

CITY OF BLACK DIAMOND

ORDINANCE NO. 07-844

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON, RELATING TO THE 2008 COMPREHENSIVE PLAN AMENDMENT PROCESS AND AMENDING BLACK DIAMOND MUNICIPAL CODE SECTION 16.60.040.

WHEREAS, the City has retained consultants to assist in completing the first major and comprehensive update to the City's Comprehensive Plan since 1996 as well as to assist in preparing significant changes to the City's development regulations; and

WHEREAS, the City's consultants are nearing the completion of their work and thus have started the public review process with the Planning Commission and City Council; and

WHEREAS, the City has adopted a process for amending the Comprehensive Plan, that process being codified in Black Diamond Municipal Code Chapter 16.60; and

WHEREAS, the City would like to complete the update process by April, 2008; and

WHEREAS, the City wants to give property owners in the City an opportunity to submit applications for Comprehensive Plan amendments to be considered in this amendment cycle, but this would not be possible under the currently adopted Comprehensive Plan amendment process set forth in Chapter 16.60 BDMC; now, therefore,

THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Black Diamond Municipal Code section 16.60.040 is hereby amended to read as follows:

16.60.040 Time Frame for Adoption.

A. All Comprehensive Plan amendment, except emergency amendments or Capital Facility amendments, shall be considered by the Council concurrently and no more frequently than once per year.

B. Except for the 2008 Comprehensive Plan amendment cycle, applications for Comprehensive Plan amendments shall be submitted to the City Clerk between October 1 and December 1 in order to be considered in the following year's Comprehensive Plan amendment process. As to the 2008 Comprehensive Plan amendment cycle, the Council shall consider all applications for Comprehensive Plan amendments received prior to the effective date of this ordinance and any other applications received by January 4, 2008.

C. The City Council shall hold a public hearing to determine which of the applications shall be initiated as Comprehensive Plan amendments. Initiation shall be accomplished by Council action prior to April 1 of each year. Provided, for the 2008 amendment cycle the public hearing shall occur on January 17, 2008.

D. The City Administrator shall conduct environmental review on all initiated applications. Upon completion of environmental review the City Administrator shall set a public hearing before the Planning Commission to consider the initiated applications and the environmental review information.

E. Prior to August 1 the Planning Commission shall make written findings and recommendations to the City Council as to each initiated application. The City Administrator shall forward the Planning Commission recommendations to the City Council, and to any governmental agency required to receive notice of plan amendments prior to adoption.

F. The City Council shall consider the findings and recommendations of the Planning Commission as well as any information received from governmental agencies required to receive notice prior to the adoption of Comprehensive Plan amendments at a public meeting and may hold a public hearing if deemed by the Council to be necessary. After review of the environmental information, the Planning Commission's recommendations and the information received from governmental agencies required to receive notice prior to adoption of Comprehensive Plan amendments, the City Council may adopt, by ordinance, with such amendments as it deems appropriate, any or all of the initiated amendments considered by the Planning Commission.

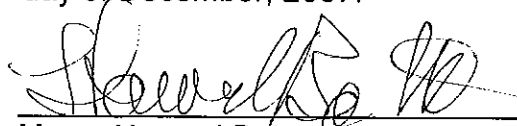
Section 3. This Ordinance shall be in full force and effect five (5) days from and after its passage, approval and publication as provided by law. A summary of this ordinance may be published in lieu of publishing the Ordinance in its entirety.

Section 4. 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 6th day of December, 2007.

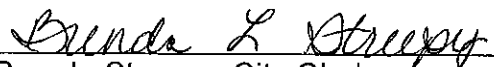
Passed by the City Council at a meeting held on the 6th day of December, 2007.

Approved by the Mayor on the 6th day of December, 2007.



Mayor Howard Botts

Attest:



Brenda Streepy, City Clerk

APPROVED AS TO FORM:

Loren D. Combs, City Attorney

Published: 12-11-07

Posted: 12-7-07

Effective Date: 12-16-07