

December 19, 1995 clerk

ORDINANCE NO. **12065**

AN ORDINANCE related to comprehensive planning, implementing recommendations relative to the joint planning area for the City of Black Diamond identified on the Growth Management Planning Council's Countywide Growth Pattern map; amending the King County Comprehensive Plan, King County Comprehensive Plan Land Use Map and Zoning Atlas.

FINDINGS:

1. Joint Planning Areas (JPA) were designated by the Growth Management Planning Council (GMPC) in Countywide Planning Policy (CPP) FW-1 Step 8b for those cities, including Black Diamond, where agreement on the boundaries of each city's urban growth areas (UGA) had not been reached. The GMPC determined that the UGA for each city should be finalized by the end of 1995 and that, subject to conditions, the urban growth area/open space for Black Diamond could be designated on up to 3000 acres maximum.
2. Consistent with CPP FW-1 Step 8, King County Comprehensive Plan (KCCP) Policy I-206 states that the county will complete a joint planning process with the cities of North Bend, Issaquah, Redmond, Renton, Black Diamond and Snoqualmie to determine the final UGA boundaries for each city.
3. This ordinance is required to amend the boundaries of the UGA for the city of Black Diamond in accordance with the recommendations of the Executive's 1995 KCCP Amendments.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The overlay designation for the Black Diamond Joint Planning Area (as shown on the attached map) shall be deleted from the Countywide Growth Pattern map.

SECTION 2. The King County Comprehensive Plan, King County Comprehensive Plan Land Use Map and Zoning Map shall be amended as follows:

A. The 783 acres of land annexed to the City in 1994 shall be included within the permanent Urban Growth Area (UGA) for the City as shown on Attachment A and as specified in the 1994 King County Comprehensive Plan text shall be designated "Incorporated City".

B. 1,927 acres, including 1,767 acres of the former JPA and 160 acres in the area known as Lake 12 Neighborhood shall be designated "New Rural City Urban Growth Area" on the King County Comprehensive Plan Land Use Map as shown on Attachment A provided that no more than 915 acres, which does not include the area known as the Lake 12 Neighborhood.

1 shall be designated for future urban development and the remainder shall be designated Open
2 Space or Natural Resource Use Lands.

3 C. All amendments to the King County Comprehensive Plan are due to the Council no
4 later than June 3, 1996. Any required amendments to the King County Comprehensive Plan
5 relative to the Black Diamond interlocal agreement shall be included in the Executive
6 Comprehensive Plan transmittal on or before June 3, 1996. The deadline for all other aspects
7 of the interlocal agreement which do not impact the King County Comprehensive Plan shall be
8 transmitted to the Council no later than September 1, 1996.

9 D. On or before December 31, 1996, the Council shall designate 915-acres of the lands
10 within the New Rural City Urban Growth Area for future urban development and the
11 remainder of the New Rural City Urban Growth Area, excluding the Lake 12 Neighborhood
12 shall be designated Open Space or Natural Resource Use land. These land use map
13 designations shall be consistent with the provisions of Sections 3 and 4 of this ordinance. If
14 these designations are not made and the provisions of Sections 3 and 4 of this ordinance are
15 not met by December 31, 1996, the New Rural City Urban Growth Area designation shall
16 expire and shall automatically revert to a Rural designation under the King County
17 Comprehensive Plan.

18 E. Until annexation the New Rural City Urban Growth shall be zoned UR- Urban
19 Reserve, one DU per 5 acres (UR-P) with conditions as shown on Attachment B, except the
20 John Henry Mine shall retain the existing Mining, with conditions, (M-P) zone classification.
21 The conditions are that no development potential is permitted that would be greater than
22 densities allowed under the 1994 Zoning Atlas and that existing mining/mineral uses be
23 protected for the life of the resource or until such uses are terminated.

24 F. The following text on page 221 of the King County Comprehensive Plan shall be
25 deleted and replaced with Section 2.A-E, G, and Sections 3, and 4 of this ordinance: "King
26 County anticipates Black Diamond completing and adopting its final Comprehensive Plan in
27 early 1995. Upon receipt and review of Black Diamond's final Comprehensive Plan, the
28 Executive will recommend a final Urban Growth Area in the form of a joint planning area
29 overlay ordinance to the Metropolitan King County Council by July 1, 1995."

1 G. No annexations or extension of utilities or commitments for extension of utilities
2 shall be allowed within the New Rural City Urban Growth Area until the proviso in
3 subsections B, C, D and E above and the requirements of Sections 3 and 4 below are satisfied
4 on or before December 31, 1996 in the Potential Annexation Area agreement and or
5 development agreement as described in Section 4.

6 SECTION 3. King County, the City of Black Diamond and the affected property
7 owners will address and resolve the following issues in the Potential Annexation Area
8 agreement and or development agreement as described in Section 4:

9 A. Affordable housing that meets or exceeds the goals established by the Countywide
10 Planning Policies and King County Comprehensive Plan. Market rate housing goals shall also
11 be established.

12 B. Completion and/or amendment of the Black Diamond Comprehensive Plan that is
13 consistent with the Countywide Planning Policies and includes:

14 1. The completion of the Natural Resource Management Plan, with input from King
15 County Surface Water Management Division;

16 2. The UGA, when combined with the existing City boundary, provides a future
17 job/housing mix sufficient for a fiscally viable city;

18 3. The net residential land within the New Rural City UGA (a portion of the 915
19 acres) will have a base density to be determined but will be developed at a minimum of 2
20 dwelling units per acre to a maximum of 18 dwelling units per acre through clustering,
21 Transfer of Development Rights and other methods as described in the City's Comprehensive
22 Plan; and

23 4. A Transfer of Development Rights program and residential densities that provide
24 sufficient value to meet the open space goals within the existing City Limits

25 C. Nature and location of open space uses including resource management and the
26 purposes described in the 1994 King County Comprehensive Plan found on pages 220-221.

27 D. Timing of open space and density transfers.

1 E. Implementation measures to ensure that open space and resource lands within the
2 New Rural City UGA, Open Space and Natural Resource Use Overlay Area are not
3 inappropriately developed pending transfer of density or property interests.

4 F. Specify options for open space, including fee title, conservation easements, Transfer
5 of Development Rights, resource management plans, reclamation plans and other methods.

6 G. Delineation of open space and resource use lands and a process for exchanges of
7 like kinds of open space and resource lands within the area surrounding Black Diamond.

8 H. Identification of phasing criteria for annexations within the New Rural City UGA.
9 Phasing shall be based on criteria described in County Comprehensive Plan, and will include
10 benchmarks for open space acquisition, population growth and available land capacity.
11 Phasing will prevent premature urbanization and ensure that annexations will not occur until
12 an agreed upon level of residential and commercial development has first occurred in the
13 existing incorporated area of the City. Phasing shall be enforced by zoning and land use
14 contract.

15 I. Long-term contract mechanisms for zoning and land use controls to provide
16 certainty for present and future land owners, and upon which public and private decisions can
17 be made.

18 J. Residential densities that comply with the Countywide Planning Policies and the
19 King County Comprehensive Plan and which will preserve open space within the existing
20 City.

21 K. Phasing agreements relating to commercial development.

22 L. Options for providing City water and sewer service to the Lake 12 Neighborhood.

23 M. Demonstrate whether or not the City is able to adequately provide sewer and water
24 service to their area by either preparing an addendum to an existing plan or providing a new
25 plan. Provide interlocal agreement with sewer service provider prior to Black Diamond's
26 utilization of service to a population equivalent of 3,600.

27 N. Identification of Open Space or Natural Resource Use lands within the New City
28 Rural UGA, plus additional lands inside the existing City and outside the New Rural City
29 UGA (an area totaling 3,660 acres, or four times the 915 acres of future urban development)

1 as "Open Space or Natural Resource Use Overlay Area." The exact boundaries of the Open
2 Space or Natural Resource Use Land within the New Rural City UGA may be established at
3 the time of annexation to the City. The County and City shall also agree on a mechanism to
4 allow minor modifications of these designated areas at the time annexation occurs to the City
5 which include the following:

6 1. The City's east City Limit line and the Forest Production District line may be
7 adjusted on an acre for acre basis to better reflect land use capabilities. Approximately four
8 hundred fifty (450) acres of land formerly within the Joint Planning Area (JPA) and the current
9 City Limits may be designated as the revised Forest Production District which will be subject
10 to current King County zoning but shall recognize existing lot patterns. The east City Limits
11 line may be adjusted to reflect the revised Forest Production District line. The maximum total
12 acreage to be adjusted shall not exceed 100 acres (50 acres in, and 50 acres out) and should not
13 result in any net increase of developable urban land within the City Limits.

14 2. The west boundary of the City Limits may be adjusted, up to 10 acres, to facilitate
15 proper alignment of the transportation corridor for the 783-acre annexation area.

16 SECTION 4. The County, the City, Plum Creek Timber Company and Palmer Coking
17 Coal Company must unanimously agree on the resolution of these issues outlined in Section 3
18 of this ordinance by executing a Potential Annexation Area agreement and or development
19 agreement among all the parties reflecting such concurrence, no later than December 31, 1996.

20 SECTION 5. Nothing in this ordinance shall affect the City's authority to review and
21 act upon development proposals within the City's existing boundaries.

22 SECTION 6. Each provision of this ordinance is integral with all provisions hereof,
23 and if any provision of this ordinance is determined to be invalid or unenforceable for any
24 reason, then this ordinance shall be invalid and unenforceable in its entirety. In such event, the
25 UGA of the City will be limited to the 1995 incorporated boundaries of the City.

1 SECTION 7. Inclusion of the 160 acres known as the Lake 12 Neighborhood into the
2 Urban Growth Area will not be effective until ratified by the Growth Management Planning
3 Council.

4 INTRODUCED AND READ for the first time this 13th day of
5 November, 1995.

6 PASSED by a vote of 9 to 1 this 18th day of December, 1995.

7 KING COUNTY COUNCIL
8 KING COUNTY, WASHINGTON

9 Kent Pullen
10 Chair

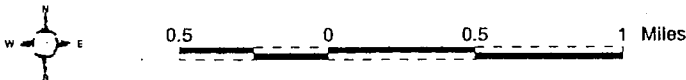
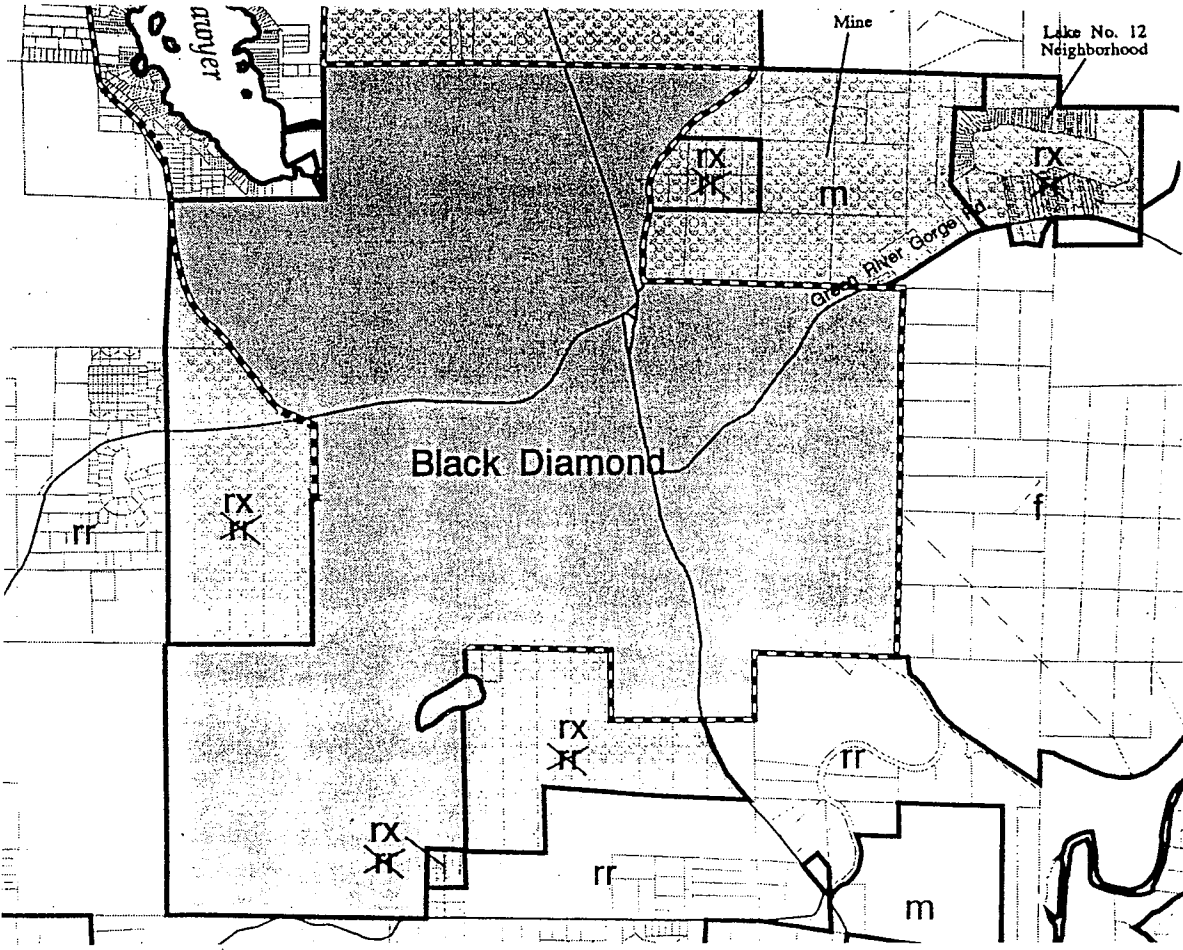
11 ATTEST:

12 Gerald A. Paterson
13 Clerk of the Council

14 APPROVED this 21st day of December, 1995.

15 Ray Locke
16 King County Executive

17 Attachments: (A) Proposed Black Diamond Urban Growth Area Land Use Map
18 (B) Proposed Black Diamond Urban Growth Area Zoning Map
19



King County
 Department of Development and Environmental Services
 Geographic Information System

December 15, 1995

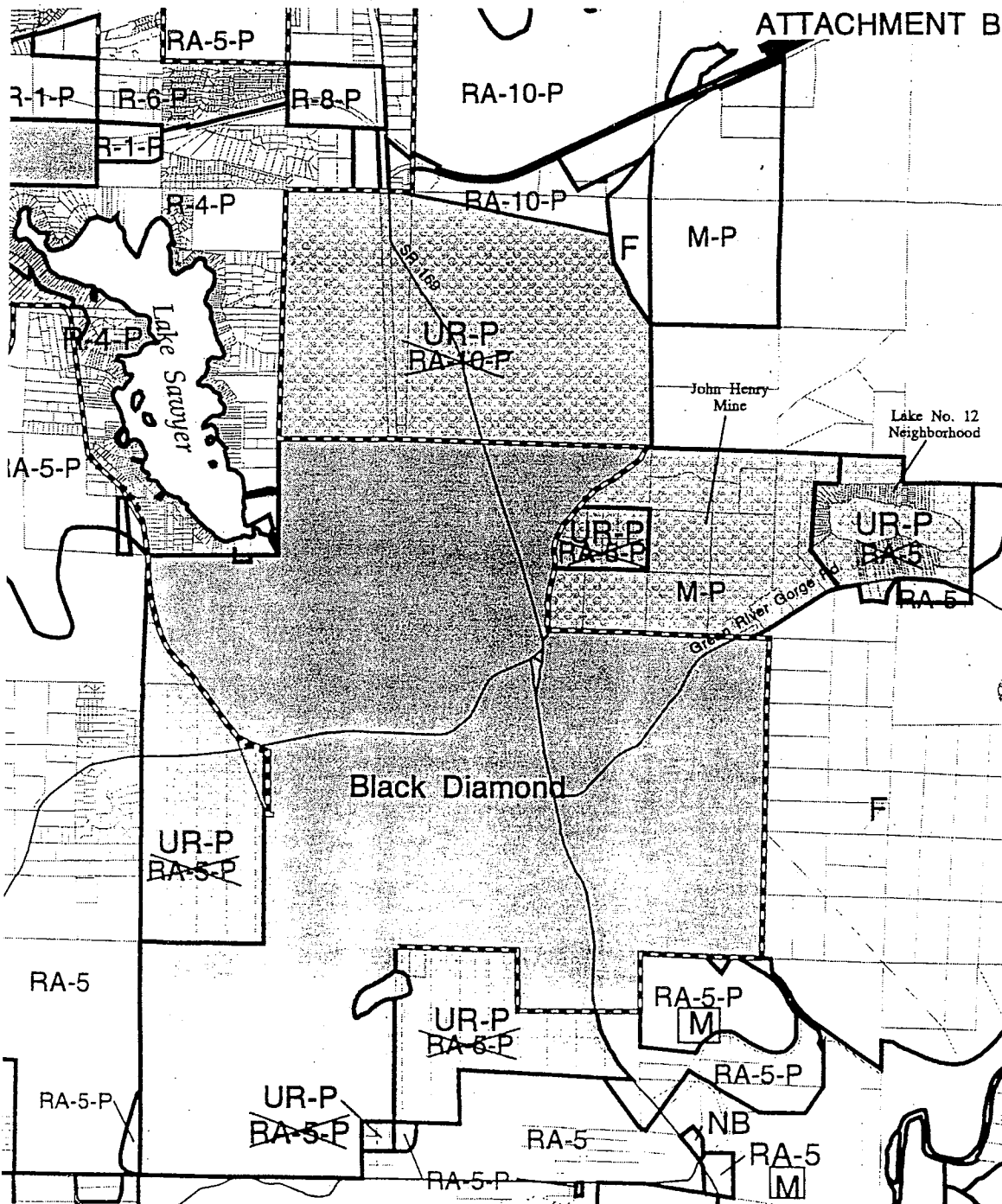
Black Diamond

- Urban Growth Boundary
- Incorporated Area
- New Rural City Urban Growth Area

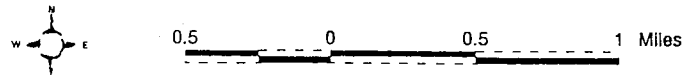
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This map is intended for planning purposes only and is not guaranteed to show accurate measurements.

ATTACHMENT B



Black Diamond



Black Diamond

- Urban Growth Boundary
- Incorporated Area
- Proposed Zoning for New Rural City Urban Growth Area

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