

CITY OF BUCKLEY, WASHINGTON

ORDINANCE NO. 15 - 22

AN ORDINANCE OF THE CITY OF BUCKLEY, WASHINGTON, CONCERNING A LOT OF RECORD LOCATED AT 28017 112TH STREET E, PARCEL #0619043002, 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.

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 0.85-acre property, Parcel #0619043002, is addressed 28017 112th St. E and is located on the north side of 112th St. E approximately a third of a mile east of Mundy Loss Rd; and

WHEREAS, the subject parcel is currently zoned Neighborhood Mixed Use (NMU) and an applicant, Western Self Storage, 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, 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 7, 2022 and no appeals were filed; and

WHEREAS, the Hearing Examiner conducted a public hearing on this proposal on August 4, 2022; 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 8, 2022, 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 0.85-acre property, Parcel #0619043002, is hereby rezoned from NMU to LI.

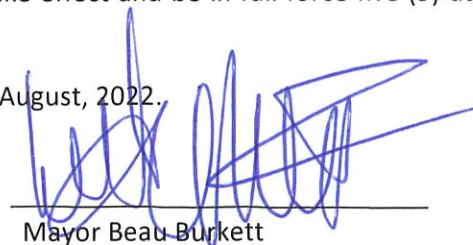
Section 3. Staff is authorized to change the 2015 zoning map, amended in 2022, to reflect this change.

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 23rd day of August, 2022.



Mayor Beau Burkett

ATTEST:



Treva Percival, City Clerk

APPROVED AS TO FORM:

A handwritten signature in black ink, appearing to read "Phil Olbrechts", written over a horizontal line.

Phil Olbrechts, City Attorney

PUBLISHED: August 31, 2022

EFFECTIVE: September 6, 2022