

CITY OF MAPLE VALLEY, WASHINGTON
ORDINANCE NO. O-11-437

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLE VALLEY, WASHINGTON, AMENDING THE OFFICIAL ZONING MAP, PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, in 2008, King County designated a 156.5 acre parcel of County-owned property, Tax parcel 3422069006 (“Property”), as Urban with a Comprehensive Plan designation of Urban Planned Development (UPD), identified it as within the Potential Annexation Area (PAA) of the City of Maple Valley, and zoned the property Urban Reserve – Special District Overlay (UR-SO); and

WHEREAS, the Property is entirely surrounded by the incorporated City of Maple Valley; and

WHEREAS, on October 2, 2008, the City of Maple Valley was a signatory to the “Memorandum of Agreement Regarding Joint Planning, Interim Zoning, Pre-annexation Zoning, and Future Annexation of Summit Pit Property” (“MOA”) along with King County Executive Ron Sims, and Yarrow Bay Group Principal, Brian Ross, on behalf of Summit Place 156, LLC; and

WHEREAS, under the terms of the MOA the City, King County and Summit Place 156, LLC (“Prospective Purchaser”) have been engaged in a planning process with the goal of annexing the Property into the City; and

WHEREAS, the planning process under the terms of the MOA obligated the City to adopt comprehensive plan goals and policies for the Property as well as obligated the City to adopt pre-annexation zoning and development regulations applicable to the Property; and

WHEREAS, the City sent official notice of proposed pre-annexation zoning, and amendments to Title 18 MVMC to the Washington State Department of Commerce (at that time, Washington State Department of Community, Trade and Economic Development) and to other agencies, consistent with notice requirements; said notice dated July 13, 2009; and

WHEREAS, the City did not receive any comments from the Washington State Department of Commerce about the proposed pre-annexation zoning and Title 18 MVMC amendments; and

WHEREAS, the City sent official notice of proposed amendments to the City’s Comprehensive Plan and a draft of a proposed subarea plan for the Property to the Washington State Department of Commerce (at that time, Washington State Department of Community, Trade and Economic Development) and to other agencies, consistent with notice requirements; said notice dated July 13, 2009; and

WHEREAS, on July 21, 2009 the City of Maple Valley issued a State Environmental Policy Act (“SEPA”) threshold Determination of Non-significance (“DNS”) for a proposed subarea plan for

the Property as well as amendments to the Comprehensive Plan, proposed pre annexation zoning ordinance and amendments to Title 18 MVMC ; and

WHEREAS, on July 21, 2009 the public hearing scheduled for July 29, 2009 before the Planning Commission on the proposed subarea plan for the Property was properly noticed to the public in the City's official newspaper, the Voice of the Valley City; and

WHEREAS, on July 29, 2009, the Planning Commission held a public hearing on a proposed sub-area plan, proposed pre-annexation zoning and Title 18 MVMC amendments for the Property; and

WHEREAS, on November 24, 2009, a second public hearing, scheduled for December 2, 2009 before the Planning Commission on the proposed subarea plan for the Property was properly noticed to the public in the City's official newspaper, the Voice of the Valley; and

WHEREAS, the City sent official notice of supplemental material for the proposed subarea plan for the Property as well as amendments to the Comprehensive Plan to the Washington State Department of Commerce; said notice is dated December 7, 2009; and

WHEREAS, on December 8, 2009, the City issued a revised DNS for the proposed subarea plan and amendments to the Comprehensive Plan; and

WHEREAS, the City did not receive any comments from the Washington State Department of Commerce about the proposed supplemental material for the subarea plan for the Property or about proposed amendments to the Comprehensive Plan; and

WHEREAS, on December 2, 2009, the Planning Commission held a second public hearing on a proposed sub-area plan for the Property; and

WHEREAS, on December 16, 2009 the Planning Commission voted unanimously to forward a recommendation to the Maple Valley City Council ("City Council") to adopt the proposed sub-area plan for the Property, along with a recommendation to adopt amendments to the Comprehensive Plan; and

WHEREAS, on January 12, 2010, the public hearing scheduled for January 25, 2010 on the proposed subarea plan and Comprehensive Plan amendments was properly noticed in the City's official newspaper, the Voice of the Valley; and

WHEREAS, on January 25, 2010 the City Council held a public hearing on the proposed sub-area plan and Comprehensive Plan amendments; and

WHEREAS, the City of Maple Valley complied with all State procedural requirements of the Growth Management Act and the State Environmental Policy Act to adopt amendments to the Introduction, Land Use Element and Appendix of the Comprehensive Plan, with the Appendix consisting of the subarea plan for the Property (aka "Joint Plan"); and

WHEREAS, on February 1, 2010, in Ordinance O-10-407, the City Council adopted the subarea plan for the Property, as Exhibit C to Ordinance O-10-407, “Summit Place Annexation Area Comprehensive Plan Amendment/Subarea Plan;” and

WHEREAS, on June 21, 2010 the Maple Valley City Council, and on June 30, 2010 the King County Council, each formally adopted, in separate legislative actions, the “Interlocal Agreement between King County and the City of Maple Valley Adopting the Joint Plan For Summit Place,” (“ILA”); and

WHEREAS, the City’s adoption of pre-annexation zoning and development regulations that are consistent with the subarea plan for the Property (aka “Joint Plan”) is an obligation of the City under the terms of the MOA and the ILA; and

WHEREAS, on November 23, 2010 the December 1, 2010 public hearing before the Planning Commission was properly noticed to the public in the City’s official newspaper, the Voice of the Valley; and

WHEREAS, on December 1, 2010, the Planning Commission held a public hearing on the proposed pre-annexation zoning and development regulations; and

WHEREAS, on December 15, 2010 the Planning Commission completed its consideration of pre-annexation zoning and development regulations for the Property and made a recommendation to the Maple Valley City Council for adoption of the same after holding a public hearing; and

WHEREAS, on December 21, 2010, the January 3, 2011 public hearing on proposed pre-annexation zoning for the Property was properly noticed to the public in the City’s official newspaper, The Voice of the Valley; and

WHEREAS, the Planning Commission’s recommendations were forwarded by City staff to the City Council for their consideration at a regular business meeting on January 3, 2011; and

WHEREAS, the Planning Commission’s recommendations include: adoption of a new zoning designation within the City to be called “Master Planned Community;” establishing permitted uses within that new zoning designation; and adoption of development regulations for application submission and review for Master Planned Community Project Approval within the Master Planned Community zoning district; and

WHEREAS, the Planning Commission’s recommendation was introduced by City staff to the Maple Valley City Council on January 3, 2011 as a new proposed Chapter 18.120 to Title 18 MVMC; and

WHEREAS, the Planning Commission’s recommendation on amendments to Chapter 18.30 MVMC, Permitted Uses, was also introduced by City staff to the City Council on January 3, 2011; and

WHEREAS, on January 3, 2011, the City Council held a first public hearing on the pre-annexation zoning designation, Master Planned Community, as required pursuant to RCW 35A.14.330; and

WHEREAS, the City Council continued to consider the Planning Commission's recommendations at City Council meetings on January 18, 2011 and January 24, 2011; and

WHEREAS, on January 24, 2011, the City Council authorized City staff to send to the County Executive and other necessary persons under the ILA, the necessary notice required under the ILA to notify the County that the City Council would be considering pre-annexation zoning ordinances for purposes on February 14, 2011; and

WHEREAS, on February 1, 2011 the February 14, 2011 public hearing on pre-annexation zoning was properly noticed to the public in the City's official newspaper, The Voice of the Valley; and

WHEREAS, on February 14, 2011 the City held a required second public hearing pursuant to RCW 35A.14.330, related to pre-annexation zoning designation and the public hearing was continued to February 28, 2011 whereupon the hearing was opened, testimony taken, and the public hearing closed; and

WHEREAS, the City Council adopted Ordinance O-11-436 on August 22, 2011, adopting the zoning designation "Master Planned Community" for the Property, as pre-annexation zoning; and

WHEREAS, the City Council finds that it is in the interests of the public to adopt Ordinance O-11-437, amending the Official Zoning Map to reflect the corporate limits and zoning regulations of the City of Maple Valley, Washington, designating the Property as Master Planned Community, pre-annexation zoning, pursuant to the Council's adoption of Ordinance O-11-436;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MAPLE VALLEY, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Official Zoning Map Adopted. The Official Zoning Map is hereby amended to reflect pre-annexation zoning for Tax Parcel No. 3422069006 and is incorporated herein as Attachment A. This map shall constitute the City of Maple Valley's Official Zoning Map. Attachment A has been filed with the City Clerk and identified with Clerk's Receiving Number _____.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by State or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five days after publication in the City's official newspaper.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE
22nd DAY OF AUGUST, 2011.

CITY OF MAPLE VALLEY

Noel T. Gerken, Mayor

ATTEST/AUTHENTICATED:

Shaunna Lee-Rice, City Clerk

Approved as to form:

Christy A. Todd, City Attorney

Date of Publication: August 30, 2011

Effective Date: September 4, 2011

Maple Valley Zoning Map



LEGEND	
-----	City Limits
[Light Blue Box]	Business Park (BP)
[Light Green Box]	Business Park Central (BPC)
[Red Box]	Community Business (CB)
[Red Box with Diagonal Lines]	Community Business w/ Conditions (CB/C)
[Pink Box]	Neighborhood Business (NB)
[Light Purple Box]	Multi-Use (MU)
[Light Green Box]	Office (O)
[Dark Green Box]	Offices w/ Conditions (O/C)
[Light Green Box]	Parks, Recreation, Openspace (PRO)
[Blue Box]	Public (PUB)
[Yellow Box]	Low Density Residential (R-4)
[Light Yellow Box]	Low Density Residential (R-6)
[Orange Box]	Medium Density Residential (R-8)
[Brown Box]	Medium Density Residential (R-12)
[Dark Brown Box]	High Density Residential (R-18)
[Dark Brown Box]	High Density Residential (R-24)
[Light Green Box]	Office w/ Conditions (O/C)
[Light Blue Box]	Business Park w/ Conditions (BP/C)
[Hatched Box]	Master Plan Designation Community (MPC)
[Light Blue Box]	City of Black Diamond
[Light Green Box]	City of Covington
[Light Yellow Box]	King County
[Light Green Box]	City of Kent Watershed

