

CITY OF BUCKLEY, WASHINGTON

ORDINANCE NO. 01 - 20

AN ORDINANCE OF THE CITY OF BUCKLEY, WASHINGTON, CONCERNING TWO LOTS OF RECORD LOCATED AT 133 CEDAR STREET (PARCEL NUMBER 2975000800) AND 151 CEDAR STREET (PARCEL NUMBER 2975000810) ; TO ALLOW A REZONE FROM THE PUBLIC (P) ZONE TO THE HISTORIC COMMERCIAL (HC) ZONE FOR CONSISTENCY WITH THE SPIRIT AND INTENT OF THE ZONE AND THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

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 parcel is designated Commercial and Mixed Use (C-MU) by the City Comprehensive Plan; and

WHEREAS, the Historic Commercial (HC) zone is implementing the C-MU Comprehensive Plan designation; and

WHEREAS, the subject .05-acre property located at 133 Cedar Street (Parcel #2975000800) and the subject .12-acre property located at 151 Cedar Street (Parcel #2975000810) are currently zoned Public (P); and

WHEREAS, the HC zone is intended to preserve and maintain commercial parcels for neighborhood-oriented businesses and pedestrian connectivity per the Buckley comprehensive plan; and

WHEREAS, the P zone is intended to provide public services for all public needs to create a strong and sustainable economy and provide public services efficiently; and

WHEREAS, the City Zoning Code recognizes the P zone is not conducive to intended commercial uses; and

WHEREAS, the surrounding land is mostly zoned Historic Commercial (HC) and Neighborhood Mixed-Use (NMU); and

WHEREAS, any current and future use of the property must comply with the City's zoning code; and

WHEREAS, rezoning to HC will improve this parcel's compatibility with the surrounding neighborhood's commercial nature; and

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

WHEREAS, this rezone is exempt from State Environmental Policy Act (SEPA) review pursuant to WAC 197-11-800(6)(c); and

WHEREAS, the Hearing Examiner conducted a public hearing on this proposal on December 16, 2019; and

WHEREAS, the Hearing Examiner recommended, on January 02, 2020, 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 the goals and policies of the Comprehensive Plan and the 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 hearing examiner recommendation, attached as Exhibit A, in support of this rezone request

Section 2. The subject property located at 133 Cedar Street, Parcel #2975000800 and the subject property located at 151 Cedar Street, Parcel #2975000810, with legal descriptions attached as Exhibit B, are hereby rezoned from Public (P) to Historic Commercial (HC)

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 28th day of January 2020.



Mayor Pat Johnson

ATTEST:



Treva Percival, City Clerk

APPROVED AS TO FORM:



Phil Olbrechts, City Attorney

PUBLISHED: February 4, 2020

EFFECTIVE: February 10, 2020