

RESOLUTION NO. 12-801

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON, REFERRING AN AMENDMENT TO THE PRELIMINARY PLAT APPEAL PROCESS OF TITLE 18 OF THE BLACK DIAMOND MUNICIPAL CODE (BDMC) TO THE PLANNING COMMISSION FOR THEIR RECOMMENDATION

WHEREAS, the appeal process for a Hearing Examiner decision on a Preliminary Plat Application in BDMC Title 18 is in conflict with the appeal process in BDMC Title 17; and

WHEREAS, on June 7, 2011 the Planning Commission voted 6-0 to not approve the Title 17 changes proposed by City staff and to ask staff to instead draft amendment language to Chapter 18.08 to reconcile it with the various sections of Title 17;

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

Section 1. The following amendment to BDMC 18.08.060(E) is proposed (added language underlined):


A Type 3 decision may be appealed to Superior Court, except that a Type 3 decision on a shoreline application may be appealed only to the State Shorelines Hearings Board, and a Type 3 decision on a Preliminary Plat application may be appealed to the City Council per BDMC 17.16.040. (See also Section 18.08.200 regarding consolidated permit processing and appeals.)

Section 2. Directing the Mayor to have the City Attorney draft an ordinance incorporating the BDMC amendment of Section 1 for referral to the Planning Commission for their recommendation.

Section 3. In accordance with BDMC 2.24.050 the Planning Commission shall promptly report their recommendation to the City Council for disposition of the Section 1 BDMC amendment.

PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 3RD DAY OF MAY, 2012.

CITY OF BLACK DIAMOND:



Rebecca Olness, Mayor

Attest:



Brenda L. Martinez, City Clerk