

CITY OF BUCKLEY, WASHINGTON

ORDINANCE NO. 02-18

AN ORDINANCE OF THE CITY OF BUCKLEY, WASHINGTON, AMENDING SECTIONS 14.30.920, 18.32.080, 19.12.315, 19.12.320, 19.40.050, AND 19.40.150 BMC; AND AMENDING SUBSECTION 19.22.060(2)(C), BMC, FOR CODE CORRECTIONS AND CLARIFICATIONS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the city desires to have a code that is internally consistent and clear; and

WHEREAS, by prior action of the city council under Ordinance Number 06-16, the board of adjustment was decommissioned; and

WHEREAS, Title 19 allows the planning director to make administrative interpretations on the meaning of the land use code; and

WHEREAS, the request for expedited review was received November 7, 2017, by the Washington State Department of Commerce of the proposed change in development regulations under Material Identification Number (MID#) 24330; and

WHEREAS, environmental review was issued November 15, 2017; and

WHEREAS the request for expedited review was granted November 26, 2017; and

WHEREAS a notice for public hearing was published December 13, 2017; and

WHEREAS, the planning commission conducted a public hearing on this proposal on January 8, 2018; and

WHEREAS, on January 8, 2018, the planning commission recommended approval of the considered amendments;

NOW, THEREFORE,

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

Section 1. BMC 14.30.920, Appeals, is amended to read as follows:

14.30.920 Appeals.

Administrative interpretations and administrative Type A-1 and Type A-2 decisions may be appealed, by applicants or parties of record, to the appeal body as identified in Title 20, subject to the provisions of BMC [20.01.260](#).

Section 2. BMC 18.32.080, Final approval, is amended to read as follows:

BMC 18.32.080 Final approval.

(1) The short plat shall receive final approval by the city council within 30 days after all required improvements have been constructed and the construction approved by the city engineer, or after the owner or developer of the short plat has entered into a contract and posted a 150 percent performance bond with the city guaranteeing that all required construction of improvements will be completed within one year. For final approval the short plat shall be submitted on a mylar and then recorded with the county auditor upon approval.

(2) A complete final short plat application shall be submitted to the planning department within five years after approval of the preliminary plat. The director of planning may extend the time for submission of a final short plat up to an additional 24 months for good cause shown. If no final plat is filed within five years or no extension given, the preliminary short plat approval shall lapse.

(3) For preliminary short plats approved but not finalized prior to the effective date of this ordinance, the expiration date shall be five years from the date that notice is mailed to the property owner.

Section 3. BMC 19.12.315, Lot line, front, is amended to read as follows:

19.12.315 Lot line, front.

“Front lot line” means the boundary of a lot which abuts a public street right-of-way or private ingress and/or egress easement.

(1) On a corner lot, the front lot line shall be the lot line providing principal access from the adjacent street; however, all sides adjacent to a street shall meet front yard requirements.

(2) When a lot contains more than one front lot line, the remaining lot lines shall be side lot lines.

Section 4. BMC 19.12.320, Lot line, rear, is amended to read as follows:

19.12.320 Lot line, rear.

“Rear lot line” means a lot line which is opposite and most distant from the front lot line and/or is parallel or within 45 degrees of being parallel to and does not intersect any street line bounding such lot.

Section 5. Subsection 2(c) of BMC 19.22.060 is amended to read as follows:

19.22.060 Ham radio antennas and satellite dishes.

...

(2) Satellite dishes:

...(c) Satellite dish antennas shall be less than two feet in diameter when located in nonresidential districts, and satellite dish antennas in residential areas shall be less than two feet in diameter. Within the downtown review district, satellite dish antennas less than two meters in diameter are permitted for television reception only, subject to prior approval of a conditional use permit by the designated decision maker.

Section 6. BMC 19.40.050 is amended to read as follows:

19.40.050 Public hearing required for variance.

Before the designated official may grant, amend or deny any application for a variance, the designated official shall conduct a duly noticed public hearing. Upon completion of the hearing, the decision maker shall grant, amend with conditions or deny with findings the variance application in accordance with the provisions of this chapter.

Section 7. BMC 19.40.150 is amended to read as follows:

19.40.150 Public hearing required for conditional use permit.

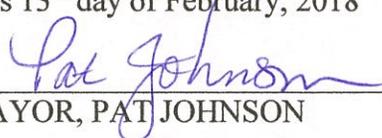
Before the designated official may grant, amend or deny an application for a conditional use permit, the decision maker shall conduct a duly noticed public hearing. Upon completion of the hearing, the decision maker shall grant, amend or deny the conditional use permit application in accordance with the provisions of this chapter.

Section 8. 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.

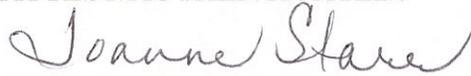
Section 9. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 10. 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 13th day of February, 2018


MAYOR, PAT JOHNSON

ATTEST/AUTHENTICATED:


CITY CLERK, JOANNE STARR

APPROVED AS TO FORM

OFFICE OF THE CITY ATTORNEY:
BY


PHIL OLBRECHTS

PUBLISHED: FEBRUARY 21, 2018

EFFECTIVE: FEBRUARY 26, 2018