



# CITY OF BLACK DIAMOND

P.O. Box 599  
24301 Roberts Drive  
Black Diamond, WA 98010

Phone: (360) 851-4447  
Fax: (360) 851-4501  
[www.blackdiamondwa.gov](http://www.blackdiamondwa.gov)

## NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that the City's Hearing Examiner will conduct a hybrid in-person and virtual/telephonic **OPEN-RECORD PUBLIC HEARING** on the proposed Palmer Rezone 3 which will take place on Monday, November 6, 2023 at 5:00 P.M., which may be attended either in person at the Council Chambers located at 25510 Lawson Street, Black Diamond, WA or telephonically or online through the Zoom meeting application. The public is encouraged to participate by 1) attending in person, 2) calling 253-215-8782 and entering Meeting ID# 821 5867 7847, Passcode 972909 to listen to the proceedings telephonically; or 3) joining the meeting by Zoom link <https://blackdiamondwa.gov.zoom.us/j/82158677847?pwd=1mFNcTojia2b2JzocPMvDHsOw5pKBu.1>, Meeting ID# 821 5867 7847, Passcode 972909.

In accordance with BDMC 2.30.090, the staff report will be available at least five working days prior to the scheduled hearing. All recommendations of the examiner will be rendered within 10 working days following the conclusion of all testimony and hearings and closing of the record, unless a longer period is mutually agreed to by the applicant and the examiner. The applicant and parties of record will be mailed a copy of the examiner's recommendations. Other interested persons may request a copy of the recommendation and subsequent decision once made.

**Owner/Applicant:** Palmer Coking Coal Co., LLP

**Project Name:** Palmer Rezone 3

**Application Numbers:** PLN22-0047 (Rezone) and PLN22-0048 (SEPA)

**Project Location:** Address not assigned; located north of Fairfax Street and Dail Drive; located in a portion of the S1/2 of the S1/2 of the SE1/4 of Section 10, Township 21 North, Range 6 East, Willamette Meridian, King County, Washington.

**Parcel Number:** 102106-9111

**Project Description:** Rezone from Business/Industrial Park (B/IP) to Medium Density Residential (MDR8). No development activity is proposed at this time. Further environmental evaluation will be required with any non-exempt future development applications.

**Project Documents:** Cover letter, rezone application, SEPA checklist, public comments, City reviews, applicant responses, traffic memos, Determination of Non-Significance (DNS), Appeal of DNS, Order dismissing Appeal

**Application Process:**      Date of Application: August 8, 2022  
   Complete Application: August 8, 2022  
   Notice of Application: August 17, 2022  
   Notice of Hearing: October 18, 2023  
   Public Hearing: November 6, 2023 at 5:00 P.M.

**Staff Contact:** Mona Davis, Community Development Director, City of Black Diamond, (360) 851-4528, [mdavis@blackdiamondwa.gov](mailto:mdavis@blackdiamondwa.gov)

**Closed-Record Hearing:** The final decision on the rezone application is made following a closed-record hearing by the City Council. Only parties of record who testified at the open-record public hearing in front of the Hearing Examiner may speak at the closed-record hearing; however, testimony at the closed-record hearing is limited to discussion about the recommendation from the Hearing Examiner. All argument and discussion must be based on the factual record developed at the Hearing Examiner open-record hearing. Type 4 decisions are effective on the date that final findings and conclusions are adopted by the City Council.

**Appeal of City Council Decision:** Pursuant to Section 18.08.200 of the Black Diamond Municipal Code (BDMC), Type 4 permits are appealable to the Superior Court in accordance with state law (RCW 36.70C.020(2) and 36.70C.030). Any appeal shall be filed within 21 calendar days after a final decision is issued by the city (see RCW 36.70C.040(3) and BDMC 18.08.230).