

ORDINANCE NO. 4879

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 CERTAIN PROPERTY WITHIN THE CITY OF ELLENSBURG FROM LIGHT INDUSTRIAL (I-L) TO CENTRAL COMMERCIAL II (CC-II).

WHEREAS, on September 5, 2013 the City received an application Z13-02 from Stephen Hayden on behalf of the Friends of the Northern Pacific Depot, the lessee of property on .769 acres of land currently located at 606 W. 3rd Avenue for a zone change ("application"); and

WHEREAS, the application proposed to rezone the property from I-L (Industrial Low) to C-C II (Central Commercial II); and

WHEREAS, the City's Planning Commission held a duly notice public meeting on the proposed rezone on September 19, 2013, following which it recommended to City Council that the rezone application be approved; and

WHEREAS, pursuant to former ECC 13.62.060, a Site-Specific Rezone Application was processed as a final decision to be made by City Council after a Quasi-Judicial Open Record Hearing; and

WHEREAS, the SEPA official for the City issued a Determination of Non-Significance (DNS), on October 16, 2013; and

WHEREAS, the City Council held a duly noticed open record hearing on October 21, 2013, received evidence and heard testimony regarding the proposed rezone and at the conclusion of the hearing approved a motion to approve the applicant's request to rezone the subject property from I-L to CC-II;

NOW, THEREFORE, the City Council of the city of Ellensburg, Washington, do hereby ordain as follows:

**Section 1.** 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 Light Industrial (I-L) to Central Commercial II (CC-II):

**606 W. 3rd Avenue, Ellensburg, Washington**

**Section 3.** That the official zoning map of the City of Ellensburg, as well as the Geographic Information System (GIS) data shall be amended to incorporate the land use classifications 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.

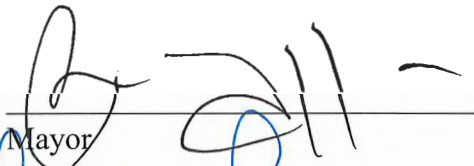
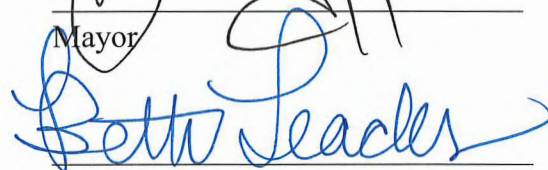
**Section 5. Severability.** If any portion of this ordinance is declared invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance.

**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 passage, approval and publication as required by law.

The foregoing ordinance was passed and adopted at a regular meeting of the City Council on the 4<sup>th</sup> day of October, 2021.

Attest:

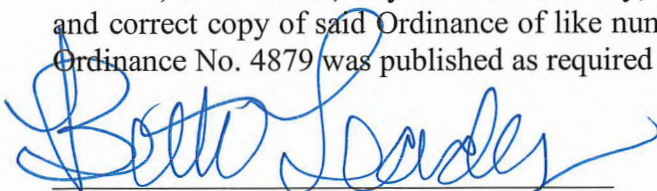
  
\_\_\_\_\_  
Mayor  
  
\_\_\_\_\_  
City Clerk

Approved as to form:

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

Publish: 10-7-21

I, Beth Leader, City Clerk of said City, do hereby certify that Ordinance No. 4879 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, that Ordinance No. 4879 was published as required by law.

  
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Beth Leader