

ORDINANCE NO. 4830

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, RELATING TO ZONING AND AMENDING TITLE 15 OF THE ELLENSBURG CITY CODE BY CHANGING THE ZONING CLASSIFICATION OF A CERTAIN PARCEL WITHIN THE CITY OF ELLENSBURG, WASHINGTON, FROM CENTRAL COMMERCIAL II (CC-II) TO CENTRAL COMMERCIAL (C-C).

WHEREAS, on February 28, 2019 the City received an application (P19-026) from Tyler Glahn, owner of Patricia Place, LLC, requesting a rezone on a .15-acre property located at 407 N. Water St., Parcel ID Number 357833 (“application”); and

WHEREAS, the application proposed to rezone the parcel from Central Commercial II (CC-II) to Central Commercial (C-C); and

WHEREAS, pursuant to ECC Table 15.210.050(D), a Site Specific Rezone Application is processed under a Type IV review, which requires a Hearing Examiner recommendation to City Council after an Open Record Hearing, with the final decision to be made by City Council after a Quasi-Judicial Closed Record Hearing; and

WHEREAS, the City SEPA official issued a Mitigated Determination of Non-Significance (MDNS), on June 7, 2019; and

WHEREAS, the Hearing Examiner held a duly noticed open record hearing on June 13, 2019, received evidence and heard testimony regarding the proposed rezone; and

WHEREAS, on June 19, 2019 the Hearing Examiner issued Recommended Findings of Fact, Conclusions of Law, Decision and a Condition of Approval for the rezone request from CC-II to C-C; and

WHEREAS, Ellensburg City Council held a duly noticed Closed Record hearing on July 15, 2019 and at the conclusion of the hearing approved a motion to adopt the Hearing Examiner’s Recommended Findings of Fact, Conclusions of Law, Decision and Conditions of Approval, and to approve the applicant’s request to rezone the subject property from CC-II to C-C;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, DO ORDAIN AS FOLLOWS:

**Section 1.** The City Council adopts the findings of fact and conclusions based thereon, made and entered by the Hearing Examiner in support of the recommendation to the City Council for approval with regard to the rezone for the hereinafter described property addressed as 407 N. Water St., with Parcel ID Number 357833, as set forth in the Hearing Examiner’s “Recommended Findings of Fact, Conclusions of Law, Decision and Conditions of Approval,” dated June 19, 2019.

**Section 2.** Title 15 of the Ellensburg City Code is hereby amended by changing the city's zoning map as adopted in ECC 15.300.020 for the following described area from Central Commercial II (CC-II) to Central Commercial (C-C):

**PARCEL 357833:** CD. 1421; TWN EBURG; DEPOT ADD. S 55 FT OF LOT 9 BLK 13;  
SEC. 2, TWP. 17N, RNG 18E; ACRES .15

**Section 3.** That the official zoning map of the City of Ellensburg, as well as the Global Information System (GIS) data shall be amended to incorporate the zoning changes herein provided.

**Section 4.** Except as modified herein, each and every provision of the City Land Development Code, Title 15, as amended, shall remain in full force and effect.

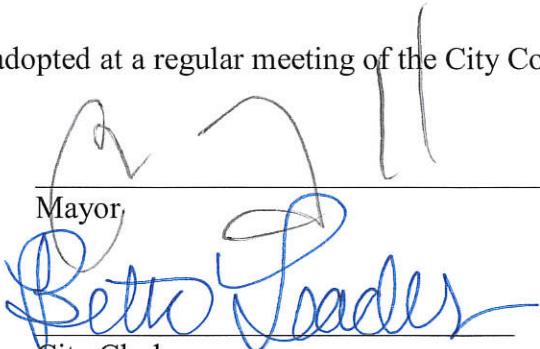
**Section 5.** Severability. If any portion of this ordinance is declared invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance.

**Section 6.** Corrections. Upon the approval of the City Attorney, the City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

**Section 7.** Effective Date. This ordinance shall take effect and be in full force five (5) days after publication as required by law.

The foregoing ordinance was passed and adopted at a regular meeting of the City Council on the 5<sup>th</sup> day of August, 2019.

Attest:

  
\_\_\_\_\_  
Mayor  
\_\_\_\_\_  
Betty Glahn  
\_\_\_\_\_  
City Clerk

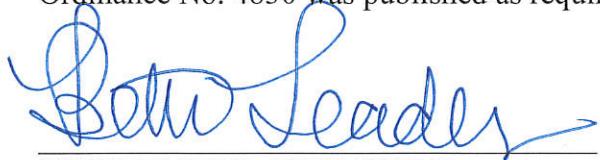
Approved as to form:



\_\_\_\_\_  
City Attorney

Publish: 8-8-2019

I, Beth Leader, City Clerk of said City, do hereby certify that Ordinance No. 4830 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, that Ordinance No. 4830 was published as required by law.



BETH LEADER, CITY CLERK