

**CITY OF BUCKLEY, WASHINGTON**

**ORDINANCE NO. 10 - 21**

**AN ORDINANCE OF THE CITY OF BUCKLEY, WASHINGTON,  
CONCERNING A LOT OF RECORD LOCATED AT AN  
UNADDRESSED PARCEL, PARCEL #0619043013, TO ALLOW A  
REZONE FROM THE NEIGHBORHOOD MIXED USE (NMU) ZONE  
TO THE LIGHT INDUSTRIAL (LI) ZONE INCREASING  
CONSISTENCY WITH AND IMPLEMENTING 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 district; and

**WHEREAS**, the subject 2.21-acre property, Parcel #0619043013, is addressed 28109 112<sup>th</sup> St. E and is located on the north side of 112<sup>th</sup> St. E approximately a quarter of a mile east of Mundy Loss Rd; and

**WHEREAS**, the subject parcel is currently zoned Neighborhood Mixed Use (NMU) and an applicant, Prestige Worldwide Holdings, LLC, requests a rezone to Light Industrial (LI) for the purpose of eventually applying for expansion of a contractor yard onto the subject property; and

**WHEREAS**, the subject parcel is surrounded by properties under the Industrial and General Commercial (I&GC) land use designation of the City Comprehensive Plan and is surrounded by primarily industrial uses; and

**WHEREAS**, the LI zone is implementing the I&GC Comprehensive Plan designation, and I&GC is defined as follows in the Comprehensive Plan: *“in this area uses are to be more intense commercial, auto-oriented businesses, and include light manufacturing, metal working, higher levels of noise, and possible use of hazardous materials. This district is not conducive to residential development.”*; and

**WHEREAS**, a rezone to LI will make the subject parcel more consistent with the I&GC Comprehensive Plan designation than current NMU zoning and be more compatible with surrounding uses; and

**WHEREAS**, the current NMU zoning of the subject parcel creates an undesirable spot-zone and a rezone to LI would eliminate this undesirable spot-zone; and

**WHEREAS**, any current and future use of the property must comply with the City's zoning code; 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 the rezone on July 14, 2021 and no appeals were filed; and

**WHEREAS**, the Hearing Examiner conducted a public hearing on this proposal on July 29, 2021; and

**WHEREAS**, one agency comment was received on the SEPA determination with considerations that may be relevant to and considered as part of any subsequent SEPA review associated with a future development proposal on the subject parcel; no other public comments were received or made on the rezone proposal; and

**WHEREAS**, the Hearing Examiner recommended, on August 11, 2021, that Buckley City Council grant the applicant's request for a rezone; and

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

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

**Section 1.** The City Council adopts the findings and conclusions of the attached hearing examiner recommendation in support of this rezone request.

**Section 2.** The subject 2.21-acre property, Parcel # 0619043013, is hereby rezoned from NMU to LI.

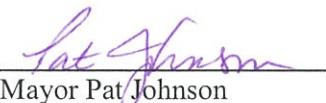
**Section 3.** Staff is authorized to change the 2015 zoning map to reflect this change.

**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 14<sup>th</sup> day of September, 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: September 22, 2021

EFFECTIVE: September 27, 2021