

CITY OF BUCKLEY, WASHINGTON

ORDINANCE NO. 14- 20

AN ORDINANCE OF THE CITY OF BUCKLEY, WASHINGTON, CONCERNING A PORTION OF PROPERTY LOCATED AT 117 N RIVER AVE (PARCEL NUMBER 8000050120); TO ALLOW A REZONE THAT RECONFIGURES THE ZONING DESIGNATION RESULTING IN AN INCREASED AREA OF PUBLIC (P) ZONE AND DECREASED AREA OF CENTRAL COMMERCIAL (CC) TO EFFECT A BOUNDARY LINE ADJUSTMENT; 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 & Mixed Use (C-MU) by the City Comprehensive Plan; and

WHEREAS, both Central Commercial (CC) and Public (P) are implementing zones within the C-MU Comprehensive Plan designation; and

WHEREAS, the subject 0.69-acre property located at 117 N River Rd (Parcel #8000050120) is currently zoned Central Commercial (CC) and the adjacent 0.47-acre lot to the northeast located at 127 N River Ave (parcel #8000050110) is currently zoned Public (P); and

WHEREAS, a portion of the lot located at 117 N River Rd is encroaching onto the adjacent lot at 127 N River Ave and will need to be remedied via boundary line adjustment; and

WHEREAS, affected areas for boundary line adjustments must be within the same zoning designation; and

WHEREAS, the CC zone is intended to implement the policies of the Buckley comprehensive plan for areas designated for commercial development and privileging pedestrian traffic first, and motorized transportation second, after the date of implementation. The primary purpose is to develop commercial parcels for neighborhood-oriented businesses and pedestrian connectivity per the Buckley comprehensive plan; and

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

WHEREAS, the City Comprehensive Plan recognizes the CC zone and the P zone are not conducive to residential development; and

WHEREAS, the surrounding land is mostly zoned low-density residential except for two parcels adjacent to the west; and

WHEREAS, the applicant is not requesting a change in the base zones on the subject property, but rather a reorientation of the amount of each zone such that the CC portion will decrease from 0.69 acres to .59 acres; and

WHEREAS, both of the requested zoning areas exceed the minimum space requirements for an individual parcel within the respective zones; and

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

WHEREAS, minimizing the CC zone and increasing the portion of the P zone will improve this parcel's compatibility with the surrounding neighborhood as the City develops within the current binding site plan; 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 responsible official issued a determination of non-significance (DNS) on July 27, 2020. The Notice of Application utilized the optional DNS process and was issued on July 15, 2020; and

WHEREAS, the Hearing Examiner conducted a public hearing on this proposal on August 15, 2020; and

WHEREAS, the Hearing Examiner recommended, on August 21, 2020, 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 attached staff report serves as findings of fact and conclusions.

Section 2. The subject property located at 117 N River Ave (parcel #8000050120) is hereby rezoned to increase the area of Public (P) use and decrease the area of Central Commercial (CC) use, in accordance with land areas reflected in the applicant's proposal.

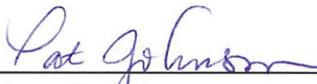
Section 3. Staff is authorized to change the 2015 zoning map to reflect this change.

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 25th day of August 2020.


Mayor Pat Johnson

ATTEST:


Treva Percival, City Clerk

APPROVED AS TO FORM:


Phil Olbrechts, City Attorney

PUBLISHED: September 2, 2020

EFFECTIVE: September 7, 2020