

**CITY OF BUCKLEY, WASHINGTON**

**ORDINANCE NO. 05 -16**

**AN ORDINANCE OF THE CITY OF BUCKLEY, WASHINGTON, TO REZONE TWO PARCELS ON SPIKETON ROAD FROM R-8,000 TO R-6,000, PARCEL NUMBERS 0619101076 AND 0619101077; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

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WHEREAS, at the time of complete application the 2005 comprehensive plan was in effect; and

WHEREAS, the comprehensive plan map allows various zones within each comprehensive plan map designation; and

WHEREAS, the subject properties on Spiketon were zoned R-8,000 in 2008; and

WHEREAS, city and state codes allow for quasi-judicial rezones of parcels; and

WHEREAS, a representative of Evans Development West LLC submitted an application September 30, 2015; and

WHEREAS, the application was determined to be complete October 15, 2015; and

WHEREAS, an environmental review was completed and a determination of non-significance was issued November 11, 2015; and

WHEREAS, the planning commission conducted a public hearing on this proposal on December 7, 2015 and issued a report and recommendation attached as Exhibit A; and

WHEREAS, the planning commission met in regular session January 11, 2016, and recommends the council approve the requested rezone without conditions;

NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF BUCKLEY, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. The findings of fact and conclusions of law adopted in the report attached as Exhibit A are adopted by this reference as if set forth in full.

Section 2. The proposed rezone from R-8,000 to R-6,000 for two parcels on Spiketon Road with Parcel Numbers 0619101076 and 0619101077 totaling approximately 25 acres is approved.

Section 3. Staff is authorized to change the zoning map to show this change.

Section 4. Copy to the Department of Commerce. Pursuant to RCW 36.70A.106, the City Administrator is hereby authorized and directed to provide a copy of this ordinance to the State Department of Commerce within 10 days of adoption.

Section 5. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 6. Effective date. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the city, and shall take effect and be in full force five (5) days after publication.

APPROVED by the Buckley City Council this 26<sup>th</sup> day of January, 2016.

  
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MAYOR, PAT JOHNSON

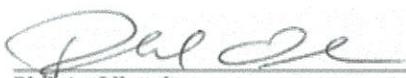
ATTEST/AUTHENTICATED:

  
\_\_\_\_\_  
JOANNE STARR, CITY CLERK

APPROVED AS TO FORM

OFFICE OF THE CITY ATTORNEY:

PUBLISHED: February 3, 2016

  
\_\_\_\_\_  
Phil A. Olbrechts

EFFECTIVE: February 8, 2016



CITY OF BUCKLEY ♦ PO BOX 1960 ♦ BUCKLEY, WA 98321  
360-829-1921 Ext. 7801 ♦ Fax 360-829-9363 ♦

**DEVELOPMENT CODE AMENDMENT ORDINANCE**  
**Evans Development LLC Rezone on Spiketon, FN: R-3037**

**I. INTRODUCTION**

**To:** Honorable Pat Johnson, Mayor  
City Council Members  
**From:** Planning Commission Chair Chuck Helmer  
City of Buckley Planning Commission  
**Subject:** Commission Advisory Report: Findings, Conclusions, and Recommendation  
**Hearing:** Monday December 7, 2015, at 7 p.m.  
City of Buckley Multi-Purpose Center  
811 Main Street  
Buckley, WA 98321  
**Issues:** Wetlands.  
Development impacts.



**II. BASIC INFORMATION**

**A. Application Information**

**1. Applicant.**

Evans Development West LLC  
P.O. Box 1744  
Wenatchee, WA 98807-1744

**2. Contact and Contact Information.**

Lisa Klein, AHBL  
2215 N. 30<sup>th</sup> St, Suite 300  
Tacoma, WA 98403

**3. Location, Address, Parcel Number, and RTSQ/Q**

- a. The northern parcel is vacant, fronts Spiketon Road and a portion of the lot is opposite Mountain View Avenue. The Parcel Number is 0619101076. It has no address yet and contains 18.63 acres or 811,523 square feet (sf). The RTSQ/Q is 06191012. This parcel is shown on the Buildable Lands Report Map as “vacant.”
  - i. The wetland and buffer removes about 5.24 acres from the lot, for a developable area of about 13.39 acres (582,268.4 sf).
- b. The southern parcel contains a home and a barn and is addressed 690 Spiketon Road. It fronts Spiketon to the west and Tanner to the south. The Parcel number is 0619101077. It is and contains 6.4 acres, or 278,784 sf. The RTSQ/Q is also 06191012. This parcel is shown on the Buildable Lands Report Map as “underutilized.”
  - i. The wetland and buffer continues onto this site and removes an undetermined portion from development; the land area will be determined at the time development is proposed; but for this report, one acre will be removed for a lot size of 235,224 sf.

**4. Lot information.**

**a. Land Use.**

The northern parcel was used for grazing horses. The southern parcel is still used for agriculture.

**b. Lot Characteristics.**

- i. Both lots are rectangular.
- ii. Three wetlands are indicated on the northern lot in a wetland report dated September 28, 2015, by Talasaea Consultants, Inc.

**Wetland A** is a 2,699 sf depressional palustrine emergent wetland, with a total score for functions of 13. (Category IV, 25-foot buffer.)

**Wetland B** is a 588 sf depressional palustrine emergent wetland, with a total score for functions of 13 and is located within the buffer for Wetland C. (Category IV, 25-foot buffer.)

**Wetland C** is a 161,013 sf palustrine emergent and palustrine forested wetland with a total score for functions of 16. Wetland C continues onto the southern lot toward Tanner for an unspecified distance. (Category III, 50-foot buffer.)

**c. Terrain & Vegetation.**

The terrain is flat, with forested area to the east and pasture to the west. Vegetation on the site includes grasses and wetland plants

**d. Neighboring Zoning & Land Use.**

**North:** While zoning to the north is HDR, the uses are single family residences (SFRs). The plat, Bevlo Addition, created eight lots and two 60-foot-wide rights-of-way, Bevlo (north/south), and Karen (east/west). Neither Karen nor Bevlo are shown on the city's future street plan. The lots are 80 feet by approximately 120 feet. At the time of the plat, an additional street to the west and 13 additional lots were shown as planned for the future. At the time the plat was approved a fence was shown 11 to 20 feet north of the south property line.

**South:** Zoning to the south is R-8,000. Uses are vacant land and SFRs.

**East:** Zoning to the east is Neighborhood Mixed Use (NMU) and Light Industrial (LI); the NMU area is undeveloped; the LI area is developed with a stair company.

**West:** Zoning to the east is R-6,000; the uses are SFRs and vacant lands.

**e. Traffic.**

- i. Spiketon Road and Tanner Avenue are collector streets.
- ii. According to the Development Guidelines and Public Works Standards, collectors require 60 feet of right-of-way, 36 feet of pavement width, parking lanes, curb, sidewalks (5 feet wide), planter strips, and a design speed of 25 miles an hour.
- iii. The existing Spiketon Road right-of-way is 60 feet in width, and the pavement width shows in the County's GIS maps to be about 20 feet. It also shows that the pavement is on the west side of the right-of-way, which is supported by the applicant's survey.



- A. Currently, the east 30-feet of right-of-way is used for a stormwater conveyance and private yards.
- iv. Tanner Avenue right-of-way is 60 feet in width, and the pavement width shows to be about 15 feet for use by a few homes as a driveway.
- v. Neither road contains curbs, gutters, or sidewalks, except for the west side of Spiketon near Mountain View Avenue.
- vi. The future street map shows another collector on these properties' east property lines for which no right-of-way exists.
  - A. A wetland exists in this area. Because no right-of-way exists for this collector street, the planned street may be moved to the east or west to accommodate the wetland and its buffer. The goal of the street appears to be to connect Tanner to Ryan.

**History.**

Both lots were zoned Residential Agriculture in 1981. Both were zoned R-8,000 in 2008. The request is to rezone the parcels to R-6,000.

**B. Proposal Description.**

**1. Proposed Designations.**

**a. Proposed Zoning.**

The proposed zone on both parcels is R-6,000.

**b. Proposed Comprehensive Plan Designation.**

No change is required to the comprehensive plan designation

**2. Existing Designations.**

**a. Existing Zoning.**

Two items must be compared between the two zones before a recommendation can be given: uses and density.

- i. The existing zone on both parcels is R-8,000.
- ii. The R-8,000 zone allows a variety of agricultural uses:
  - A. Keeping livestock as a permitted use; the same activity is conditional in the R-6,000 zone.
  - B. Commercial cultivation of land for agricultural products; the R-6,000 zone prohibits this use.
- iii. A comparison of the uses in these two zones shows the following (see attachment):

**Table 1.**

<b>Description of uses the same or different in each zone</b>	<b>Number</b>
Permitted outright or as accessory use in both zones	23
Conditional use permit required in both zones	13
Permitted outright or conditionally in R-6,000 and prohibited in R-8,000	7
Permitted outright, conditionally, or as an accessory use in R-8,000 and prohibited in R-6,000	6

Of these listed, the most interesting subset is the list of 13 differences, which follows:

**Table 2.**

Use list from BMC 19.20.130	R-6000	R-8000
Lodging houses	P	C
Adult family homes (six or fewer through occupants)	P	C
Assisted living facility	P	X
Multifamily dwellings (three or more units attached and made accessible a common entrance)	P	X
Senior citizen low-income housing	P	X
Day care, adult	C	X
Day care, child day care center	C	X
Keeping of livestock, poultry, rabbits, or bees	C	P
Commercial cultivation of land for agricultural products, vineyards, gardening, fruit growing	X	P
Intensive agricultural production	X	P
RV/tent campground	X	A
Municipal improvements	X	C
Offices, government	X	C

The differences in uses appear to be appropriate to the density of the zone in which the use would be placed. The R-6,000 zone allows more residential uses and the R-8,000 zone allows more agricultural uses. While both zones allow duplexes, only the R-6,000 zone allows three or more attached units. The larger lot requirement in the R-8,000 zone may provide more area to complement the livestock requirements of BMC 9.10.210:

**9.10.180 Restraint and enclosure.**

All persons owning or having control or possession of any rabbits, goats, swine, chickens, turkeys, geese, ducks, horses, cattle, pigeons, pheasants, peacocks, peafowl or other fowl within the city shall keep the same restrained and enclosed at all times on the premises owned and occupied by such persons. (Ord. 20-08 § 7, 2008).

**9.10.190 Required area for livestock.**

Livestock shall only be permitted within those areas and zoning classifications specified for such use in BMC 19.20.130. When legally permitted, all livestock as defined in BMC 9.10.020 must be contained in an enclosure that

encompasses at least one-third acre or 14,520 square feet per large animal or at least one-tenth acre or 4,356 square feet per small animal. (Ord. 20-08 § 7, 2008).

**9.10.210 Location of building – Enclosures must be clean.**

- (1) Any buildings, pens or enclosures inhabited by livestock, small animals other than domesticated animals or poultry shall be located at a minimum distance of 100 feet of any adjoining residence.
- (2) All houses, pens or enclosures where chickens, turkeys, geese, ducks, pigeons or other domestic fowl or rabbits are kept shall be kept clean and free from disagreeable odors. No organic materials furnishing food for flies shall be allowed to accumulate on the premises. All manure and other refuse must be kept in tightly covered fly-proof receptacles and lawfully disposed of at least once each week. (Ord. 20-08 § 7, 2008).

**Use conclusion:** The differences in uses is appropriate to the density requirements; the largest effect is the density allowance for the senior citizen low income housing use allowed in the R-6,000 zone and not in the R-8,000 zone. Please see the discussion below.

**b. Density calculations, estimated.**

Approximate density calculations consist of three parts, density for the gross square footage, density with 30 percent of the land removed for roads and utilities, and the area for critical areas removed. The removal of land for density calculations is because the code reads resultant lots must be a certain size.

All things being equal, the change from R-8,000 to R-6,000 should increase on these lots by 25 percent  $((8,000-6,000)/8,000=.25)$ .

When initially zoned R-8,000, the wetland in this area was likely unknown and the proposed density of R-8,000 was to be based on the entire lot, less the area needed for roads and utilities. Table 3 below shows the effect of the wetland on the lot's density. Table 4 below uses these numbers to estimate potential density in both zones.

**Table 3. Lot size calculations**

	Lot size (sf)	Less 30 percent (sf)	Less wetland and 30 percent (sf)
<b>Northern lot</b>	811,522.8	568,065.96	408,287.88
<b>Southern lot</b>	278,784	195,148.8	164,656.8
<b>Total area</b>	1,090,306.8	763,214.76	572,944.68

As seen in the information given in Section I.A.3 of this report, the combined original lot size is 1,090,306.80 square feet (sf). Using this gross square footage, the R-8,000 zone would yield 136 single family units or 181 duplex or townhome units. The R-6,000 zone would yield 181 single family units, 242 duplexes, or 305

senior family low-income housing. By changing zones, the lots appear to gain 45 single family homes, 60 duplex or townhome units, or 305 senior low income housing units.

However, if the density of the wetland were used in the density calculation, the number of single family units – after removal of the 30 percent assumed for road and storm utilities – is 71 lots in the R-8,000 zone. The number of duplex/townhomes would be 95 units. Comparing the gross R-8,000 resulting units to the net R-6,000 resulting units, we find fewer units allowable in the R-6,000 zone, except for senior citizen low income housing units:

**Table 4.  
Comparison before & after proposed rezoning**

Type	R-6,000	Resulting units**	R-8,000	Resulting units***
Single family residences	6,000 sf/du* OR 7.26 du/acre	95	8,000 sf/du OR 5.45 du/acre	136
Duplex	4,500 sf/du OR 9.68 du/ac	127	6,000 sf/du OR 7.26 du/ac	181
Senior citizen low income housing	2,500 sf/du OR 17.42 du/ac	229	n/a	0
Townhomes	4,500 sf/du OR 9.68 du/ac	127	6,000 sf/du OR 7.26 du/ac	181

\* “du” means “dwelling unit”

\*\* calculated on combined lot area less wetland area, less 30 percent for roads

\*\*\* calculated on combined gross lot area

**Density conclusion:**

Based on the above density calculations, using the probable net lot sizes (combined gross less wetlands, less 30 percent for roads and utilities) the R-6,000 zone would provide reduced development potential as compared to the gross R-8,000 zoning. With the exclusion of the senior citizen low income housing use, the change in zoning could have no added development impacts.

**c. Comprehensive Plan Designation.**

The existing comprehensive plan designation on both lots is Urban Lower Density (ULD).

**d. Other.**

In the past few years development occurred on Ryan Road that extended the sewer line and allows the city to increase density in this area. A concern was voiced by the city engineer about the city’s ability to address development impacts. Impacts can be

seen in traffic, density, police, fire, and utilities. Much of this depends on the density allowed and the difference the extra 2,000 feet per lot creates.

**Recommendation 1.** The planning commission considered a possible condition that would restrict the lots from siting low income senior housing. The planning commission decided that the parcel should not be singled out for removing this use, but the entire code should be addressed.

**Recommendation 2.** The planning commission considered a possible condition that would the density could not exceed the number of units allowed by the R-8,000 zone using the gross lot area. The planning commission decided that the parcel should not be singled out for this issue, but the entire code should be addressed.



### C. Noticing Information

#### 1. Public Participation and/or Notification.

##### a. Application.

The application was received September 30, 2015, and determined to be complete October 15, 2015.

##### b. Notice of Application.

The notice of complete application using the optional SEPA process was published October 21, 2015, with a comment period ending November 5, 2015. One comment was received from Department of Ecology.

##### c. SEPA determination.

The SEPA threshold determination of non-significance (DNS) was mailed to property owners within 300 feet of the proposal and issued November 11, 2015, with no additional public comment allowed. The appeal period ended seven days later on November 18, 2015.

##### e. Hearing Notice.

Public Hearing Notice and proposal description was mailed with the SEPA determination and published in the Wednesday, November 11, 2015, legal section of The Enumclaw Courier Herald, posted on the City Bulletin Boards in accordance with city laws.

### III. REZONE CRITERIA REVIEW

All rezones must conform to the city's comprehensive plan and city codes.

#### A. Buckley Municipal Code

##### 1.a. Fact, BMC 19.52.010 Determination – Final action.

In determining what, if any, amendments to this title are to be adopted, the city council shall give due consideration to

- the proper relationship of such amendments to the comprehensive plan

- and to this entire title, it being the intent to retain the integrity and validity of the zoning districts herein described, and to
  - avoid any isolated spot zoning changes in the zoning map.
- Any amendments adopted by the council may be modified from the form in which they were advertised within the limits necessary to relate properly such amendment or amendments to this title. Final action on such modifications shall be subject to review and report of the planning commission prior to final passage by the council.

**1.b. Finding.**

- The comprehensive plan designation would allow zoning to be either R-20,000, R-8,000, or R-6,000.
- The zoning code doesn't specifically preclude rezoning any property.
- The parcels are contiguous to one another, and are directly east of R-6,000-zoned parcels across Spiketown Road. Zoning to R-6,000 will not create a spot-zone.

**2.a. Fact, BMC 19.52.020 Priority of first application.**

No application for a change of zoning of any lot, parcel or portion thereof shall be considered by the council within one year of the final action of the council upon a prior application covering any of the same described land. This provision, however, shall not impair the right of the council to propose any amendment of change in the boundaries of any of the districts in this title on its own motion

**2.b. Finding.**

No applications to rezone these parcels were received by the city within the past year.

**3.a. Fact, BMC 19.52.030 Conditional rezone – Approval.**

As a condition precedent to the rezone of any parcel of land, the council may require that within a specified period of time an acceptable building permit application must be submitted for the use intended in the rezone application, and that failure to submit said building permit application and to start construction within a specified period of time will result in the rezone automatically becoming null and void and the property reverting back to the zone that existed at the time of the rezone application; provided, the council may extend any time limits set forth in the ordinance granting a conditional rezone if the application for extension is timely made, good cause is shown why the extension is necessary, and the proposed use remains consistent with the comprehensive plan as in effect at the time the extension is requested. Good cause shall relate to factors beyond the control of the applicant and inadequate financing shall not be considered a good cause.

**3.b. Finding.**

No conditions for this proposed rezone are recommended.

**4.a. Fact, BMC 19.52.040 Conditional rezone – Concomitant agreement.**

The council may, as a condition of any rezone, require the execution of an agreement concomitant to the rezone ordinance. The concomitant agreement may include such conditions as the council deems necessary in order to neutralize the impact of the proposed property usage upon public services, including streets, parks, utilities and other public services. The concomitant agreement may include both on-site and off-site improvements. The failure to comply with the terms of said concomitant agreement

shall result in the rezone immediately becoming null and void and the property reverting to the zone that existed at the time of the rezone application. In the alternative, the council may require specific performance of the agreement

**4.b. Finding.**

No conditions for this proposed rezone are recommended.

**5.a. Fact, BMC 19.52.050 Conditional rezone – Indication on zoning maps.**

If a rezone is conditionally granted under the provisions of this chapter, then the zoning map shall reflect the rezone subject to compliance with certain conditions, and the date for compliance shall be written upon the zoning map. A certified copy of the conditional rezone ordinance and the concomitant agreement, if applicable, shall be filed for record with the Pierce County auditor.

**5.b. Finding.**

Unless the council ascribes conditions to this proposal, the zoning shall appear the same as any other R-6,000-zoned parcel.

**B. Buckley Comprehensive Plan**

**1.a. Fact, GOAL 1.1 ENSURE A HEALTHY AND PRODUCTIVE ENVIRONMENT FOR BUCKLEY'S CITIZENS BY PRESERVING BUCKLEY'S SMALL TOWN CHARACTER WHILE PROVIDING ADEQUATE LAND AND SERVICE CAPACITY FOR POPULATION AND EMPLOYMENT GROWTH.**

*Discussion.* Traditionally, development regulations have attempted to avert conflict by segregating different development types into districts with relatively uniform development characteristics such as permitted uses or height. In many areas of Buckley, this approach is a reasonable and effective method for regulating development.

In other parts of Buckley, it may be possible and desirable to have several different types of development located relatively close to each other. Such a blending of development types could help reduce dependence on the automobile and provide greater opportunities for innovative mixed-use development. In these areas, development regulations may need to be specifically developed to address the district's unique characteristics. Special development regulations may also be necessary to take account of other factors influencing and shaping new growth.



**1.b. Finding.** The rezone will add about 25 acres, less about 5.5 acres of critical areas, of R-6,000-zoned land.

**2.a. Fact, POLICY 1.3.5 ENCOURAGE MORE EFFICIENT USE OF THE LAND WHERE SERVICES EXIST, THROUGH SUCH DEVICES AS FLEXIBLE LOT SIZES AND SETBACKS TO ACCOMMODATE INCREASING URBAN DENSITIES.**

**2.b. Finding.** The city doesn't yet have regulations for flexible lot sizes, but in its place, the rezone will enable development on the parcel that is less than gross density of the existing zone (Please see section II.B.2.b of this report.)

**3.a. Fact, GOAL 1.4 HAVE CRITICAL AREAS AND ENVIRONMENTALLY SENSITIVE AREAS RECEIVE CONSIDERATION WHEN DESIGNATING AREAS FOR MORE INTENSIVE DEVELOPMENT. PRESERVE DEVELOPMENT POTENTIAL BY ALLOWING CLUSTERING OF DEVELOPMENT IN AREAS WITH ENVIRONMENTAL CONSTRAINTS.**

**Discussion.** Preserving Buckley's rural character includes maintaining open spaces and view corridors to help encourage an outdoor aesthetic and participation in a natural environment. Encouraging clustering of development allows maintenance of open space and helps protect sensitive areas.



**3.b. Finding.** The rezone effectively allows reduction of single family lot size to the lot size allowed for duplexes and townhomes in the R-8,000 zone.

**4.a. Fact, POLICY 1.4.1 DEVELOP APPROACHES THAT ALLOW FOR CLUSTERED DEVELOPMENT IN ORDER TO:** • Preserve sensitive (critical) natural features and to provide flexibility to the property owner, • Encourage the maximization of view opportunities, and • Preserve contiguous portions of development sites in permanent open space.

**4.b. Finding.** While not clustered, the rezone will effectively allow flexibility in lot size and will preserve a wetland.

**5.a. Fact, POLICY 1.8.2 ZONING DENSITIES SHOULD BE PHASED IN AS NEEDED TO ENCOURAGE NEW DEVELOPMENT TO FIRST LOCATE WHERE ADEQUATE PUBLIC FACILITIES AND SERVICES CURRENTLY EXIST, THEN IN AREAS THAT WILL BE SERVED ADEQUATELY BY A COMBINATION OF BOTH EXISTING AND ADDITIONAL PUBLIC FACILITIES AND SERVICES, AND FINALLY, IN THE REMAINING PORTIONS OF THE URBAN GROWTH AREA.**

**5.b. Finding.** The rezone would act as a phase of density buffering between the future high density development to the north and the lower density to the south.

**6.a. Fact, POLICY 1.8.3 DEVELOPMENT APPROVALS SHOULD BE CONTINGENT UPON FACILITIES ALREADY BEING IN PLACE AS THE DEVELOPMENT OCCURS. THE FOLLOWING ACTIONS CONSTITUTE DEVELOPMENT: A BUILDING PERMIT, SUBDIVISION APPROVAL, REZONING, SHORELINE PERMIT, VARIANCE, OR ANY OTHER OFFICIAL ACTION THAT AFFECTS THE DEVELOPMENT OF LAND. THE CITY SHALL TAKE INTO ACCOUNT**

THE VARIATION IN THESE DIFFERENT TYPES OF DEVELOPMENT APPROVALS IN PREPARING IMPLEMENTATION REGULATIONS. PROVISIONS FOR THE REVIEW OF APPLICATIONS FOR DEVELOPMENT AND THE TIMING OF THE ACTUAL IMPACTS CAUSED BY THE DIFFERENT TYPES OF DEVELOPMENTS WILL BE ADOPTED IN THE CITY'S CONCURRENCY MANAGEMENT SYSTEM AS PART OF THE LAND DEVELOPMENT REGULATIONS.

- 6.b. Finding.** Water and sewer are available on Mountain View Avenue, which is on the northwest corner of the northern lot. Any proposed development will be required to bring adequate utilities and frontage improvements to the site.
- 7.a. Fact, POLICY 2.1.2 CREATE AN EFFECTIVE TRANSITION BETWEEN DOWNTOWN, COMMERCIAL AREAS, AND RESIDENTIAL NEIGHBORHOODS THROUGH ZONING.**
- 7.b. Finding.** The rezone will allow a transition between R-8,000 and the High Density Residential zones.
- 8.a. Fact, GOAL 2.2 PROMOTE A RANGE OF HOUSING TYPES TO INCREASE DENSITY IN AREAS WELL SERVED BY PUBLIC GOODS AND SERVICES.**  
Discussion. There are many different housing types that can be used to help increase density. Developments utilizing housing types such as duplexes, townhouses, cottage housing and single-family housing on smaller lots can complement the SMALL TOWN character. Under current zoning, Buckley would have difficulty providing enough housing stock to satisfy projected growth. This goal helps make it possible to provide housing that is well served by public goods and services allowing for more efficient growth.
- 8.b. Finding.** The rezone will not produce housing types. Except for the senior citizen low income housing opportunity allowed in the R-6,000 zone, both zones allow duplexes and townhomes in addition to single family residential.
- 9.a. Fact, GOAL 2.5 IDENTIFY UNDERDEVELOPED AREAS, UNCONSTRAINED BY CRITICAL LANDS, WHERE URBAN DENSITY CAN BE INCREASED.**  
Discussion. This goal helps to identify areas where projected growth may occur, while preserving sensitive areas within Buckley.
- 9.b. Finding.** The 25 acres are shown on the buildable lands map as “underutilized” and “vacant,” they also are partially constrained by wetlands and their buffers. The rezone will allow placement of the lots’ current densities on the sites without affecting the wetlands or buffers.
- 10.a. Fact, POLICY 2.5.1 INCREASE ZONING DENSITY ON BUILDABLE LANDS THAT ARE FREE FROM ENVIRONMENTAL CONSTRAINTS IN ORDER TO MEET THE REQUIRED HOUSING PROJECTIONS.**
- 10.a. Finding.** A majority of the two parcels are free from environmental concerns. Increasing the density from R-8,000 to R-6,000 allows the applicant to build a similar number of units if the wetland were included in the density calculation.

11. **Element 3, Economic Development**, contains no pertinent goals or policies for this rezone.
12. **Element 4, Urban Design**, contains no pertinent goals or policies for this rezone.
13. **Element 5, Parks and Recreation**, contains no pertinent goals or policies for this rezone.
- 14.a. **Fact, POLICY 6.2.3 WHEN REVIEWING DEVELOPMENT PROPOSALS, REZONING, AND ROAD VACATION PETITIONS, VARIANCES, USE PERMITS, SUBDIVISIONS PLATS, AND RESIDENTIAL AND COMMERCIAL PROJECTS THE CITY SHOULD ENSURE THEY ARE CONSISTENT WITH THE GOALS AND POLICIES IN THIS TRANSPORTATION ELEMENT.**
- 14.b. **Finding.** The rezone appears to be consistent with the goals and policies of the transportation element; the element will be reviewed in detail with any subsequent development submittal.
- 15.a. **Fact, POLICY 6.4.4 FUTURE STREETS AND THEIR CLASSIFICATIONS WILL FOLLOW A REGULAR DISTRIBUTION PATTERN THAT ANTICIPATES LAND USE POTENTIAL AND PROVIDES FOR ORDERLY DEVELOPMENT.**
- 15.b. **Finding.** The future street right-of-way scheduled to be east of these parcels may need to relocate upon the parcels' development because of the location of wetlands and buffers.
16. **Element 7, Capital Facilities**, contains no pertinent goals or policies for this rezone.
17. **Element 8, Utilities**, contains no pertinent goals or policies for this rezone.

**V. CONCLUSIONS & COMMISSION RECOMMENDATION.**

**A. Zoning.**

The rezone meets the requirements of BMC 19.52. Two staff recommendations were forwarded for consideration, which are addressed above in Section II.B.2. A concern originated from the city engineer about development impacts. The impacts could only be the difference from R-8,000 to R-6,000. The planning commission decided that the rezone would provide a similar density to the R-8,000 zone if it were free of critical areas, as it was probably assumed when it was zoned previously.

**Table 5. R-8,000 density calculations (gross less 30 percent)**

Parcel 076	$568,065.96/8000=$	71 units
Parcel 077	$195,148.8/8000=$	24 units
Total single family units:	95 units	
Duplex/townhome units:	127 units	

**B. Comprehensive Plan.**

The proposed rezone meets the listed goals and policies of the comprehensive plan.

**C. Recommendation.**

**Based upon a review of facts and findings the planning commission determined that the proposed rezone would be consistent with the comprehensive plan and code, and recommends the council approve the proposed rezone without condition.**



Planning Commission Chair Chuck Helmer

Date: 1/12/2015