

CITY OF BUCKLEY, WASHINGTON

ORDINANCE NO. 15- 20

AN ORDINANCE OF THE CITY OF BUCKLEY, WASHINGTON, CONCERNING A LOT OF RECORD LOCATED AT 28301 112TH STREET E (PARCEL NUMBER 0619047005); TO ALLOW A REZONE FROM THE NEIGHBORHOOD MIXED USE (NMU) ZONE TO THE LIGHT INDUSTRIAL (LI) 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 Industrial and General Commercial (I-GC) by the City Comprehensive Plan; and

WHEREAS, the Light Industrial (LI) zone is implementing the Industrial and General Commercial (I-GC) Comprehensive Plan designation; and

WHEREAS, the subject 1.79-acre property located at 28301 112th Street E (Parcel #0619047005) is currently zoned Neighborhood Mixed-Use (NMU); and

WHEREAS, the Light Industrial (LI) zone is intended to be compatible with the GC zone, have easy access from arterials, have business uses that by their nature have a higher level of noise and/or possible use of hazardous materials, and include industrial uses, the most intense commercial uses, and light manufacturing, such as metal working; and

WHEREAS, the Neighborhood Mixed Use (NMU) zone is intended to implement the policies of the adopted Buckley comprehensive plan for areas designated for mixed residential and commercial development after the date of implementation; and

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

WHEREAS, the surrounding land is mostly zoned General Commercial (GC) and Light Industrial (LI); and

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

WHEREAS, rezoning to LI will improve this parcel's compatibility with the surrounding neighborhood's commercial & industrial nature; 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 Determination of Non-Significance on April 08, 2020; and

WHEREAS, the Hearing Examiner conducted a public hearing on this proposal on July 07, 2020; and

WHEREAS, the Hearing Examiner recommended, on August 05, 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 1.79-acre property located at 28301 112th Street E (Parcel #0619047005) is hereby rezoned from Neighborhood Mixed Use (NMU) to Light Industrial (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 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