

CITY OF LANGLEY

ORDINANCE NO. 1069

AN ORDINANCE OF THE CITY OF LANGLEY, WASHINGTON,
AMENDING THE OFFICIAL ZONING MAP TO CHANGE
RM ZONE – MIXED RESIDENTIAL FOR TWO PROPERTIES
LOCATED AT SECOND STREET AND DEBRUYN AVENUE,
MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING
FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, LMC Ch. 18.05 Zoning Maps provides for the adoption of the official City zoning map or maps, and any amendments thereto; and

WHEREAS, LMC Ch. 18.38.030 establishes that amendments to the zone district boundaries depicted on the zoning maps may be initiated by a petition signed by the owners of 51 percent or more of the area of the properties to be rezoned; and

WHEREAS, the City received a sufficient petition for a rezone under LMC 18.38.030 from the owners of properties located at the corner of Second Street and DeBruyn Avenue, Island County tax parcel numbers S7345-00-02020-0 and S7245-00-0219-0 (Subject Properties); and

WHEREAS, the zoning map amendments set forth herein are deemed to be consistent with the City of Langley's Comprehensive Plan as the land use designations established in map LU-10 of the Comprehensive Plan are residential; and

WHEREAS, the subject properties to this zoning map amendment are located where City water and sewer services exist thereby making efficient use of existing infrastructure; and

WHEREAS, the proposed rezone is within the public interest and is consistent with the City of Langley's Comprehensive Plan; and

WHEREAS, the City's SEPA Responsible Official issued a Determination of Nonsignificance (DNS) on June 2, 2020, following review of the proposed code amendments, application submittals and environmental checklist; and

WHEREAS, in accordance with RCW 36.70A.106, the City submitted its zoning map amendments to the Department of Commerce for review on June 2, 2020, and received confirmation from the Department of Commerce on XXX, of receipt of an expedited notice of review; and

WHEREAS, after due and proper notice, the Planning Advisory Board (PAB) held a public hearing on XXXX, to accept public comments on the proposed zoning map amendments; and

WHEREAS, the PAB considered the staff report and public comment received prior to issuing its findings of fact and recommendation to the City Council; and

WHEREAS, on XXXX, the PAB issued written Findings of Fact and Recommendation (“Recommendation”), attached hereto as Exhibit A, wherein the PAB recommended that the City Council adopt the proposed amendments; and

WHEREAS, on XXXX, 2020, the City Council in an open public meeting reviewed and supported the Recommendation of the PAB;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LANGLEY, WASHINGTON, DO HEREBY ORDAIN AS FOLLOWS:

Section 1. Findings of Facts. The City Council adopts and incorporates the foregoing recitals as its findings and conclusions, and further adopts the PAB Recommendation attached as Exhibit A, as if set forth fully herein.

Section 2. Official Zoning Map Amendments - RM Zone – Mixed Residential to RS5000 Zone – Residential. The City Council authorizes the amendment of the City of Langley official Zoning Map in the form attached hereto as Exhibit B, the purpose of which is to change the zoning designation of RM Zone - Mixed Residential to (RS5000) Zone - Residential for the Subject Properties identified above.

Section 4. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 5. Effective Date. This Ordinance shall be published in the official newspaper of the City and shall take effect and be in full force five days from the date of publication.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LANGLEY, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS ____ DAY OF _____, 2020.

CITY OF LANGLEY

Tim Callison, Mayor

APPROVED AS TO FORM

ATTEST

Michael R. Kenyon, City Attorney

Monica Felici, City Clerk

EXHIBIT B

