

ORDINANCE NO. 15-1063

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, RELATING TO LAND USE AND ZONING, REPEALING ORDINANCE NO. 15-1055, WHICH EXTENDED A MORATORIUM IMPOSED ON THE ACCEPTANCE OF DEVELOPMENT APPLICATIONS WITHIN THE MASTER PLANNED DEVELOPMENT DISTRICT.

WHEREAS, ON March 20, 2014, the City adopted Ordinance No. 14-1027, imposing a six month moratorium on the City's acceptance of certain applications for property not subject to Development Agreements in the Master Planned Development Zone; and

WHEREAS, on August 21, 2014, the City adopted Ordinance 14-1034 extending the moratorium for an additional six months; and

WHEREAS, on February 19, 2015, the City extended the moratorium for another six months in Ordinance No., 15-1050; and

WHEREAS, on August 20, 2015, the City extended the moratorium for an additional three months in Ordinance No. 15-1055; and

WHEREAS, the purpose of the moratorium was to consider whether a new zoning classification was appropriate for the property in the MPD zone that was not subject to Development Agreements; and

WHEREAS, on September 8, 2015, the City Planning Commission held a public hearing on a new ordinance to rezone the property in the MPD zone that is not subject to Development Agreements, and recommended that the Council approve such rezone; and

WHEREAS, the City Council the rezone ordinance during a regular City Council meeting on October 15, 2015, together with the Planning Commission's recommendation and voted to approve the rezone;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND,

WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. The moratorium imposed by the Ordinances described in the “whereas” sections above, and as most recently extended in Ordinance No. 15-1055 is hereby repealed.

Section 2. 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.

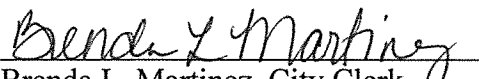
Section 3. Publication and Effective Date. This Ordinance shall be published by an approved summary consisting of the title. This ordinance shall be effective five days after publication, as provided by law.

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
ORDINANCE NO: 15-1063