

**CITY OF BUCKLEY, WASHINGTON**

**ORDINANCE NO. 06- 21**

**AN ORDINANCE OF THE CITY OF BUCKLEY, WASHINGTON, CONCERNING AN UNADDRESSED LOT OF RECORD, PARCEL #0620344002, TO ALLOW A PARTIAL REZONE OF THIS PARCEL FROM THE NEIGHBORHOOD MIXED USE (NMU) ZONE TO THE PUBLIC ZONE FOR CONSISTENCY WITH THE SPIRIT AND INTENT OF THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

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**WHEREAS**, the current City Comprehensive Plan was adopted in 2015; and

**WHEREAS**, the Comprehensive Plan allows for various zones within each Comprehensive Plan land use designation; and

**WHEREAS**, the subject 2.75-acre property, Parcel # 0620344002, is located appx. a third of a mile north of the intersection of Hwy 410 and Park Ave and is bisected by Hwy 410 with one segment west of Hwy 410 and another segment east of Highway 410; and

**WHEREAS**, the subject parcel is currently zoned Neighborhood Mixed Use (NMU) and an applicant, City of Buckley, requests to rezone the eastern segment of the subject parcel to Public (P); and

**WHEREAS**, as described in the attached staff report and hearing examiner recommendation, the rezone would make the eastern segment of the subject parcel more consistent with Buckley's Comprehensive Plan; and

**WHEREAS**, by making the eastern segment of the subject parcel match the Public zoning of the adjacent cemetery parcel to the east, this rezone would allow a Boundary Line Adjustment (BLA) to occur which fixes the unusual bisected nature of the subject parcel; and

**WHEREAS**, the City provided proper notice of this application and the public hearing pursuant to the Buckley Municipal Code; and

**WHEREAS**, the City's SEPA Responsible Official issued a SEPA Determination of Non-Significance for this rezone on February 10, 2021; and

**WHEREAS**, the Hearing Examiner conducted a public hearing on this proposal on March 2, 2021; and

**WHEREAS**, one comment, from an agency, was received and considered in the staff report and at the public hearing; and

**WHEREAS**, the Hearing Examiner recommended, on March 23, 2021, that Buckley City Council grant the applicant's request for a rezone – with two conditions of approval recommended by the Hearing Examiner; and

**WHEREAS**, the City Council finds that the applicant's request for a rezone is consistent with the goals and policies of the Comprehensive Plan and the Buckley Municipal Code and is granted as conditioned;

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

**Section 1.** The City Council adopts the findings, conclusions and conditions of the attached Hearing Examiner recommendation in support of this rezone request.

**Section 2.** The eastern segment of the subject parcel #0620344002, located on the east side of Hwy 410, is hereby rezoned from Neighborhood Mixed Use (NMU) to Public (P), as conditioned.

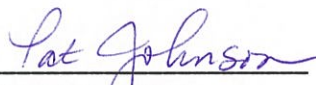
**Section 3.** Staff is authorized to change the zoning map to reflect this change.

**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 13<sup>th</sup> day of April, 2021.

  
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Mayor Pat Johnson

**ATTEST:**

  
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Treva Percival, City Clerk

**APPROVED AS TO FORM:**

  
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Phil Olbrechts, City Attorney

PUBLISHED: April 21, 2021

EFFECTIVE: April. 26, 2021