

## **RESOLUTION NO. 2017 – 672**

### **Resolution of the City Council for the City of Waitsburg approving a Site Specific Rezone Application submitted by the City of Waitsburg**

**WHEREAS**, a regular meeting of the Planning Commission was held on November 17, 2016, at 7:00 p.m., for the purpose of considering an application for a site-specific change of zone of the Marvin Aronson property from the Residential (R-1) Zone to the Flexible C-R Zone;

**WHEREAS**, a quorum of the Planning Commission was present. The public hearing was conducted pursuant to law. Testimony was taken and recorded in the minutes of the meeting. On the basis of the application filed, written comments and the public hearing the Planning Commission made the following:

#### **FINDINGS OF FACT**

1. The application is complete in accordance with the Waitsburg Municipal Code and applicable state regulations. It is adequate to describe the nature and purpose of the project.
2. Notice of the application for site specific rezone was given as required by law, and was adequate.
3. City Staff reviewed the application for Site Specific Rezone. City Staff considered the application complete and moved it onto the Planning Commission for consideration.
4. During the period for written comments the City received zero written comments from the public and interested agencies regarding the application. This was made known to the Planning Commission and made part of the record.
5. At the public hearing, 2 people testified. Their comments are noted in the minutes of the hearing. The Commissioners considered comments and reviewed all materials submitted.
6. Notice of the Planning Commission hearing was given as required by law.
7. The proposed rezone is inconsistent with the City's Comprehensive Plan and meets the requirements and intent of the Waitsburg Municipal Code.
8. The property in question is suitable to uses permitted under the proposed zoning.
9. The proposed zone change and associated uses are compatible with neighboring land uses.
10. The proposal addresses a need which was improperly or inadequately addressed by the present ordinance text or map.

From the foregoing, the Planning Commission makes the following:

#### **CONCLUSIONS**

1. The proposed Site Specific Rezone is consistent with the policies and procedures of the City of Waitsburg and is inconsistent with the City's Comprehensive Plan and the Waitsburg Municipal Code.
2. The proposed rezone addresses a previous map and zoning error brought forth to the City's attention by the current property owner due to a change in ownership of the property related to historic usage of the property.
3. Allowable uses under the requested zoning would be compatible with the surrounding land use.

4. Planning Commission recommends a series of conditional uses associated with the rezone for the current property owner associated with their intended usage of the property attached to this resolution.
5. The Planning Commission recommends to the City Council that it approve the application and issue the Site Specific Rezone; rezoning the property at 503 W. 2<sup>nd</sup> Street to Flexible Commercial/Residential (CR) designation.

**WHEREAS**, the City Council has reviewed the findings and recommendations of the Planning Commission; and

**WHEREAS**, the City Council has considered the criteria provided in WMC 10.1G.060 and makes the following findings of fact:

1. The proposal is in conformance with goals and policies of the Waitsburg Comprehensive Plan as amended and the intent of Title 10 of the Waitsburg Municipal Code;
2. The property in question is suitable to uses permitted under the proposed zoning;
3. Public facilities, such as roads, sewer and water and other public facilities are adequate to support development likely to occur with the proposed amendment;
4. The proposed zone change and associated uses are compatible with neighboring land uses; and
5. The proposal addresses a need which was improperly or inadequately addressed by the present ordinance text or map.

**NOW THEREFORE**, the Waitsburg City Council agrees with the findings and conclusions of the Waitsburg Planning Commission and hereby approves the Site-Specific change of zone recommended by the Planning Commission.

PASSED, ADOPTED AND APPROVED this 19<sup>th</sup> day of April, 2017.

APPROVED:

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Mayor Marty Dunn

APPROVED AS TO FORM:

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City Attorney Jared Hawkins

ATTEST:

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City Clerk Randy Hinchliffe