along street frontages or between multifamily developments
- Type D is an enhanced woodland buffer between different intensities of uses
- Type E is all other landscaped areas such as lawns, shrubs and trees, flower beds, etc. that do not serve a visual separation purpose
- Establishes landscape design standards, and installation and maintenance standards
- **Outdoor lighting** standards *Chapter 15.58 ECC* (maintains current ECC 3.40 with minor additions)

**Article 6: Critical Areas**

This article contains the current critical area code without any changes other than to bring the critical area code current with the new Title 15 processing requirements. Additional critical area code review and amendment is planned for 2012.

**Cross-referencing note:**

The document often includes references to other applicable chapters and sections of code – we intend to include direct web links to those applicable code sections/chapters once the code is adopted and published online.

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