

## Chapter 17.11

### URBAN GROWTH AREAS

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#### **17.11.010 Purpose and Intent.**

The purpose and intent of the Urban Growth areas is to provide for areas that are suitable and desirable for urban densities as determined by the sponsoring city's ability to provide urban services, and to allow for alternative methods of development that allows for infill and development at urban levels. (Ord. 2007-22, 2007)

#### **17.11.020 Intergovernmental Review**

Proposed projects occurring within the Urban Growth Area shall be jointly reviewed with the associated city. (Ord. 2007-22, 2007)

#### **17.11.030 City of Ellensburg Urban Growth Area Interlocal Agreements.**

Kittitas County and the City of Ellensburg have adopted an interlocal agreement to facilitate the orderly transition of urban services from the County to the City throughout the Urban Growth Area (UGA) and to coordinate and manage growth and development within the UGA. Permit process and development standards outlined in KCC 17.11.030 through KCC 17.11.039 are adopted for application to properties within the City of Ellensburg Urban Growth Area. ~~These sections shall take effect on June 30, 2023. These provisions shall not apply to the Airport Overlay or properties not requesting City of Ellensburg water and sewer utility extensions.~~ (Ord. 2022-017, 2022; Ord. 2007-22, 2007)

#### **17.11.031 Conflicts.**

If there is a conflict between the provisions within KCC 17.11 or the ILA and other sections of Kittitas County Code, KCC [17.04.020](#) and [17.04.040](#) shall be utilized to resolve the conflict. When 17.04 is utilized to resolve a conflict, the county will notify the city. (Ord. 2022-017, 2022)

### **17.11.032 Adoption by reference and modified code sections.**

[Resolution No. 2022-1](#), a resolution authorizing execution of an interlocal agreement with the City of Ellensburg regarding development in its Urban Growth Area (UGA), is adopted by reference except as amended by the provisions 17.11.030 through 17.11.039. Provisions shall apply to City of Ellensburg code sections as currently adopted as of the date of Resolution No. 2022-1 or hereby amended in the future by the City. This includes the following Chapters of the City of Ellensburg code:

Exhibits A (Ellensburg UGA map) and B (Future Land Use Map) within [Resolution No. 2022-1](#) are provided for reference only and do not modify the UGA boundary or change the land use designation of any property. The UGA boundary and land use designations of properties are identified within the Kittitas County Comprehensive Plan.

The following City of Ellensburg code sections have been modified as provided for within this code section. They include:

- [Chapter 15.130](#) – Land Development Code – Definitions
- [Chapter 15.310](#) – Land Development Code – Permitting Uses
- [Chapter 15.320](#) – Land Development Code – Building Setback and Intensity Standards
- [Chapter 15.550](#) – Land Development Code – Off-Street Parking

([Ord. 2022-017](#), 2022)

### **17.11.033 Applicability.**

This Agreement applies to the lands within the Ellensburg Urban Growth Area as currently adopted and identified in the County Comprehensive Plan, as of the date of execution of [Resolution No. 2022-1](#) and hereby amended in the future. Where the ILA does not identify development standards to be utilized for development within the UGA, existing Kittitas County Code standards apply.

~~The City of Ellensburg agrees to notify Kittitas County and provide the opportunity to comment on any code changes which would modify this interlocal agreement. Further, the City of Ellensburg shall delay implementation of new ordinances for 30 days after adoption to give Kittitas County time to implement the new standards. The City of Ellensburg shall provide a copy of the signed ordinance within 7 days of adoption. ([Ord. 2022-017](#), 2022)~~

### **17.11.034 Airport Zone.**

[KCC 17.58](#), Airport Zone, applies to all projects within the City of Ellensburg Urban Growth Area which are located within the Bowers Field Airport Overlay Zone. ([Ord. 2022-017](#), 2022)

### **17.11.035 County/City Zoning conversion chart.**

Where City of Ellensburg zoning designations are referred to within the adopted ILA or this chapter, the following conversion chart shall be utilized.

<b>County Zone</b>	<b>Applicable City Zone</b>
<b>R</b> Residential <b>UR</b> Urban Residential	<b>R-S</b> Residential Suburban
<b>I-L</b> Light Industrial	<b>I-L</b> Light Industrial
<b>I-G</b> General Industrial	<b>I-H</b> Heavy Industrial
<b>C-G</b> General Commercial	<b>C-H</b> Commercial Highway
<b>C-H</b> Highway Commercial <b>C-L</b> Limited Commercial	<b>C-H</b> Commercial Highway
<b>PUD</b> Planned Unit Dev. (Bender/Reecer)	<b>R-S</b> Residential Suburban
<b>PUD</b> Planned Unit Dev. (the Verge)	<b>R-H</b> Residential High
<b>HTC</b> Historic Trailer Court	<b>MHP</b> Manufactured Home Park
<b>F-R</b> Forest and Range	Refer to County standards

([Ord. 2022-017](#), 2022)

**17.11.036 Definitions.**

The following definitions shall apply and be utilized for projects located within the Ellensburg UGA. Where terms are not defined, the definitions in [KCC 17.08](#) shall apply.

1. "Accessory dwelling unit" means a self-contained residential unit that is accessory to a single family dwelling on a lot and may be added to, created within, or detached from the primary single-family dwelling unit. An accessory dwelling unit has its own bathroom, kitchen facilities, living and sleeping areas, though it can share other features with the single-family dwelling including the yard, parking, or storage.
2. "Accessory use" means on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.
3. "Adult family home" means a residential home in which a person or persons provide personal care, special care, room and board to more than one but not more than six adults who are not related by blood or marriage to the person or persons providing the services.
4. "Agriculture" means the use of land for farming, dairying, pasturing and grazing, horticulture, floriculture, viticulture, apiaries, animal and poultry husbandry, Christmas trees not subject to the excise tax imposed by RCW [84.33.100](#) through [84.33.140](#), finfish in upland hatcheries, and accessory activities, including, but not limited to, storage, harvesting, feeding or maintenance of equipment, but excluding stockyards, slaughtering or commercial food processing.
5. "Boarding houses, lodging houses, sororities, fraternities" means an establishment with lodging for five or more persons on a weekly or longer basis with a central kitchen and dining area maintained exclusively for residents and their guests.

6. "Community residential facility" means a facility that provides, on a regular basis, personal care, including dressing and eating and health-related care and services for at least five, but not more than 15 functionally disabled persons and which is not licensed under Chapter 70.128 RCW. A residential care facility shall not provide the degree of care and treatment that a hospital or longterm care facility provides.
7. "Conference center" means an establishment developed primarily as a meeting facility, including only facilities for recreation, overnight lodging, and related activities provided for conference participants.
8. "Cooperative" means a group of more than one, but no more than four qualified medical marijuana patients and/or designated providers who share responsibility for growing and processing marijuana only for the medical use of the members of the cooperative.
9. "Day care" means an establishment for group care of nonresident adults or children. Specifically:
  - a. Day care shall include child day care services, adult day care centers, and the following:
    - i. Adult day care, such as adult day health centers or social day care as defined by the Washington State Department of Social and Health Services;
    - ii. Nursery schools for children under minimum age for education in public schools;
    - iii. Privately conducted kindergartens or pre-kindergartens when not a part of a public or parochial school; and
    - iv. Programs covering after-school care for school children.
  - b. Day care establishments are subclassified as follows:
    - i. Day care I - a maximum of 12 adults or children in any 24-hour period; and
    - ii. Day care II - over 12 adults or children in any 24-hour period.
10. Dwelling, Cottage. "Cottage" means a small single-family dwelling that is clustered with other similar units surrounding a common open space. See ECC 15.540.050 for special cottage housing provisions.
11. Dwelling, Duplex. "Duplex" refers to a building that is entirely surrounded by open space on the same lot and contains two dwelling units or two dwelling units that are physically separated but on the same lot. A duplex will not be considered a duplex for purposes of the land development code standards if more than one duplex building is located on one lot.
12. Dwelling, Live-Work Unit. "Live-work unit" means an individual dwelling unit that is used for residential and nonresidential use types. The dwelling unit type may be any type that is permitted in the applicable zoning district. Permitted nonresidential uses may be those that are permitted in the applicable zoning district.
13. Dwelling, Multifamily. See definition of "Multifamily"
14. Dwelling, Single-Family. "Single-family dwelling" means one dwelling unit or one dwelling unit with an attached or detached accessory dwelling unit used, intended, or designed to be used, rented, leased, let, or hired out to be occupied for living purposes.
15. Dwelling, Townhouse. "Townhouse" is a single-family dwelling constructed in a group of three or more attached units in which each unit extends from the foundation to the roof

and with open space on at least two sides. Ownership of a townhouse includes the unit's building and associated property.

16. "Farmers' market" means a public market at which farmers and other vendors sell agricultural products, crafts, and food and beverages.
17. "Fruit stand" means a building, structure, or land area used for the sale of fresh fruit or vegetables grown on-site.
18. "Heavy service" includes service activities that may have regular exterior service, or storage areas. This use category includes, but is not limited to, contractors, heating fuels, truck stops, breweries and warehousing. Heavy service uses are limited to buildings no larger than 50,000 gross square feet in area.
19. "Home occupation" means any activity undertaken for gain or profit that results in a product or service and is carried on in a dwelling, or building accessory to a dwelling.
20. "Hospital" means an institution receiving inpatients and outpatients and rendering medical, surgical and/or obstetrical care and associated support facilities such as administrative offices, information technology department, or other similar facilities.
21. "Hotel" means any building or portion thereof in which lodging is provided and offered to the public for compensation, and which is open to transient guests and is not a boarding, lodging, sorority or fraternity house.
22. "Kennel" or "shelter" means any outdoor or indoor facility which houses four or more small domestic animals (that number not including one unweaned litter) for periods longer than 24 hours as a commercial venture, as a nonprofit organization, or for a governmental purpose. The facility may be either a separate business or an accessory use. A kennel is to be distinguished from a veterinary clinic which houses animals for periods that may exceed 24 hours as a commercial venture that is accessory to the primary medical activity performed in a veterinary clinic.
23. "Manufactured home park" means a lot, parcel, or tract of land having as its principal use the rental of space for occupancy by two or more manufactured homes, including any accessory buildings, structures or uses customarily incidental thereto.
24. "Marijuana processor" means a person licensed by the State Liquor and Cannabis Board to process marijuana into marijuana concentrates, useable marijuana and marijuana-infused products, package and label marijuana concentrates, useable marijuana and marijuana-infused products for sale in retail outlets, and sell marijuana concentrates, useable marijuana and marijuana-infused products at wholesale to marijuana retailers (as defined in [RCW 69.50.101](#) and provided herein for reference).
25. "Marijuana producer" means a person licensed by the State Liquor and Cannabis Board to produce and sell marijuana at wholesale to marijuana processors and other marijuana producers (as defined in [RCW 69.50.101](#) and provided herein for reference).
26. "Marijuana retailer" means a person licensed by the State Liquor and Cannabis Board to sell marijuana concentrates, useable marijuana and marijuana-infused products in a retail outlet (as defined in [RCW 69.50.101](#) and provided herein for reference).
27. "Miniwarehouse" means an enclosed single-story building(s) designed and constructed to provide individual compartmentalized controlled access stalls or lockers which shall be used only for the storage of personal property. Ministorage is synonymous with miniwarehouse.
28. Motel. See definition for "Hotel".

29. "Nursery and greenhouses" means an establishment for the growth, display, and/or sale of plants, shrubs, trees, and materials used in indoor or outdoor plantings conducted within or without an enclosed building.
30. "Nursing home" means any facility licensed by the Washington State Department of Social and Health Services or other appropriate state agencies, providing convalescent, chronic or domiciliary care for a period in excess of 24 consecutive hours, for three or more patients or residents not related by blood or marriage to the licensee.
31. Office, Business or Professional. "Business or professional office" means an office wherein business, technical or scientific services are rendered involving labor, skill, education and special knowledge for certain compensation or profit, but such labor, skill, education and special knowledge being predominantly mental or intellectual, rather than physical, manual or mercantile in nature. Examples of such uses would include, but not be limited to, the offices of lawyers, accountants, brokers, and insurance agents.
32. Office, Medical. "Medical office" means an office or clinic used primarily by physicians, dentists, optometrists, and similar personnel for the treatment and examination of patients solely on an outpatient basis; provided, that no overnight patients shall be kept on the premises.
33. "Personal services" means services rendered to individuals for their personal physical appearance and conditioning needs. Examples would include but not be limited to the following types of services: barber, beautician, masseur, and steam and sauna baths.
34. "Places of assembly" means a structure for groups of people to gather for an event or regularly scheduled program. Examples include but are not limited to arenas, religious institutions, lecture halls, banquet facilities, and similar facilities.
35. "Public agency or utility office" means a building or portion thereof used primarily for administration purposes by a public agency or utility.
36. "Recreation - indoor commercial" means a commercial recreation land use conducted entirely within a building, including, but not limited to, athletic and health clubs, pool or billiard halls, skating rinks, swimming pools, and tennis courts.
37. "Recreation - outdoor commercial" means a commercial recreation land use conducted primarily outdoors, including, but not limited to, water parks, amusement parks, and miniature golf courses.
38. "Regional retail commercial" refers to any use which involves the display and sale of retail consumer goods as part of a regional retail master site plan. Permitted uses and exceptions are described within ECC 15.390.030. Regional retail commercial developments contain a minimum of 100,000 square feet of enclosed gross floor area of allowable uses; provided, that at least 50,000 square feet must be used by one retailer.
39. "Senior citizen assisted housing" means housing in a building consisting of two or more dwelling units restricted to occupancy by at least one occupant 62 years of age or older per unit, and must include at least two of the following support services:
  - a. Common dining facilities or food preparation service;
  - b. Group activity areas separate from dining facilities;
  - c. A vehicle exclusively dedicated to providing transportation services to housing occupants;
  - d. Have a boarding home (assisting living) license from Washington State Department of Social and Health Services.

40. "Tow vehicle storage area" means the approved yard and buildings where stored vehicles are kept. The storage areas and fencing must comply with the requirements established by the Washington State Department of Licensing, Washington State Patrol, and all local zoning rules and regulations. All tow vehicle storage areas must be physically located within the tow zone assigned to the operator.
41. "Utility facility" means any privately, publicly, or cooperatively owned line, facility, or system for producing, transmitting, or distributing communications, power, electricity, light, heat, gas, oil, crude products, water, steam, waste, stormwater not connected with highway drainage, or any other similar commodity, including any fire or police signal system or street lighting system, which directly or indirectly serves the public. For commercial wireless communication support towers, antenna arrays, and facilities.
42. "Wrecking yard, vehicle" means any area, lot, land, parcel, building, structure, or part thereof where buying, selling, or dealing in vehicles of a type required to be registered under Washington State law, for the purpose of wrecking, dismantling, disassembling, or substantially changing the form of a vehicle, or buying or selling integral secondhand parts, in whole or in part is taking place. ([Ord. 2022-017](#), 2022)

#### **17.11.037 Permitted Uses.**

1. Purpose:
  - a. The purpose of this chapter is to establish the uses generally permitted in each zone which are compatible with the purpose of the zone and other uses allowed within the zone.
  - b. The use of a property is defined by the activity for which the building or lot is intended, designed, arranged, occupied, or maintained.
  - c. This section only applies to uses within those zones identified within use tables in 17.11.037(4)(a) below. See [KCC 17.22.035](#) for County/City conversation chart. For those zones within the UGA that are not listed in the tables below, the use tables 17.16 through 17.57 shall apply.
2. Interpretation of Land Use Tables:
  - a. The land use tables in this chapter determine whether a use is allowed in a zoning district. The zoning district is located on the vertical column and the use is located on the horizontal row of these tables.
  - b. If no symbol appears in the box at the intersection of the column and the row, the use is not allowed in that district, except for certain temporary uses. For temporary use requirements, see [KCC 17.92.010](#).
  - c. If the letter "P" appears in the box at the intersection of the column and the row, the use is allowed in that district. If allowed, the use would follow the Kittitas County process for permitting.
  - d. If the letter "C" appears in the box at the intersection of the column and the row, the use is allowed subject to the conditional use review procedures specified in KCC 17.60A and the general requirements of the code.
  - e. Clarification of Uses and Special Conditions.
    - i. If a \* appears after the use, then the use is defined in [KCC 17.11.036](#).

- ii. Uses are subject to footnote requirements in [KCC 17.15.080.2](#) except where they conflict with the tables in 17.11.037(4)(a-c) regarding the permit process.
- 3. Accessory Uses. An accessory use, as defined in [KCC 17.11.036](#) and identified on the use tables in KCC 17.11.037(4)(a) by an "A" is permitted in any zone if:
  - a. It is on the same lot as the principal use to which it is accessory; and
  - b. It is of a nature customarily incidental and subordinate to, the principal use or structure.
- 4. Use Tables:

**Table 17.11.037(4)(a) Residential-based uses.**

Use	R-S	C-H	I-L	I-H
<b>RESIDENTIAL, GENERAL</b>				
Dwelling, single-family*	P			
Dwelling, cottage*	P			
Dwelling, duplex*	P			
Dwelling, townhouse*	P			
Dwelling, multifamily*	P			
Dwelling, live-work*	P			
Manufactured home park*				
<b>GROUP RESIDENCES</b>				
Boarding houses, lodging houses, sororities, fraternities*				
Adult family home*	P			
Community residential facility*				
Senior citizen assisted housing*				
<b>RESIDENTIAL ACCESSORY USES</b>				
Accessory dwelling unit*	P			
Home occupations* ( <a href="#">KCC 17.15.080.2</a> )	P	P	P	P
Yard sale use	A	A	A	A

<b>TEMPORARY LODGING</b>				
Bed and breakfast				

**Table 17.11.037(4)(b) Nonresidential uses.**

Use	R-S	C-H	I-L	I-H
<b>RETAIL</b>				
Auto sales, new and used		P		
Farmers' markets*				
Fruit stands*	P	P	P	
Heavy retail		P	P	P
Heavy service		P	P	P
Nurseries and greenhouses that are ancillary to a retail use*	P	P	P	P
Restaurants, bars, and brewpubs*		P	P	
Coffee house, espresso bar	P	P	P	
Retail, small scale (<2,000 sf floor area)	P	P		
Retail, medium scale (2,000 - 20,000 sf floor area)		P		
Retail, large scale (20,001 - 60,000 sf floor area)		P		
Retail, super scale (>60,000 sf floor area)				
Outlet center		P		
Regional retail commercial projects*	P	P	P	
Marijuana retailer*		P		
<b>PERSONAL AND SERVICES</b>				
Day care I facilities*	P	P	P	
Day care II facilities*	C	P		

General service establishments		P	P	
Heavy services		P	P	P
Hotels/motels*		P		
Hospitals*	C			
Offices, medical*	P	P		
Kennels*		P	P	
Nursing homes*	C			
Marijuana cooperative*	P	P	P	P
Personal service establishments*	P	P		
Places of assembly*	C		C	
Radio station (commercial)		C	C	C
Veterinary clinic		P	C	
<b>BUSINESS SERVICE</b>				
Conference center*		P		
Offices, business or professional*, small scale (<2,000 sf floor area)	P	P	P	
Offices, business or professional*, medium scale (2,000 - 20,000 sf floor area)	P	P	P	
Offices, business or professional*, large scale (20,001 - 60,000 sf floor area)		P	P	
Miniwarehouse facility*		C	P	P
<b>INDUSTRIAL</b>				
Light industry			P	P
Hazardous waste treatment (off-site)			C	C
Hazardous waste treatment (on-site)		C	C	C
Heavy industry				C
Marijuana processor*			P	P

Marijuana producer*			P	P
Tow vehicle storage area*			P	P
Vehicle wrecking yard*				C

**Table 17.11.037(4)(c) Special uses.**

Use	R-S	C-H	I-L	I-H
<b>PARK, OPEN SPACE AND RECREATIONAL</b>				
Cemeteries, columbarium or mausoleums	P			
Golf course	P			
Golf driving range (not associated with a golf course)	C	C		
Recreation - outdoor (commercial)*		P	C	
Recreation - indoor (commercial)*		P	C	
Parks, playgrounds (public or private)	P	P	P	
<b>CULTURAL AND ENTERTAINMENT</b>				
Art, performing arts, and recording studios		P		
<b>EDUCATIONAL</b>				
Schools	C	C		
<b>GOVERNMENTAL</b>				
Court		P		
Fire facility		P		
Police facility		P	P	
Public agency or utility office*		P	P	P
Public agency or utility yard	P	P	P	P
Utility facility*	P	P	P	P
Public transportation passenger terminals		P		

<b>RESOURCE</b>				
Gardening or fruit raising (accessory use or noncommercial)	P	P	P	P
Agriculture*	P			
Small wind energy systems	P	P	P	P

(Ord. 2022-017, 2022)

**17.11.038 Building Setback and Intensity Standards.**

1. Purpose:
  - a. To promote forms of development that reinforce and/or enhance the desired character of Ellensburg neighborhoods;
  - b. To promote compatibility between developments; and
  - c. To minimize environmental impacts of development.
2. Interpretation of Tables:
  - a. The building setback and intensity standards tables address the building setback and intensity of development specific to individual zoning districts. The zoning district is located on the vertical column and the form/intensity topic being addressed is located on the horizontal row of these tables.
  - b. Where a code reference/link appears after the building setback and intensity topic, then the use is subject to standards set forth in that section or chapter.
  - c. If a number appears in the box at the intersection of the column and the row, refer to the development condition with the corresponding number immediately following the table. If there are multiple numbers, then all development conditions apply.
  - d. KCC 17.11.038(4) through 17.11.038(10) provide clarification and exceptions to the building setback and intensity standards herein.

Use Tables:

**Table 17.11.038(3)(a) Building setback and intensity standards - Residential zones.**

<b>Topic</b>	<b>R-S</b>	<b>R-H</b>
<b>DEVELOPMENT INTENSITY AND CONFIGURATION</b>		
Minimum lot area	None <u>1</u>	None <u>1</u>
Minimum frontage	None <u>1</u>	None <u>1</u>
Density, minimum (KCC 17.11.038(4)) <u>8</u>	None	15 du/acre

Density, maximum (KCC 17.11.038(4))	6 du/acre	No limit
Maximum building height	35 ft	45 ft <u>2</u>
Minimum front yard setback <u>3</u> <u>4</u>	15 ft	15 ft
Garage front yard setback	22 ft	22 ft
Minimum rear yard setback	20 ft	20 ft
Minimum rear yard setback, accessory buildings (including garages)	5 ft <u>6</u>	5 ft <u>6</u>
Minimum rear yard setback, detached accessory dwelling unit (see KCC 17.11.038(6)(c))	5 ft <u>6</u>	5 ft <u>6</u>
Minimum side yard setback (includes comer lot interior lot line) <u>5</u>	5 ft / 10 ft <u>7</u>	5 ft / 10 ft <u>7</u>
Minimum side yard setback (comer lot exterior lot line)	10 ft	10 ft
Minimum garage side yard setback (comer lot exterior lot line)	22 ft	22 ft

**17.11.038(3)(a)(i) Development condition footnotes associated with Table**

1. Lot sizes may be variable provided they are sized and shaped sufficient to accommodate permitted uses and conform to applicable design and density standards.
2. For buildings, or portions thereof, with pitched roofs, the maximum height may be increased by five feet. Applicable roof slopes must be at least 4:12 to qualify for this additional height.
3. Porches and covered entries may project up to six feet into the front yard.
4. No front yard is required for buildings adjacent to designated "storefront streets." Townhouses and zero lot line homes are exempt from side yard standards internal to a development. However, such uses shall meet applicable side yard standards for adjacent lots outside of the development.
5. Townhouses and zero lot line homes are exempt from side yard standards internal to a development. However, such uses shall meet applicable side yard standards for adjacent lots outside of the development.
6. Accessory buildings or accessory dwelling units, where built on top of an existing garage, may be built to a property line abutting an alley, provided sufficient turning movement and emergency vehicle access is provided within the alley.
7. For lots 6,000 square feet or less, the minimum side yard shall be five feet on each side.
8. Minimum densities apply except when limited due to Airport overlay requirements in [KCC 17.58](#).

**Table 17.11.038(3)(b) Building setback and intensity standards - Nonresidential zones.**

<b>Standard</b>	<b>C-H</b>	<b>I-L</b>	<b>I-H</b>
<b>DEVELOPMENT INTENSITY AND CONFIGURATION</b>			
Minimum lot area	None <u>1</u>	None <u>1</u>	None <u>1</u>
Density, minimum (KCC 17.11.038(4))	NA	NA	NA
Density, maximum (KCC 17.11.038(4))	None	NA	NA
Maximum building height (see KCC 17.11.038(5) for height exceptions)	35 ft	35 ft	None
<b>BUILDING PLACEMENT (see KCC 17.11.038(5) through 17.11.038(10))</b>			
Minimum front yard	10 ft	10 ft	10 ft
Garage front yard setback	22 ft	22 ft	22 ft
Minimum rear yard	None <u>2</u>	None <u>2</u>	None <u>2</u>
Minimum side yard	None <u>2</u>	None <u>2</u>	None <u>2</u>

**17.11.038(3)(b)(i) Development condition footnotes associated with Table**

1. Lot sizes may be variable provided they are sized and shaped sufficient to accommodate permitted uses and conform to applicable design and density standards. For areas within 100 feet of a residential zone, the maximum building height shall be 35 feet.
2. Where the subject property borders a residential zone, the minimum side or rear setbacks shall be the same as the adjacent residential zone.
3. Critical Areas as defined by Kittitas County Code. Calculations for Determining Maximum Density - Gross Developable Acreage.
  - a. All site areas may be used in the calculation of the maximum allowed residential density or project floor area except as outlined under the provisions of subsection (B)(2) of this section.
  - b. Critical Areas as defined by Kittitas County Code shall not be credited toward the maximum density or floor area calculations. Property used for new roadways, trails, stormwater facilities, or other features used by residents may be counted as part of the site area for density calculations. Property transferred to the city for the construction of public roadways or other public feature shall be counted as part of the site area if the city and property owner reach such an agreement as part of the transfer.
4. Density Calculations.
  - a. Maximum density for an individual site shall be calculated by multiplying the gross developable acreage by the applicable number of dwelling units.

When calculation results in a fraction, the fraction shall be rounded to the nearest whole number as follows:

- Fractions of 0.50 and above shall be rounded up.
  - Fractions below 0.50 shall be rounded down.
  - Prohibited Reduction. Any portion of a lot that was used to calculate compliance with the standards and regulations of this title shall not be subsequently subdivided or segregated from such lot.
5. Height exceptions. The following structures may be erected above the height limits set forth in KCC [17.11.038\(3\)\(a\)](#) and KCC [17.11.038\(3\)\(b\)](#):
- a. An additional two feet in height is allowed for structures with green roofs occupying at least 50 percent of the area of the roof;
  - b. Skylights, flagpoles, chimneys, church steeples, crosses, spires, communication transmission and receiving structures, and similar structures.
6. Setback measurements.
- a. Front Yard Setback. The front yard is measured from the street right-of-way or the edge of a surface improvement (sidewalk) which extends beyond a right-of-way, whichever is closer to the proposed structure, to a line parallel to and measured perpendicularly from the street right-of way or the edge of the surface improvement at the depth prescribed for each zone. For dual frontage properties, the front yard is measured from the street right-of-way that is the property's street address and primary access.
  - b. Side Yard Setback. The side yard setback is measured from the side lot line adjacent to another private property to a line parallel to and measured perpendicularly from the side lot lines at the depth prescribed for each zone.
  - c. Rear Yard Setback. The rear yard setback is measured from the rear lot line adjacent to another private property or an alley to a line parallel to and measured perpendicularly from the rear lot lines at the depth prescribed for each zone.
  - d. Corner Lots. For corner lots with two street frontages, setbacks from the addressed street side shall conform to the front yard setback for the underlying zoning district. The setbacks for the flanking side shall conform to the exterior side yard setbacks for the underlying zoning district.
  - e. For measurements on a pointed or irregular lot refer to definition of lot line in KCC [17.11.036](#).
7. Permitted projections into yards. The following structures may extend into or be located in required setbacks:
- a. Fireplace structures, bay or garden windows, enclosed stair landings, closets, or similar structures may project 30 inches into a front or rear yard, provided such projections are:
    - Limited to two per facade; and
    - Not wider than 10 feet;
  - b. Eaves, cornices, and signs may not project more than:
    - Three feet into a front or rear yard; and

- Two feet into the side yard;
  - c. Porches and covered entries may project up to six feet into the front yard subject to conformance with any required site vision standards set forth in Section 3, Street Standards, of the city's public works development standards applicable to the lot;
  - d. Uncovered porches and decks, which exceed 18 inches above the finished grade, may project up to six feet into the front or rear yards;
  - e. Storefront weather protection projections into the public right-of-way are acceptable, provided they don't interfere with street trees or extend beyond the edge of the sidewalk;
  - f. The following features may project into any front yard:
    - Unenclosed porches and entry features may project six feet into the front yard;
    - Mailboxes and newspaper boxes;
    - Fire hydrants and associated appendages;
    - Bus shelters; and
    - Monument signs;
  - g. The following features may project into any yard:
    - Telephone poles and lines;
    - Power poles and lines;
    - Cable TV and internet lines;
    - Light and flagpoles;
    - Sprinkler systems;
    - Trellises not exceeding eight feet in height, not wider than 10 feet;
    - Culverts and underground water, sewer, and accessory facilities for the provision of utilities, such as drains;
    - Electrical equipment cabinets and similar utility boxes and vaults;
    - Surface and stormwater water management facilities;
    - Uncovered porches and decks not exceeding 18 inches above the finished grade; and
    - Rockeries, retaining walls and curbs provided these structures do not exceed a height of six feet from the property line grade; and
  - h. No projections are allowed into a regional utility corridor or access easement.
- 8. Setbacks from alleys. Accessory buildings and accessory dwelling units, where built on top of an existing garage, may be built to a property line abutting an alley, provided sufficient turning movement and emergency vehicle access is provided within the alley.
- 9. Setback modifications.
  - a. In addition to providing the standard street setback, a lot adjoining a half-street or designated arterial shall provide an additional width of street setback sufficient to accommodate construction of the planned half-street or arterial.

- b. For residential lots adjacent to designated local streets and built to applicable standards set forth in Section 3, Street Standards, of the city's public works development standards, setbacks shall be measured from the back of the sidewalk rather than the right-of-way edge, provided no residential structures are built within the public right-of-way.
    - c. Variance. See procedures in [KCC 17.84](#).
- 10. Lot or site divided by zone boundary. When a lot is divided by a zone boundary, the following rules shall apply:
  - a. When a lot contains both residential and nonresidential zoning, the zone boundary between the zones shall be considered a lot line for determining permitted building height and required setbacks on the site;
  - b. When a lot contains residential zones of varying density:
    - Any residential density transfer within the lot shall be allowed from the portion with the lesser residential density to that of the greater residential density;
    - Compliance with these criteria shall be evaluated during review of any development proposals in which such a transfer is proposed; and
    - Uses on each portion of the lot shall only be those permitted in each zone pursuant to KCC [17.11.037](#). ([Ord. 2022-017](#), 2022)

**17.11.039 Off-Street Parking.**

- 1. Purpose:
  - a. The purpose of this chapter is to provide adequate parking for all uses allowed in this title, to reduce demand for parking by encouraging alternative means of transportation including public transit and bicycles, and to increase pedestrian mobility by:
    - i. Setting minimum off-street parking standards for different land uses and districts that assure safe, convenient and adequately sized parking facilities;
    - ii. Recognizing that developed properties are likely to support a variety of different uses over time; and
    - iii. Providing for parking and storage of bicycles.
- 2. Authority and application.
  - a. The regulations of this chapter apply to all off-street parking areas in all zoning districts within the City of Ellensburg's Urban Growth Area.
  - b. The regulations of this chapter apply to all new development applications, all new parking lot construction or enlargement. In addition, these regulations shall apply at the time of enlarging, moving or increasing the capacity of existing structures by creating or adding dwelling units, commercial or industrial floor space, or seating facilities, and shall also apply when an existing land use within an existing structure is changed to a category of land use as set forth below that is different than the category of land use for which the existing parking facility was designed and installed.

- c. Before an occupancy permit may be granted for any new or enlarged building or for a change of use in any existing building, the use shall be required to meet the provisions of this chapter.
    - d. If this chapter does not specify a parking requirement for a land use, the director shall establish the minimum requirement based on a study of anticipated parking demand. Transportation demand management actions taken at the site shall be considered in determining anticipated demand. In the study the applicant shall provide sufficient information to demonstrate that the parking demand for a specific land use will be satisfied. Parking studies shall be prepared by a professional engineer with expertise in traffic and parking analyses, or an equally qualified individual as authorized by the director.
    - e. The Electric Vehicle Infrastructure regulations in [KCC 17.66](#) shall be utilized in conjunction with this Chapter.
- 3. Parking plan -Building permit, surety bond, and occupancy requirements.
  - a. Building Permit. No building permit nor parking lot construction or enlargement shall be issued until a parking plan showing provisions for the required off-street parking, as specified in this chapter, has been submitted and approved by the director. The plan shall clearly indicate the proposed development, including parking lot location, size, shape, design, number of spaces, curb cuts, lighting, and other features and appurtenances required by this chapter. The parking plan shall show/state the number of parking spaces and handicap spaces required and provided.
  - b. Surety. Before a building permit is issued for any building or structure for which this chapter requires off-street parking and where such off-street parking is not to be contained within the building for which the building permit is requested, the director may require that the applicant provide the city with a surety bond or other sufficient security approved by the director guaranteeing to the county the installation and improvement of the required off street parking within a time not to exceed six months following the completion of the building(s) for which such off-street parking is to be provided.
  - c. Occupancy. All required off-street parking areas must be completed and landscaped prior to occupancy of any structure.
- 4. Computation of required off-street parking spaces.
  - a. Spaces Required. Except as modified in subsections below, off-street parking areas shall contain at a minimum the number of parking spaces as stipulated in the following table. Off street parking ratios expressed as number of spaces per square feet means the usable or net square footage of floor area, exclusive of nonpublic areas. Nonpublic areas include but are not limited to building maintenance areas, storage areas, closets or restrooms. If the formula for determining the number of off-street parking spaces results in a fraction, the number of off-street parking spaces shall be rounded to the nearest whole number with fractions of 0.50 or greater rounding up and fractions below 0.50 rounding down.

**Table 17.11.039(4)(a)(i) Computation of required off-street parking spaces.**

Category of Land Use <u>1</u>	Minimum Parking Spaces Required
<b>RESIDENTIAL / LODGING</b>	
Dwelling, single-family	2.0 per dwelling unit; for structures containing more than 4 bedrooms, 1 additional space for each bedroom in excess of 4 shall be provided. NOTE: Tandem parking to accommodate 2-car garages is permitted for single-family units.
Accessory dwelling unit	None required
Apartment:	
Duplex	2.0 per dwelling unit; for structures containing more than 4 bedrooms, 1 additional space for each bedroom in excess of 4 shall be provided. NOTE: Tandem parking to accommodate 2-car garages is permitted for duplex dwelling units.
Townhouse	2.0 per dwelling unit; for structures containing more than 4 bedrooms, 1 additional space for each bedroom in excess of 4 shall be provided.
Studio units	1.2 per dwelling unit
Studio and I-bedroom units in C-C zone outside of the downtown historic district	0.7 per dwelling unit
1-bedroom units	1.5 per dwelling unit
2-bedroom residential units and larger in C-C zone outside of the downtown historic district	0.7 per bedroom
2-bedroom units or larger	1.0 per bedroom
Cottage housing	1.5 per dwelling unit

Senior housing	1.0 per dwelling unit (this may be reduced based on the characteristics of the use)
Adult family home	2.0 per dwelling unit; for structures containing more than 4 bedrooms, 1 additional space for each bedroom in excess of 4 shall be provided. NOTE: Tandem parking to accommodate 2-car garages is permitted.
Senior citizen assisted housing	1.0 per 2 dwelling or sleeping units
Community residential facilities	1.0 per 2 bedrooms
Boarding houses, lodging houses, sororities, fraternities	1.0 per bedroom
Hotel/motels (where restaurants and conference facilities are included, see standards for applicable use)	1.0 per guest room
Bed and breakfast guesthouse	1.0 per guest room, plus 2.0 per facility
<b>GENERAL RETAIL AND SERVICE</b>	
Offices, banks, medical clinics, supermarkets, retail shops, department stores, or similar uses	1.0 per 300 square feet of gross floor area
General retail or service use with drive-in facility	Same parking for retail and service as provided herein, plus sufficient off- street drive-through stacking area to accommodate 3 vehicles without negatively impacting other required parking areas, ingress and egress into such parking areas, or traffic on public streets
Day care facility	1.0 per employee plus 1.0 temporary loading parking per each 8 full-day equivalent children
<b>FOOD AND BEVERAGE</b>	
Restaurant, taverns, or similar uses where patrons sit down for service	1.0 per 200 square feet of gross floor area for sit-down facilities with a minimum number of 5 spaces required

Drive-in restaurant	Same parking as restaurant plus sufficient off-street drive-through stacking area to accommodate 6 vehicles without negatively impacting other required parking areas, ingress and egress into such parking areas, or traffic on public streets
Drive-in coffee stand	2.0 per facility plus sufficient off-street drive-through stacking area to accommodate 6 vehicles without negatively impacting other required parking areas, ingress and egress into such parking areas, or traffic on public streets
<b>PLACES OF ASSEMBLY</b>	
Churches, funeral homes, mortuaries, clubs, lodges, museums, auditoriums, theaters, conference facilities, public or commercial recreational facilities, or similar uses	0.25 per person of maximum occupancy as established by the fire marshal with a minimum of 5 spaces required
<b>INDUSTRIAL AND LAND CONSUMPTIVE USES</b>	
Wholesale trade, warehousing (including miniwarehouse facilities), processing and manufacturing facilities, heavy equipment repair, lumber yard, car sales, or similar land consumptive but low traffic generation uses	1.0 per 1,500 square feet of gross floor area for structures up to 20,000 square feet in gross size with a minimum of 5 spaces required OR 1.0 per 2,000 square feet of gross floor area for structures greater than 20,000 square feet in gross size. NOTE: For vehicle sales lots, the sales area is not considered to be a parking facility and does not have to comply with the requirements of this chapter. However, all required parking must be designed and reserved for customer parking only.
<b>PUBLIC AND QUASI-PUBLIC USES</b>	
Hospital	1.5 per each 5 beds with a minimum of 5 spaces required
Elementary and junior high schools	1.0 per classroom, plus 1 per 50 students
High schools, college or university, trade school, or business school	1.0 per classroom, plus 1 per 10 students
Governmental office	1.0 per 350 square feet of gross floor area

#### **17.11.039(4)(a)(ii) Footnotes Associated with Table**

1. In those situations where a particular use is not specifically mentioned in this table, the requirements for off-street parking shall be determined by the director and in accordance with the most comparable use listed.
  - a. Shell Building Permit Applications. When the county has received a shell building permit application, off-street parking requirements shall be based on the possible tenant improvements or uses authorized by the zone designation and compatible with the limitations of the shell permit. When the range of possible uses results in different parking requirements, the director shall establish the amount of parking based on a likely range of uses. For example, an applicant submits a permit for a 5,000-square-foot shell building in the C-H zone. The zone allows for a range of retail, personal, and general service retail uses. Most permitted uses in this zone fall in the category of general retail and service uses in Table 17.11.039(4)(a)(i) which requires one space per 300 square feet of gross floor area. Restaurants require more parking (one space per 200 square feet of gross floor area). While the director might find it unreasonable to require parking for the "worst case scenario" in terms of possible use types, he or she will typically choose a requirement that falls between the possible use scenarios. In this case, the odds are that most possible uses fall in the general retail and service use category with a lower parking requirement, though a slightly higher parking requirement would make sense given the possibility of a use such as a restaurant, which requires greater parking. Thus, a compromise standard, requiring a minimum of one space per 275 square feet of gross floor area, would be reasonable in this instance.
  - b. Other Provisions of Code. Where other provisions of this code stipulate reduced minimum parking requirements, those provisions shall apply.
  - c. Bicycle Parking. Multifamily and nonresidential developments shall provide for bicycle parking per the standards below:
    - i. Amount of Bicycle Parking.

#### **Computation of required off-street bicycle parking spaces.**

<b>Category of Land Use</b>	<b>Minimum Parking Spaces Required</b>
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Single-family dwelling	None
Multifamily dwelling	0.5 space per dwelling unit (units with private garages are exempt)
Hotel/motels	1.0 per 20 guest rooms
Offices, banks, medical clinics, supermarkets, retail shops, department stores, or similar uses	1.0 per 5,000 square feet of gross floor area for up to 50,000 square feet, then 1.0 per 10,000 square feet beyond 50,000
Restaurant, taverns, or similar uses where patrons sit down for service	1.0 per 800 square feet of gross floor area
All other uses	1.0 per 5 required vehicle parking spaces

- i. Parking Location and Design - Nonresidential Uses. Bicycle facilities for patrons shall be located within 100 feet of the building entrance and located in safe, visible areas that do not impede pedestrian or vehicle traffic flow.
  - ii. Parking Location and Design -Residential Uses. Bicycle facilities for residents shall be located within 100 feet of all building or individual unit entrances and located on the ground level in safe, visible areas that do not impede pedestrian or vehicle traffic flow.
  - iii. Bicycle parking hardware shall be installed according to its manufacturer's instructions, allowing adequate clearance for bicycles and their riders.
5. Primary Use. The minimum number of parking spaces shall be computed based on the primary uses on the property, except as stated in subsection (6) of this section that addresses accessory uses. When there are two or more separate primary uses on a property, the required off-street parking for the property is the sum of the required parking for the individual primary uses.
6. Accessory Use. When more than 20 percent of the gross floor area on a property is in an accessory use, the required off-street parking shall be calculated separately for the accessory use and for the primary use and then added together for the total required off-street parking. When 20 percent or less of the gross floor area on a property is in an accessory use, the required off-street parking shall be calculated on the gross floor area of the building as if it were all under the primary use.  
Examples:
  - a. A 40,000-square-foot building containing a 30,000-square-foot warehouse space (75 percent of total) and a 10,000-square-foot accessory office space (25 percent of total). The minimum parking requirement would be

calculated separately for the office use and the warehouse use and then added together.

- b. The same 40,000-square-foot building containing a 35,000-square-foot warehouse space (88 percent of total) and a 5,000-square-foot accessory office space (12 percent of total). The required parking would be based solely on the gross floor area of the building as if it were all the primary use (40,000).
7. On-Street Parking. On-street parking immediately adjacent to the property may be counted towards the parking requirement for nonresidential uses.
8. All required off-street parking must have direct and unobstructed access to ingress and egress from a public street, and stacked or tandem parking shall not be counted toward meeting the required off-street parking requirements in any zoning district except for single-family residential structures and duplex dwelling units as per Table 17.11.039(4)(a)(i).
9. Garages. Required off-street parking that is provided in garages or carports shall be credited toward the required off-street parking spaces except that no stacked or tandem parking that blocks off those garages or carport parking spaces from direct or unobstructed access to ingress or egress to a public street shall be credited toward the required parking spaces except for single-family residential structures and duplex structures as set forth in Table 17.11.039(4)(a)(i).
10. Handicapped Parking. Off-street parking and access for the physically handicapped shall be provided in accordance with the Uniform Building Code.
11. Fire Lane Standards. Fire lanes may be required by the fire codes and by Kittitas Valley Fire and Rescue within off-street parking facilities. Such fire lanes, including dimensions, width, location, etc., shall be installed as required by the fire code or Kittitas Valley Fire and Rescue and shall remain in effect throughout the life of the parking facility.
12. Changes in use to a different land use category shall provide the minimum off-street parking for the new general land use category.
13. Continued use of required parking spaces.
  - a. Continued Use. Required off-street parking spaces must be available for the continued use of residents, customers, or employees of the use, and the continued use of a building or structure or property for which off-street parking is required shall be conditioned upon the continued existence of such off-street parking. If the required off-street parking ceases to exist in connection with the use for which it was reserved, and no equivalent off-street parking is provided, such occupancy and use of the building or structure or property shall become illegal and the occupancy permit shall become void.
  - b. Assignment Prohibited. Required off-street parking spaces may not be assigned in any way to another use on another site.
  - c. Use for Non-Parking Purposes Prohibited. Required off-street parking spaces shall not be used for the parking of equipment or for storage of materials or goods or inoperable vehicles. Use of required off-street parking for commercial or other purposes in conjunction with a temporary use of a limited and specific duration shall require separate review and approval by the director in conjunction with the temporary use.

- d. Maintenance Required. The off-street parking required by this chapter shall be maintained in a good and functioning condition as determined by the director.
14. Loading space requirements.
- a. Every nonresidential building engaged in retail, wholesale, manufacturing, or storage activities, excluding self-service storage facilities, shall provide loading spaces in accordance with the standards listed below:

**Table 17.11.039(14)(a)(i) Loading space requirements for retail, wholesale, manufacturing, or storage activities, excluding self-service storage facilities.**

<b>Gross Floor Area</b>	<b>Required Number of Loading Spaces</b>
10,000 to 40,000 square feet	1
40,001 to 96,000 square feet	2
96,001 to 160,000 square feet	3
160,001 to 196,000 square feet	4
For each additional 70,000 square feet	1 additional

- b. Every building engaged in hotel, office building, restaurant, hospital, auditorium, convention hall, exhibition hall, sports arena/stadium or other similar use shall provide loading spaces in accordance with the standards listed below:

**Table 17.11.039(14)(b)(i) Loading space requirements for hotel, office building, restaurant, hospital, auditorium, convention hall, exhibition hall, sports arena/stadium, or other similar uses.**

<b>Gross Floor Area</b>	<b>Required Number of Loading Spaces</b>
40,000 to 120,000 square feet	1
120,001 to 264,000 square feet	2
264,001 to 520,000 square feet	3
520,001 to 784,000 square feet	4
784,001 to 920,000 square feet	5
For each additional 200,000 square feet	1 additional

- c. For storefronts and other similar buildings sited adjacent to a street without individual businesses over 10,000 square feet and no alley access, loading space may be provided by on street designated loading zones upon approval of the public works and utilities director as an administrative decision based on access and safety considerations. A site plan, proposed conditions, and reason for on-street loading facilities shall be included in the application.
  - d. Each loading space required by this section shall be a minimum of 10 feet wide, 30 feet long, and have an unobstructed vertical clearance of 14 feet six inches, and shall be surfaced, improved and maintained as required by this chapter. Loading spaces shall be located so that trucks shall not obstruct pedestrian or vehicle traffic movement or project into any public right of-way. All loading space areas shall be separated from parking areas and shall be designated as truck loading spaces.
  - e. Any loading space located within 100 feet of areas zoned for residential use shall be screened and operated as necessary to reduce noise and visual impacts. Noise mitigation measures may include architectural or structural barriers, beams, walls, or restrictions on the hours of operation.
  - f. Multi-story self-service storage facilities shall provide two loading spaces, and single-story facilities one loading space, adjacent to each building entrance that provides common access to interior storage units. Each loading berth shall measure not less than 25 feet by 12 feet with an unobstructed vertical clearance of 14 feet six inches, and shall be surfaced, improved, and maintained as required by this chapter. Any floor area additions or structural alterations to a building shall be required to provide loading space or spaces as set forth in this chapter.
15. Parking lot design and construction standards.
- a. Parking Area Access Standards. See Section 6, Parking Standards, of the city's public works development standards.
  - b. Parking Stall and Aisle Dimensions. See Section 6, Parking Standards, of the city's public works development standards.
  - c. Parking Area Development and Design Provisions.
    - i. For parking area surfacing standards, see Section 6, Parking Standards, of the city's public works development standards. Fire lane shall be in accordance with the International Fire Code (IFC) as adopted in [KCC 14.04](#). ([Ord. 2022-017](#), 2022)

#### **17.11.040 Infrastructure.**

Except as modified by a UGA interlocal agreement, development of infrastructure relating to municipal water and sewer services shall be referred to the requirements as outlined by the corresponding cities code. Joint review shall occur in the development of roads with both the city and county road standards. ([Ord. 2022-017](#), 2022; Ord. 2007-22, 2007)

**17.11.050 Minimum Density.**

Density calculations shall be calculated based on lands available after removal of lands protected under Critical Areas as identified in Kittitas County Code [Title 17A](#) and lands used for the purpose of development and placement of roads. This provision shall not apply to the Airport Overlay. ([Ord. 2022-017](#), 2022; [Ord. 2019-013](#), 2019; Ord. 2007-22, 2007)

**17.11.060 Maximum Lot Coverage.**

Except as modified by a UGA interlocal agreement, the ground area covered by all buildings, including accessory buildings, shall be consistent with the associated City's maximum lot coverage regulations for the associated land use zone. This applies only to those zones with a Maximum Lot Coverage. ([Ord. 2022-017](#), 2022; [Ord. 2018-014](#), 2018)