

ORDINANCE NO. 15-1062

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, RELATING TO LAND USE AND ZONING, REZONING 26.26 ACRES FROM MASTER PLANNED DEVELOPMENT (MPD) TO RESIDENTIAL 4 (R-4) ZONING DISTRICT, LOCATED WITHIN THE NW ¼ SECTION 22, TOWNSHIP 21, RANGE 6, KING COUNTY PARCEL NUMBER 2221069054 (PARTIAL) AND 2221069056 (PARTIAL), 2221069008 (PARTIAL), 2221069009; AND REZONING 130.65 ACRES FROM MASTER PLANNED DEVELOPMENT (MPD) TO RESIDENTIAL 6 (R-6) ZONING DISTRICT, LOCATED WITHIN THE NW ¼ SECTION 22, TOWNSHIP 21, RANGE 6; KING COUNTY PARCEL NUMBERS 221069054 (PARTIAL) AND 221069056 (PARTIAL), 2221069008 (PARTIAL), 2221069009 (PARTIAL) AND 2221069055, 2221069057, 2221069007, 2221069010; AND AMENDING THE OFFICIAL ZONING MAP TO BE CONSISTENT THEREWITH

WHEREAS, the City imposed a moratorium on the submission of applications for development in the Master Planned Development District (other than the properties that were included in two Development Agreements); and

WHEREAS, the purpose of the moratorium was to consider whether a new zoning classification was appropriate for the property; and

WHEREAS, the property has a land use designation in the City's Comprehensive Plan, which allows for zoning classifications of Residential 4 dwelling units per acre (R-4) and Residential 6 dwelling units per acre (R-6); and

WHEREAS, the owner of the property currently zoned MPD is Palmer Coking Coal; and

WHEREAS, Palmer Coking Coal and City staff discussed the most appropriate zoning classification for the property, and all agreed that the property should be rezoned to R-4 and R-6; and

WHEREAS, a SEPA threshold determination of Non-significance (DNS) was issued for this Ordinance on May 13, 2015 and this DNS was not appealed; and

WHEREAS, a workshop and public hearing were held on this Ordinance on September 8, 2015 before the Planning Commission, which did vote to recommend approving the rezone to the City Council on October 6, 2015 and the meeting notes recommending approval are attached hereto as Exhibit C; and

WHEREAS, the City Council considered this Ordinance during a regular City Council meeting on October 15, 2015, together with the Planning Commission's recommendation;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. The real properties located within the NW ¼ SECTION 22, TOWNSHIP 21, RANGE 6, which is King County Parcel Numbers 221069054 (partial), 2221069056 (partial), 2221069008 (partial), 2221069009 (partial); which are legally described in Exhibit A, and shown on the map labeled Exhibit B, both of which are attached hereto and incorporated herein by this reference, are hereby rezoned from Master Planned Development (MPD) to Residential 4 (R-4).

Section 2. The real properties located within the NW ¼ SECTION 22, TOWNSHIP 21, RANGE 6, which is King County Parcel Numbers 2221069008 (partial), 2221069009 (partial), 2221069055, 2221069057, 2221069007, 2221069010, which are legally described in Exhibit A, and are shown on the map labeled Exhibit B, both of which are attached hereto and incorporated herein by this reference, are hereby rezoned from Master Planned Development (MPD) to Residential 6 (R-6).

Section 3. The Community Development Director is hereby instructed to effectuate the necessary changes to the Official Zoning Map of the City in accordance with Sections 1 and 2 of this Ordinance.

Section 4. Severability. If any section, sentence, clause or phrase of this Ordinance

should be held to be 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 5. Publication and Effective Date. This Ordinance shall be published by an approved summary consisting of the title. This ordinance shall be effective five days after publication, as provided by law.

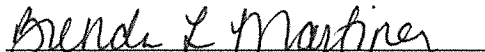
PASSED by the Council and approved by the Mayor of the City of Black Diamond, this 15th day of October, 2015.

CITY OF BLACK DIAMOND



Mayor Carol Benson

ATTEST/AUTHENTICATED:



Brenda L. Martinez, City Clerk

APPROVED AS TO FORM:
Office of the City Attorney

Carol A. Morris, City Attorney

FILED WITH THE CITY CLERK: 10/16/15
PASSED BY THE CITY COUNCIL: 10/15/15
PUBLISHED: 10/20/15
EFFECTIVE DATE: 10/25/15
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