

ORDINANCE NO. 05-806

AN ORDINANCE OF THE CITY OF BLACK  
DIAMOND, KING COUNTY, WASHINGTON,  
APPLYING THE MPD OVERLAY ZONING DISTRICT  
DESIGNATION TO CERTAIN PROPERTIES  
ANNEXED BY ORDINANCES 515 AND 517

WHEREAS, on December 5, 1994 the City passed Ordinances 515 and 517, thus annexing certain properties into the City of Black Diamond; and

WHEREAS, the vast majority of these properties were owned by Black Diamond Associates, Palmer Coking Coal Company and Plum Creek Land Company (the Property Owners); and

WHEREAS, the City Comprehensive Plan contemplates that the properties owned by the Property Owners within the areas annexed by Ordinance 515 and 517 would be developed pursuant to a master plan development program; and

WHEREAS, in June, 2005 the City passed Ordinance 05-779 creating the Master Plan Development (MPD) Program; and

WHEREAS, the issue of applying the MPD Overlay zoning classification to the Ordinance 515 and 517 properties owned by the Property Owners was forwarded by the Council to the Planning Commission for consideration; and

WHEREAS, on November 29, 2005 the Planning Commission considered the application of the MPD Overlay zoning classification to the Ordinance 515 and 517 properties owned by the Property Owners and the Planning Commission unanimously recommended approval of said zoning classification for said properties; and

WHEREAS, on December 8, 2005 the City Council held a public hearing on the application of said zoning classifications to the properties owned by the Property Owners that were annexed by Ordinances 515 and 517; and

WHEREAS, as required by the Black Diamond Municipal Code the notice of said hearing was properly posted and published; now, therefore

THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND,  
WASHINGTON DOES ORDAIN, AS FOLLOWS:

Section 1. All of the properties owned by the Property Owners within the area shown on Exhibit A, and as annexed by Ordinance 515 and Ordinance 517 are hereby zoned with the MPD Overlay zoning designation and the City's zoning map is hereby amended to reflect said designation.

Section 2. If any provision of this Ordinance is determined to be invalid or unenforceable for any reason, the remaining provisions of this Ordinance and Ordinances and/or Resolutions modified by it shall remain in force and effect.

Introduced the 8<sup>th</sup> day of December, 2005.

Passed unanimously by the City Council on the 8<sup>th</sup> day of December, 2005.

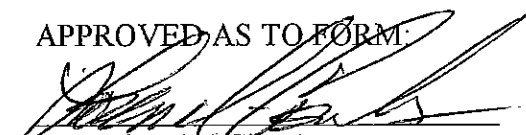
  
Howard Botts, Mayor

ATTEST:

  
Cris Kandior, City Clerk

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Effective Date: 12-18-05

APPROVED AS TO FORM:

  
Loren Combs, City Attorney  
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