



City Hall  
601 4th Avenue E.  
Olympia, WA 98501  
360-753-8244

## City Council

### Quasi-Judicial Decision on Ordinance on Cushing Street Rezone

**Agenda Date:** 1/10/2017  
**Agenda Item Number:** 4.D  
**File Number:** 16-1271

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**Type:** ordinance **Version:** 2 **Status:** Passed

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**Title**

Quasi-Judicial Decision on Ordinance on Cushing Street Rezone

**Recommended Action**

**Committee Recommendation:**

Not referred to a committee. The Hearing Examiner held a public hearing and issued his recommendation (attached).

**City Manager Recommendation:**

Approve on second reading the ordinance rezoning the Cushing Street property, as recommended by the Hearing Examiner.

**Report**

**Issue:**

Whether to approve on first reading and move to second reading the adoption of the attached ordinance amending the City of Olympia zoning map to rezone the Cushing Street property from Residential Six to Twelve Units per Acre (R 6-12) to High Density Corridor 3 (HDC 3).

**Staff Contact:**

Linda Bentley, Senior Planner, Community Planning & Development, 360.570.3746

**Presenter(s):**

Linda Bentley, Senior Planner, Community Planning & Development

**Background and Analysis:**

Background and Analysis has not changed from first to second reading.

The Olympia Hearing Examiner held an open-record public hearing on October 10, 2016. On October 24, 2016, after considering the facts and one public comment in favor of the rezone, the Examiner recommended that the land use zoning of the Cushing Street property be changed from Residential Six to Twelve Units per Acre (R 6-12) to High Density Corridor 3 (HDC 3).

The Hearing Examiner decision (attached) concludes that the change in zoning designation meets all

criteria in OMC 18.59.050 (attached): it is consistent with the Comprehensive Plan, including the Future Land Use map; maintains public health, safety and welfare; is consistent with development regulations; results in compatible adjacent zoning districts; and planned or existing public facilities and services are adequate to support any changes allowed under the HDC 3 zoning.

In accordance with OMC 18.58.020, the proposed rezone was forwarded to the Olympia Planning Commission, which unanimously recommended approval of the rezone. City planning staff also recommended approval to the Hearing Examiner. Public testimony at the Hearing Examiner public hearing was limited to one person in favor of the proposal.

As provided in OMC 18.58.020 regarding site-specific rezones, the City Council must now consider the Hearing Examiner recommendation and make the final decision, based on the criteria in OMC 18.59.050 (attached). No further public comment or evidence is allowed. This is a closed record decision for Council.

The public was notified of and given the opportunity to comment on the State Environmental Policy Act (SEPA) Determination of Non-Significance (DNS) that was issued on September 6, 2016. The comment and appeal deadlines passed without comment.

**Neighborhood/Community Interests (if known):**

There has been no public opposition to the requested zoning.

**Options:**

1. Move to adopt the attached Ordinance amending the official zoning map of Olympia and, in particular, revising the zoning of the Cushing Street property from Residential Six to Twelve Units per Acre (R 6-12) to High Density Corridor 3 (HDC 3).
2. Move to adopt the Ordinance amending the official zoning map of Olympia with modifications.
3. Move to deny the rezone application.
4. Move to defer the decision to a later date.

**Financial Impact:**

No appreciable financial impact to the City stemming from the rezone.

**Attachments:**

Ordinance

Hearing Examiner Decision

Rezone Decision Criteria

Audio of Public Hearing - October 10, 2016