

CITY OF BLACK DIAMOND
PLANNING COMMISSION MEETING MINUTES
July 7, 2020, 6:00 PM

1) **FLAG SALUTE, CALL TO ORDER, and ROLL CALL**

Chairperson McCain called the meeting to order at 6:01 p.m.

Present: Commissioners: Jensen, Butt, McCain, Ekberg, Ambur, Olson
Commissioner LaConte joined meeting after roll call was taken and Minutes Approved.

Staff: Barbara Kincaid, Community Development Director
Carina Thornquist, Deputy City Clerk

2) **APPROVAL OF MINUTES**

a) Regular meeting of June 15, 2020

Motion was made to approve the June 15, 2020 minutes. **Motion seconded. Vote, Motion passed 6-0.**

Chairperson McCain reminded the citizens that the role of the Planning Commissioners is to be an advisory board to the City Council. She informed everyone that the Agenda item for the Planning Commission to deliberate and form a recommendation would not take place this evening. Due to the number of people wishing to provide oral testimony and all of the written testimony received, the Commission intends only to listen to the public. Chair McCain informed citizens they would have 5 minutes to speak to allow for everyone to have time.

Director Kincaid reminded participants of protocol for the hearing.

3) **PUBLIC COMMENT** - None

4) **PUBLIC HEARING**

b) **Preliminary Docket for 2020 Annual Comprehensive Plan Amendment**

Director Kincaid explained that Bob Stuart had requested to speak first because of other commitments, then she will go down the list in order as to when comments came in. The following people provided oral testimony:

Bob Stuart from Black Diamond - spoke and his written comments are included with the minutes.

Gary Davis from Black Diamond - spoke and his written comments are included with the minutes.

Kristen Bryant from Bellevue - spoke and her written comments are included with the minutes.

Bill Bryant from Black Diamond - spoke and his written comments are included with the minutes.

Allison Ostrer from Seattle - spoke and her written comments are included with the minutes.

Angela Fettig from Black Diamond - spoke and her written comments are included with the minutes.

Director Kincaid announced the additional names that were on the "Request to Speak" list and those persons were not present. She asked if there was anyone who wasn't on the list and wanted to speak. Those were as follows:

Bill Popp from Bellevue - spoke and his written comments are included with the minutes.

Director Kincaid requested the Commission to keep the hearing open and to hold a special meeting for deliberation to provide sufficient time for everyone wishing to submit comments on the preliminary docket and for the Commissioners to read through all of the them. She explained that oral testimony could be closed tonight and that the written testimony would remain open until a special meeting could be held. Ms. Kincaid asked if Commissioners would be available to hold a special meeting on either Tuesday, July 21 or Wednesday, July 22, 2020. The Commissioners settled on holding a special meeting Tuesday, July 21, 2020.

Chair McCain asked three times for any further public testimony before entertaining a motion to close the oral testimony. **Motion** to close oral testimony of the Public Hearing. **Motion seconded. Vote, Motion passed 7-0.**

Motion to extend written comments for the Public Hearing until July 14, 2020 at 5pm. **Motion seconded. Vote, Motion passed 7-0.**

Motion to hold a Special Meeting on July 21, 2020. **Motion seconded. Vote, Motion passed 6-1 (Commissioner Ekberg)**

Commissioner Ambur expressed concerns with an application that was approved this last year from Commissioner Butt.

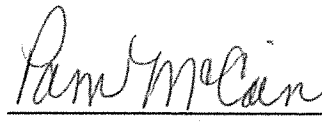
Commissioners discussed methods about how to discuss and deliberate on the testimony received for their special meeting.

- 5) STUDY/WORK SESSION - none
- 6) UNFINISHED BUSINESS - none
- 7) COMMUNITY DEVELOPMENT DEPARTMENT REPORT - none
- 8) PUBLIC COMMENTS - none
- 9) ADJOURN
Motion to adjourn the meeting. Motion seconded. Vote, Motion passed 7-0.

THE MEETING ADJOURNED AT 6:53 p.m.

These minutes were respectively recorded by Carina Thornquist, Deputy City Clerk

ATTEST:


7/22/2020
Pam McCain, Chairperson


Carina Thornquist
Planning Commission Secretary

Carina Thornquist

From: Michael England <mjebiker500r@yahoo.com>
Sent: Wednesday, July 1, 2020 7:23 AM
To: Barbara Kincaid
Subject: reverse the 2019 comp plan land use map change

The 2019 map adds far to much traffic. there has been no money allotted for schools,police and fire.
There is no tax analysis for city hall ,parks,police and fire?
The map has far to much development and growth!!!!!!!

Carina Thornquist

From: Mike and Wendy Ward <mike_wen@msn.com>
Sent: Friday, July 3, 2020 12:20 PM
To: Barbara Kincaid; Carina Thornquist
Subject: Reverse the 2019 Comp plan land use map change

Dear Planning Commission,

We are very concerned about traffic and lack of road improvements, specifically on Maple Valley Hwy. Additional lanes are needed in both directions from I-405 to Enumclaw BEFORE any more houses, strip malls and apartments are approved. These additional lanes should have been required BEFORE the Ten Trails & Oak Pointe developments began. Many other main thoroughfares also need additional lanes in both directions to support the current population without even thinking about the hundreds and thousands of new residents who will be moving in. Improvements must include adding additional lanes in both directions on MV Hwy from Renton to Enumclaw, Kent Kangley from Ravensdale to Kent Station, 216th from Ten Trails to Kent Kangley, Witte Road from MV Hwy to 216th. Round-abouts & adding turn lanes are **NOT** helpful improvements, as they do not ease heavy congestion & traffic jams with the volume of cars in our area. These road improvements must be done before any rezoning & changes are made to build more apartments, houses or strip malls.

We are also concerned about the increased tax burden and cost to current residents to pay for the additional schools, libraries, fire & police service, etc. that will be needed to support the new residents. The developers and new residents must be required to pay these fees and the additional taxes to pay for these expanded services that will directly support them.

We fully support the statement below and trust you will listen to the voices of Black Diamond residents and reverse the plan change. Please carefully consider what the infrastructure of Black Diamond can support and the impact on our limited road options leading in and out of our city.

Sincerely,

Wendy and Mike Ward

Reverse the 2019 Comp Plan Land Use Map Change. The 2019 map adds Far Too Much Traffic. There is No Money for Schools (Ten Trails already has us paying for 7 schools). There was No Tax Analysis (impact on city hall, parks, police, fire?). There wasn't even a count of acres changed or potential housing added.

The 2019 Map contains far too much development for Black Diamond.

Use the Comp Plan to reduce development, because we should not be adding more than triple our city's Growth Management Act targets.

Carina Thornquist

From: Ron Zarges <ronvz@comcast.net>
Sent: Monday, July 6, 2020 11:29 AM
To: Barbara Kincaid; Carina Thornquist
Subject: Planning Commision

Reverse the 2019 Comp Plan Land Use Map Change. The 2019 map adds Far Too Much Traffic. There is No Money for Schools (Ten Trails already has us paying for 7 schools). There was No Tax Analysis (impact on city hall, parks, police, fire?). There wasn't even a count of acres changed or potential housing added.

The 2019 Map contains far too much development for Black Diamond.

Use the Comp Plan to reduce development, because we should not be adding more than triple our city's Growth Management Act targets.

Ron Zarges
32803 181st Ave SE
Auburn WA 98092

Carina Thornquist

From: Bill Popp, Sr. <billsr@wmpoppassoc.com>
Sent: Monday, July 6, 2020 5:00 PM
To: Barbara Kincaid; Carina Thornquist
Subject: Planning Commission Public Hearing
Attachments: Memo to Save Black Diamond re June 9 2020 Planning Commision Mtg re Plan Update.docx

Expires: Saturday, January 2, 2021 12:00 AM

Ms. Kincaid
Please include this in the Hearing.

William Popp, P.E.
William Popp Associates
Transportation Planners and Engineers
14400 Bel-Red Rd, Ste 206
Bellevue, WA 98007
425-401-1030
www.wmpoppassoc.com
billsr@wmpoppassoc.com

MEMORANDUM

TO: City of Black Diamond Planning Commission
FROM: Bill Popp, P.E.
DATE: July 6, 2020
SUBJECT: July 6, 2020 Planning Commission Meeting re Comprehensive Plan Update

This memorandum is largely based upon review of the following:

- *City of Black Diamond Comprehensive Plan*, May 2, 2019 with special emphasis on Chapter 7, Transportation Element and its supporting Appendix 7;
- 2035 Peak Hour Traffic Volumes and Roadway Network from Appendix 7;
- *Traffic Monitoring Report, The Villages and Lawson Hills Master Planned Developments Phase 2*, December 2013 by Transpo Group;
- Phase 1A (8-25-2012) and Phase 2 Regional Implementation Schedule (1-28-2014);
- The Villages Development Agreement Exhibit C Conditions of Approval, 2010;
- *The Villages Transportation Technical Report*, December 2009; Parametrix

Background

A major issue that arises from review of the cited documents is there is little or no discussion and analysis of the roadway sections that might be needed between the typically distantly spaced controlled intersections. All of the identified improvements, with only a couple of exceptions, focus on the controlled intersections themselves and deal with possible widening for additional turn lanes and possible additions of signal control or roundabout solutions serving the respective intersections. One of the reasons for this is the controlled intersections (stop signs, signals, roundabouts) are the locations wherein delay to motorists is most conspicuously experienced and which can be readily analyzed with an industry accepted set of analysis tools. Another reason is the traffic volume forecasts on roadways have higher levels of accuracy as the roadway volumes increase and these relate to the non-local access roadways (collector, minor and principle arterials).

Traffic estimates for lower volume roadways and driveways are not typically analyzed, however these roadways do have access to the system and the motorists at those locations can experience LOS deficiencies no differently than at controlled intersections. And those situations where delay forces imprudent vehicular maneuvers, safety problems can result. And that is why there are 3-lane, 5-lane and 7-lane roads between distantly spaced intersections in this region. These two-way center turn lane facilities provide the

motorist with the ability to conduct a two stage maneuver when entering the facility thus reducing the number of acceptable gaps required by roughly one-half.

Findings

Based on review of the 2035 Peak Hour Traffic Volumes and Roadway Network from Appendix 7, the following significant potential traffic issues associated with the current Transportation Element stand out as problems requiring resolution prior to taking any further actions that would result in approval of added development above that assumed in the 2013 Traffic Monitoring Report for the two Villages. The focus here is on the Lake Sawyer Rd and 216th Ave SE Corridor Arterial Widening, although there may be others that warrant review as well.

216th Ave SE

The 2035 Peak Hour Traffic Volumes & Roadway Network Figure 7-7 shows traffic **volumes in this corridor that will require substantial roadway widening of the entire arterial, not just major intersections**. Per Figure 7-7, 216th Ave SE north of SE 288th Street is **projected to be carrying some 3100 pm peak hour vehicles. This represents a 4.4 -fold growth in existing traffic – in 2013 it was 695 vehicles!**

For perspective SR 169 approaching I-405 was carrying 3100 vph in 2018 and that is in a 7-lane section approaching the Cedar River Park Drive intersection . In an urban setting with cross streets this 3100 demand would require five to seven lanes (2-3 each way + center turn lane) **in order for cross street or driveway traffic to enter the traffic stream at an acceptable LOS -- depending on the side street volume the LOS could easily be F for that entering traffic.**

The extent of improvements cited in the Phase 2 Regional Implementation Schedules only consists of signalization of the SE 288th St intersection and addition of an additional southbound left turn lane and westbound left turn lane. **The magnitude of this corridor demand has not been addressed in the agreement with Maple Valley so at this point the deficiency is a major issue for this upcoming Plan update.**

For the section of 216th Ave SE from SE 288th to Lake Sawyer Road the projected PM PM pk hour volume is 2700. Once again **this volume portends a 5 to 7-lane roadway section; not the minimal improvements identified in the Implementation Schedule.**

Lake Sawyer Road

The 2035 Peak Hour Traffic Volumes & Roadway Network Figure 7-7 shows traffic volumes in this corridor ranging from 1800 to 1950 PM peak vehicles per hour. In an urban setting this would typically require a 5 lane section for adequate driveway and side street access with signals at higher volume side street intersections. **At a minimum a 3-lane section would be required for LOS D or better access on Lake Sawyer Road,**

and that would extend the length of the corridor and include the two proposed signals and channelization.

Carina Thornquist

From: Arick <arick19@comcast.net>
Sent: Monday, July 6, 2020 2:55 PM
To: Carina Thornquist
Cc: Barbara Kincaid
Subject: 2019 comp land use change

Reverse the 2019 Comp Plan Land Use Map Change. The 2019 map adds Far Too Much Traffic. There is No Money for Schools (Ten Trails already has us paying for 7 schools). There was No Tax Analysis (impact on city hall, parks, police, fire?). There wasn't even a count of acres changed or potential housing added.

The 2019 Map contains far too much development for Black Diamond.

Use the Comp Plan to reduce development, because we should not be adding more than triple our city's Growth Management Act targets.

07-07: Please add me to the Public Hearing list.

Carina Thornquist

From: B Stuart <lovethenw4life@gmail.com>
Sent: Monday, July 6, 2020 4:49 PM
To: Barbara Kincaid
Cc: Planning Commission
Subject: Fwd: PUBLIC COMMENT 07/07/20

One more request Ms. Kincaid. Please include my comment below (previously sent in February and again in June) in the materials for the comp plan hearing. Thank you

Bob

----- Forwarded message -----

From: B Stuart <lovethenw4life@gmail.com>
Date: Mon, Jun 8, 2020 at 12:01 PM
Subject: PUBLIC COMMENT 06/09/20
To: Barbara Kincaid <bkincaid@blackdiamondwa.gov>

Hello Ms. Kincaid. I am re-sending this Comp Plan Preliminary Docket recommendation, originally sent Feb 27--before COVID disrupted the Planning Commission cadence.

The recommendations below were for the Comp Plan update in 2020. These are well-researched updates worthy of consideration as the planning commission meets to begin discussion Tuesday.

Are there any updates from staff regarding this docket suggestion for the Comp Plan?

Thank you,

Bob Stuart

On Fri, Feb 28, 2020 at 7:24 AM Barbara Kincaid <bkincaid@blackdiamondwa.gov> wrote:

>
> Dear Planning Commissioners,
>
> I am forwarding an email received from Mr. Bob Stuart for your consideration.

>
> Sincerely,

>
> Barb

>
>
>
>
>

> From: B Stuart <lovethenw4life@gmail.com>
> Sent: Thursday, February 27, 2020 10:13 PM
> To: Barbara Kincaid <bkincaid@blackdiamondwa.gov>

> Subject: Fwd: Planning Commission Suggested Docket Recommendation

>
>
>

> Hello Ms. Kincaid. I am forwarding this for you and the planning commission to include as a suggested amendment for the 2020 Comprehensive Plan docket update. If I can provide provide any further information to clarify this proposal please let me know.

>
>
>
>
>

> Bob

>
>
>
>
>

> Dear Planning Commission Member,

>
>
>

> The Comprehensive Plan update process is at the point where Black Diamond Planning Commission is creating a "Preliminary Docket." The Planning Commission can recommend a change to any part of the Comprehensive Plan. One change that makes sense is to update the Future Land Use Map because of the October 8th public input and the need to further evaluate the impact on public services and traffic. As you know, the Comprehensive Plan Future Land Use Map becomes the Zoning map. Zoning map changes cannot be made that are inconsistent with the Comprehensive Plan Future Land Use Map.

>
>
>

> At this time, the Planning Commission can consider a "preliminary docket" that makes the Future Land Use Map match existing zoning or existing use. This would be a response to the Hearing on October 8, 2019. Although we remain interested in keeping Black Diamond small, we recognize that some public or staff may be interested in considering an increase in the amount of development. A change to the Comprehensive Plan Future Land Use Map now does not prevent the City from accepting changes to the map again next year after more study. If the Future Land Use Map were updated to match existing land use, the city could more thoroughly evaluate the impact on public services. The land owners or others can still submit a Comp Plan docket change (BDMC 16.10.50) next year for a Land Use Map change.

>
>
>

> Thank you for your consideration,

>
>
>

> Bob Stuart

>
>
>

>
>
>

› Below are “Findings” and a “Preliminary Docket” draft written for the Planning Commission to adopt or modify as you see fit.

›
›
›

› Comprehensive Plan Docket FINDINGS (“WHEREAS”)

›
›
›

› 1. At the Planning Commission Comprehensive Plan Docket Public Hearing on October 8, 2019, many comments were made that any zoning change that increases residential or commercial space would negatively impact Black Diamond.

›

› 2. Some comments specifically brought up the requirement to coordinate with Countywide Planning Policies. The King County growth target is 1,900 households by 2031. According to the Comprehensive Plan, Black Diamond will grow much more than this, adding 6,000 households to get to a total of 7,674 households by as soon as 2026. The Commission finds coordination with King County and neighboring jurisdictions should be improved, and Black Diamond should attempt, where practical, to align more closely with King County Targets so that infrastructure is not negatively impacted.

›

› 3. The existing Master Planned Developments adopted by Development Agreements in 2011 include a mix of housing for a range of incomes, including townhouses and apartments currently under construction that are affordable to lower income households. There are homes in Black Diamond such as small or older homes and our existing mobile home communities that also meet our requirements to accommodate lower income brackets. Thus, there is sufficient housing capacity of all income levels.

›

› 4. Commercial space in the Master Planned Developments (MPD) is set to be over 1,100,000 square feet. This exceeds the economic development goals of the city as contemplated in the Economic Development and Land Use chapters of the Comprehensive Plan. Thus, there is sufficient commercial capacity.

›

› 5. Adding more commercial land would likely change the buildout of the MPD’s in a negative way. As adopted, the May 2, 2019 Future Land Use Map would allow for uncoordinated development. Further, the impacts on traffic, public services, city fiscal resources, and infrastructure have not been analyzed sufficiently.

›

› 6. The city is considering, but has not adopted, a general school impact fee as requested by the Enumclaw School District. An increase in residential development prior to a school impact fee could place an unnecessary future tax burden on existing residents to pay for new schools.

›

› 7. The Growth Management Act (in 36.70A.040(3)[b]) allows cities to identify natural resource lands in their Comprehensive Plan.

›

› 8. The Planning Commission is creating a preliminary docket of amendments for the Comprehensive Plan.

›

›

›

› Therefore, the Planning Commission recommends the following docket:

›

› 1. The Comprehensive Plan Land Use Chapter is updated to add a new Zoning Category of “Mineral and Resource Extraction.”

›

› 2. The Comprehensive Plan Land Use Chapter is updated to add a new Zoning Category of “Forestry.”

›

- › 3. The Comprehensive Plan Land Use Chapter is updated to add the following Policy:
 - ›
 - › Any and all Future Land Use Map and/or zoning changes that increase the residential units allowed or change a property to a “commercial” designation must go through the formal docket application and Land Use Map Amendment process as further defined in the Black Diamond Municipal Code.
 - ›
- › 4. The Comprehensive Plan Land Use Chapter is updated to add the following Policy:
 - ›
 - › The city will develop a Conservation Easement Development Credit Program separate from its existing TDR (Transfer of Development Rights) program. The program will allow property of higher conservation value that does not meet the definition of critical areas to be put into permanent “natural area” conservation in exchange for a zoning change that increases the allowed density of development on other property of lower conservation value.
 - ›
- › 5. The Future Land Use Map is Amended as Follows:
 - ›
 - › a. Parcels 1521069110, 1521069112, 1521069113, 1521069114, 1521069115, 1021069111 are designated as “Mineral and Resource Extraction.”
 - ›
 - › b. Parcel 1021069010 is designated “Low Density Residential” (LDR).
 - ›
 - › c. Parcel 1021069103 and 1021069105 are designated “Low Density Residential” (LDR).
 - ›
 - › d. Parcels 1121069020, 1121069112, 1121069113, 1121069114 are updated to “Forestry.”
 - ›
 - › -----
 - › -----
 - ›
 - ›
 - ›
 - ›
 - › The following was useful to us in researching the Comprehensive Plan update process, and is included for convenient reference by the Planning Commissioners.
 - ›
 - › Black Diamond Municipal Code
 - ›
 - ›
 - ›
 - › 16.10.220 Evaluation Criteria for Proposed Amendments. The Planning Commission shall review the proposed Amendments to the Comprehensive Plan and Development Regulations under the following criteria to develop findings and conclusions to support its recommendation:
 - ›
 - ›
 - ›
 - › A. All Amendments. All of the Comprehensive Plan Amendments shall be reviewed under the following criteria:
 - ›
 - › 1. Whether the proposed amendment(s) conform to the Growth Management Act (chapter 36.70A RCW);
 - ›
 - › 2. Whether the proposed amendment(s) are consistent with and implement the City's Comprehensive Plan, including the goals, policies and implementation strategies of the various elements of the Plan;
 - ›

- › 3. Whether circumstances related to the proposed amendment(s) and/or the area in which it is located have substantially changed since the adoption of the City's Comprehensive Plan;
›
- › 4. Whether the assumptions upon which the City's Comprehensive Plan is based are no longer valid, or whether new information is available which was not considered during the adoption process or any annual amendments of the City's Comprehensive Plan; and
›
- › 5. Whether the proposed amendment(s) reflects current, widely held values of the residents of the City.

Carina Thornquist

From: Kristen Bryant <kristenbry@gmail.com>
Sent: Monday, July 6, 2020 2:21 PM
To: Barbara Kincaid; Carina Thornquist; Mike England; Philip Acosta
Subject: Comments for July 7, 2020 Planning Commission Public Hearing
Attachments: PeopleForReverting to PriorLandUseMap July6scan.pdf

Dear Planning Commission,

Attached are scans of letters from 64 people for the July 7, 2020 Planning Commission Public Hearing, and for any other hearings or meetings on the Comprehensive Plan.

Previously at your October 2019 Public Hearing, William Bryant turned in copies of a similar letter from 50+ other people who opposed action that would lead to a rezone for more dense development.

The thrust of all these comments is this:

Restore the correct Comprehensive Plan Land Use Map that matches our current zoning. After that, the city can publicly study the Land Use Map and Zoning together if some feel that changes are warranted.

Almost all of these people put their name on this letter over a brief time prior to the Covid19 shutdown. Even during the pandemic which distracts from the normal public process, it is clear there is vigorous public support for what we are asking. The vast majority of people do not want to make the problems of growth worse than they are.

Kristen Bryant- 425-247-9619

To the Black Diamond Planning Commission and Council:

Please Deny the proposed Re-zone of any property and restore the previous Comprehensive Plan Future Land Use Map.

Black Diamond is already growing too fast and faces:

- Failure to make growth pay for growth - inadequate developer impact fees
- Higher taxes to pay for new development - schools, fire, roads, city hall, and police services
- Future traffic gridlock
- Future school crowding
- On-going construction traffic problems
- Degrading environment and quality of life.

Name	Address
M Andy Leick	25005 Summit Drive Black Diamond WA
Angela Raymond	30404 Blaine Ave Black Diamond WA 98010
John Howells	25002 Frankln Dr, Black Diamond WA 98010
Ed Haurahau	30400 KUMMER AVE BLACK DIAMOND, WA 98010
William Thompson	28916 229th Place SE
Makani Thompson	28916 229th place SE
Patricia [Signature]	28902 229th Pl SE
Janet Upegui	28902 229th PL SE

To the Black Diamond Planning Commission and Council:

Please Deny the Proposed Re-zone of any property at the 2019 Zoning Public Hearing.

Black Diamond is already growing too fast and faces:

- Failure to make growth pay for growth - inadequate developer impact fees
- Higher taxes to pay for new development - schools, fire, roads, city hall, and police services
- Future traffic gridlock
- Future school crowding
- On-going construction traffic problems
- Degrading environment and quality of life.

Name	Address
Katie Washburn	23346 SE 291 st Street
Conner J Sauve	32522 McKay Ln, Black Diamond WA, 98010
J. V. SCHAMPERA	32528 MCKAY LANE BLACK DIAMOND, WA 98010
Josh Schampera	32528 McKay Lane Black Diamond, WA 98010
Frank Weisz	32406 McKay Ln
Bob Stuart	32404 McKay Lane
Jeanne Stuart	32404 mckay lane
AARON MULLANEH	32306 MCKAY LANE

To the Black Diamond Planning Commission and Council:

Please Deny the proposed Re-zone of any property and restore the previous Comprehensive Plan Future Land Use Map.

Black Diamond is already growing too fast and faces:

- Failure to make growth pay for growth - inadequate developer impact fees
- Higher taxes to pay for new development - schools, fire, roads, city hall, and police services
- Future traffic gridlock
- Future school crowding
- On-going construction traffic problems
- Degrading environment and quality of life.

Name	Address
Greg Hausler	30401 Kummer Ave
Kim Stone	32516 McKay Ln Black Diamond WA 98010
Alyson Guadalupe	32501 McKay Lane Black Diamond, WA 98010
FRANK RAJDEV	" " "
Debbie Hosko	32507 McKay Ln BLACK DIAMOND, WA 98010
Joan Gangl	30720 229 th Pl SE Black Diamond, WA 98010
JERRY SMITH	30491 227 th Pl SE
Frankie Streeter	30490 227 th Pl SE Black Diamond WA 98010
Clark Metler	30483 227 th Pl SE Black Diamond, WA 98010

To the Black Diamond Planning Commission and City Council:

Please fix the Comprehensive Plan to reduce over-development. Last year's addition of 155 more acres of dense development to the Plan's Future Land Use Map benefits only special interests and was not studied.

Black Diamond is already growing too fast and faces:

- Failure to make developers pay their share
- Higher taxes to pay for new development - schools, fire protection, police services, city hall, and roads
- Future traffic gridlock
- Future school crowding
- Degrading environment and quality of life.

Name	Address
Elizabeth + Don Engbc	30856 228 th Ave, S.E
Ron DODGE	31002 228 th AVE SE
Ron Carroll	31012 228 th AVE SE
Su Deets	25505 Kanasket Drive
Amanda Hagen	25514 Kanasket Dr
Carlene Jay Carlene Jay	28814 228 th Ave SE Diamond ^{Black}
MICHAEL JAY Michael Jay	" "
Richard A. STARR Richard A. Starr	28834 228 th AVE SE ^{Black Diamond} 95010
DIANA C. STARR Diana C. Starr	" "

To the Black Diamond Planning Commission and City Council:

Please fix the Comprehensive Plan to reduce over-development. Last year's addition of 155 more acres of dense development to the Plan's Future Land Use Map benefits only special interests and was not studied.

Black Diamond is already growing too fast and faces:

- Failure to make developers pay their share
- Higher taxes to pay for new development - schools, fire protection, police services, city hall, and roads
- Future traffic gridlock
- Future school crowding
- Degrading environment and quality of life.

Name	Address
Notasha Shumwood	28901 229th Pl SE Black Diamond 98010
Zyan Twiss	— 11 —
Ryan Decker	28913 229th Ave Black Diamond WA 98010
Nick Acosta	28864 228th Ave SE BLACK DIAMOND WA 98010
Michelle Sevrak	28906 229th Pl SE Black Diamond
Joseph Sevrak	28906 229th Pl SE Black Diamond
McKenna Sevrak	28906 229th Pl SE Black Diamond
Mason Sevrak	28906 229th Pl SE Black Diamond

To the Black Diamond Planning Commission and City Council:

Please fix the Comprehensive Plan to reduce over-development. Last year's addition of 155 more acres of dense development to the Plan's Future Land Use Map benefits only special interests and was not studied.

Black Diamond is already growing too fast and faces:

- Failure to make developers pay their share
- Higher taxes to pay for new development - schools, fire protection, police services, city hall, and roads
- Future traffic gridlock
- Future school crowding
- Degrading environment and quality of life.

Name	Address
Fawnda Acosta	28864 228TH AVE SE Black Diamond, WA 98010
Toko Feighner	28854 229TH AVE SE Black Diamond WA 98010
Wes Feighner	28854 229B AVE SE Black Diamond WA 98010
Paula Acosta	28859 229TH AVE SE Black Diamond WA 98010

To the Black Diamond Planning Commission and City Council:

Please fix the Comprehensive Plan to reduce over-development. Last year's addition of 155 more acres of dense development to the Plan's Future Land Use Map benefits only special interests and was not studied.

Black Diamond is already growing too fast and faces:

- Failure to make developers pay their share
- Higher taxes to pay for new development - schools, fire protection, police services, city hall, and roads
- Future traffic gridlock
- Future school crowding
- Degrading environment and quality of life.

Name	Address
DAVID PIMENTEL	29418 218 TH PL SE, BD
Tari Pimentel	29418 218 TH PL SE, BD
Mike Fellig	25423 Kanasket Dr Black Diamond WA 98010
Michelle Barton	25418 Kanasket Dr Black Diamond WA 98010
SCOTT ANDERSON	6917 ENDERS ST 25411 KANASKET DR BLACK DIAMOND WA 98010
ALAN GANGL	30720 229 TH PL SE BLACK DIAMOND, WA 98010
Robin Brunette	30840 - 228 ^{AVE} SE BLACK DIAMOND WA 98010
JANET MARSAU	30840 228 TH AVENUE BLK. DIAMOND 98010

To the Black Diamond Planning Commission and City Council:

Please fix the Comprehensive Plan to reduce over-development. Last year's addition of 155 more acres of dense development to the Plan's Future Land Use Map benefits only special interests and was not studied.

Black Diamond is already growing too fast and faces:

- Failure to make developers pay their share
- Higher taxes to pay for new development - schools, fire protection, police services, city hall, and roads
- Future traffic gridlock
- Future school crowding
- Degrading environment and quality of life.

Name	Address
Anthony Androsko	29730 225 th PL SE
RUTH WARD	22210 295 th PL SE
Dick Montoya	28946 229 th PL SE Black Diamond, WA 98010
Rebecca Moxensen Rebecca J. Moxensen	28946 229 th PL SE Black Diamond, WA 98010
Bellei Yachtel	25928 229 SE BLACK DIAMOND
Melissa Tyler	24922 229 th PL SE BLACK DIAMOND
Bill Saas	32524 MCKAY LANE BLACK DIAMOND, WA 98010
Alyssa Saas	32524 MCKAY LN. BLK DIAMOND, WA 98010
GERNY GILMAN	32512 MCKAY LANE BLACK DIAMOND WA 98010

Carina Thornquist

From: Gretchen Buet <pomme333@msn.com>
Sent: Sunday, July 5, 2020 8:54 PM
To: Barbara Kincaid
Subject: PLEASE NO MORE CONSTRUCTION

Hello,

Please stop. Stop cutting down trees. Stop apartments! Stop any more homes of any sort. More people = more crime and more road rage.

Please no more ruining the country atmosphere of charming Black Diamond. No more traffic jams.

Thank you.

Gretchen Buet

Sent from my iPhone

Carina Thornquist

From: CenturyLink Customer <g.davis001@q.com>
Sent: Thursday, July 2, 2020 11:15 AM
To: Barbara Kincaid; Carina Thornquist
Subject: Public Hearing July 7. Forward to PC and Please Add me to Speaker List

Dear Planning Commissioners,

After the recent Planning Commission meetings, we have important information to bring to your attention. This letter summarizes, then provides detail that was missing from the meetings.

Executive Summary

According to state and local law, the place for Black Diamond to decide whether there should be a change in development amount, density, or land use is in the Comp Plan Future Land Use Map.

Analysis of the impacts of Map changes should also be done at the Comp Plan level, but analysis was not done prior to the change for the 2015-2035 major update that the City approved in May 2019. The Comp Plan update is the best time to address the Map because Planning Commission review and public input are much more limited under the re-zone process. Site-specific zoning changes are quasi-judicial and not subject to public opinion.

So far, the 2020 Comprehensive Plan Update process is not following the City's code or Public Participation Plan. Staff response to public comments should be made in writing. All comments made this year should be included in the formal Hearing record. Regardless of one's personal opinion about land use, we can all agree that adopted processes should be followed.

Information on The Comprehensive Plan Process

At the June Planning Commission meetings, staff recommended that you not act on the public's request to "revert" to the prior (2009-2018) Comp Plan Future Land Use Map, or other public suggestions. There were 18 people who sent letters before the June 9th meeting. There were perhaps 15 more comments sent for the June 15th meeting according to the meeting audio.

The staff recommendation to not act on the public's suggestions is incorrect for the following reasons:

Regarding the Future Land Use Map specifically:

1. The public process and decisions on type of land use type, development amount, and density are designed to be front-loaded in the Comp Plan. Don't take our word for it, this is covered in the WA Department of Commerce Short Course on Local Planning, the Growth Management Act, and City Code. You can't decide later in the zoning process because a developer can vest with a zoning application and then it is too late.
2. Now, during the Comp Plan update* is the time to decide based on all considerations if the Future Land Use Map and other changes are right for Black Diamond. Not later.
3. Moreover, city staff did not provide any written analysis when they proposed the Future Land Use Map change that appeared in August 2018 (and was approved in May 2019). That Map change was original to the August 2018 Hearing, and there was no discussion of that Map by the Planning Commission or the City Council in any of their meetings. There was also no mention of what had

changed in the Future Land Use Map in the Comp Plan text or in any staff report.

4. The current staff recommendation, now that the public is aware of the Map change, is too dismissive. One of the reasons the state passed the Growth Management Act was to get rid of back room deals. However, a back room deal with a couple of land owners is exactly what happened here.
5. There was some talk by staff earlier this year that the Map change was analyzed, so we double checked. But there was no impact analysis in any meeting or in any document. If there is some other document, we would like to know what it is and if the Planning Commission remembers seeing it.
6. The staff also said the Comp Plan withstood a legal challenge. That appeal was not about the Future Land Use Map, so the statement about the challenge is irrelevant. (The appeal was about the missing policies that staff is now recommending be put back into the plan). We who filed the appeal were not even aware of the Land Use Map change by the appeal deadline. This was because the Land Use Map change was not mentioned in the text or public notice, and the SEPA review adopted the 2009 SEPA documents.

(* The 1996 Black Diamond Comprehensive Plan update set in place decisions that expanded the city limits and made Future Land Use Map decisions in conjunction with King County. This led to the Ten Trails / OakPointe development for 6,000 housing units that many people later opposed. The 1996 Comp Plan was the city's last best chance to change that decision. Similarly, your decision now on the 2020 Comp Plan Future Land Use Map will be very hard to change.)

Public Process

7. The staff did not give you or the public a written opinion or analysis. Black Diamond Municipal Code (BDMC) 16.10.140:

"A preliminary docket shall ... consist of the following: ... All amendments suggested during the year by citizens.... ... the planning director shall review the suggested amendments and prepare a report concerning which suggested amendments that the planning director believes should be placed on the final docket for consideration during the annual amendment process. In addition to addressing the need, urgency and appropriateness of each suggested amendment, the staff report shall include, but not be limited to... : 1. The availability of sufficient planning staff to substantively review the suggested amendments and manage the public review process with available staff; and 2. Anticipated planning costs and budget for processing the suggested amendments."

8. To encourage public participation, dozens of letters should not be dismissed by staff with no written analysis.
9. Verbal analysis for substantive comments is never sufficient. It's disrespectful to the public and it is disrespectful to the Planning Commission. The staff's words were inconsistent with the letter and spirit of the Growth Management Act (GMA) because you don't dismiss input from 18 citizens with such minimal review. In this case, the verbal reasons given were also incorrect and evasive.
10. As documented above, public suggestions for the Comp Plan are required by BDMC 16.10.140 to be on the preliminary docket. However, by asking you to vote on what to include in the preliminary docket, staff led the Planning Commission to believe this was not spelled out in code.
11. On June 15, staff indicated public comments received so far were not part of the formal Comp Plan Public Hearing comments. Ms. Kincaid expressed "hope" that people would comment again. It should not be necessary for people to offer their comments at a formal public hearing. Providing them to the Commission ahead of time is sufficient to ensure that they are part of the public record, and this also allows more time for the Commissioners to consider them. To the public, this looks like the staff is avoiding having to deal with public comments by holding them off until the public hearing. This encourages the opposite behavior of what you want. It makes the public feel they should wait until the formal hearing to give all their input, which in turn makes the Commission and staff feel like it is more work to respond because they may need to hold another Hearing if they choose to include some of the public's requested changes.

All the Comp Plan-related public comments received this year should be made part of the formal public hearing record. As a planning commissioner, you can insist that the city's Public Participation Plan be followed.

12. As for the public's specific Comp Plan suggestions, it is better to include them on the preliminary docket and make a motion to recommend them forward to Council on the Final Docket. This avoids extra meetings that might encourage rushed decisions. Keep in mind that staff said last year that there were some good public comments but there just wasn't time to do them all, and we are hearing the same thing this year.

Information and missing analysis from the May 2019 Future Land Use Map:

Below is a list of the type of analysis that was missing from the Comprehensive Plan Future Land Use Map passed in May 2019. Because this analysis was lacking, the City can and should revert back to the Future Land Use Map version that served the city since 2009. If staff says analysis is coming later, then why not put the Map back to the 2009-2018 version? Then analysis could truly come first, not after the fact.

Despite the lack of city-generated information, any review of what is allowed by city code will show that the Future Land Use Map of May 2019 included a 155 acre change that would allow 600-900 more houses, up to 70 acres of commercial/retail and hundreds of apartments.

A. The May 2019 Map changes benefit only special interests.

The changes were focused on two land owners. One, Palmer Coking Coal owns 120 of the changed acres. The owner sent a letter to the Community Development Director identifying the rezones he wanted. Then he took her on a private tour of the property. The Community Development Director then put the requested changes into the Land Use Map without ever giving the Planning Commission or Council the land owner's letters (despite BDMC requirements to share such comments and make formal staff recommendations).

The other land owner is Planning Commissioner Weston Butt, who owns 31 acres being considered for rezone. Several members of the public have pointed out this conflict of interest. Mr. Butt should not participate in Comp Plan changes affecting him. His family also owns a small interest in the Palmer Coking Coal property being rezoned.

B. The May 2019 Map will bring over-development.

Our Puget Sound Regional Council (PSRC) and our King County Council make plans for regional growth so that our road and infrastructure dollars can be spent most efficiently, and our natural environment preserved. The Ten Trails development at 6,050 units plus commercial already triples the growth targets for Black Diamond. The PSRC conditioned certification of Black Diamond's Comprehensive Plan only if Black Diamond will, "Avoid increases in development capacity that would significantly surpass adopted targets." (p. 4 of <https://www.psrc.org/sites/default/files/blackdiamond-compplan-2020-certification.pdf>)

The additional development authorized by the Future Land Use Map clearly violates this condition.

C. The May 2019 Map changes were put in the Comprehensive Plan without study.

Under the Growth Management Act and Black Diamond Code Chapter 16, a Comprehensive Plan Future Land Use Map change is not supposed to be done without significant analysis and

study. Under the State Environmental Policy Act, the city must review the potential impacts or effects of the change. However, the mayor did not enforce these legal requirements. The following and more were ignored:

1. No public meeting or document ever identified the school district for each of the rezone areas. The number of new school students or classroom space needed was not estimated.
2. There was no count of potential housing, or review of the affordability of that housing.
3. There was no estimate of the value of the land and the increased millions of dollars given the land owners. The Land Use Map change was never even discussed in any Council meeting. More importantly, the infrastructure costs to taxpayers and residents was not estimated.
4. The traffic was not estimated. Even if some traffic stays in town because of new stores, we can't expect to add 1,000 people and reduce traffic!
5. There was no estimate of tax revenue between the old zoning and the new zoning.
6. There was no environmental review of potential wildlife displacement, watershed, critical areas, etc.
7. There was no notice to the general public that would allow discussion of whether it was in the people's interest to add 155 more acres of dense residential and commercial.
8. The impact on the existing approved Ten Trails MPD was not studied.
9. No response was made to formal comments from Puget Sound Regional Council (PSRC). PSRC said Black Diamond should look for ways to reduce development.
10. The impact on traffic, fire, and emergency medical services was not reviewed with neighboring jurisdictions. King County, Maple Valley, MountainView Fire, and the Enumclaw School District were unaware. Simply having them on the public notice distribution list does not meet the minimum requirement for coordination as required by Countywide Planning Policies.
11. The SEPA (State Environmental Policy Act) review for the 2015-2035 Comp Plan update adopted the 2009 Comp Plan's SEPA documents. More than anything else, that indicated the new Comprehensive Plan did not add any significant new impacts from the 2009 Plan. But given the allowed new uses in the Future Land Use Map change, this was a SEPA error.

We learned about the issues in this letter by attending courses on local planning, reading the state and local laws, attending city meetings, and by asking other cities and professional planners if they change their Comp Plan Future Land Use Map without the above information.

The normal way to make a Future Land Use Map change is for the land owner to bring detailed analysis of traffic, environmental, and other impacts in a formal application to the city (BDMC 16.10). That never happened here. Because Ms. Kincaid is not putting the public's proposal to revert the Future Land Use Map on the preliminary docket, it means she is planning for the taxpayers to pay for zoning analysis to push the rezone forward.

The city already has far too much development with Ten Trails. Black Diamond cannot afford the infrastructure to become a large city, nor does it make sense to try in our foothills location.

The recommendation on the Preliminary Docket is up to the Planning Commission, not staff. Any commissioner can make a motion to change the Comp Plan Future Land Use Map back to the version in the Comp Plan prior to 2018.

Thank you and please contact us if there is anything we can discuss.

Gary Davis, former Black Diamond Planning Commissioner. 206-799-4152
Kristen Bryant. 425-247-9619
William Bryant. 360-886-2790

Carina Thornquist

From: Jay Weeks <jayweeks07@gmail.com>
Sent: Thursday, July 2, 2020 9:43 AM
To: Carina Thornquist; Barbara Kincaid
Subject: 07-07: Please add me to the Public Hearing list

Reverse the 2019 Comp Plan Land Use Map Change. The 2019 map adds Far Too Much Traffic. There is No Money for Schools (Ten Trails already has us paying for 7 schools). There was No Tax Analysis (impact on city hall, parks, police, fire?). There wasn't even a count of acres changed or potential housing added.

The 2019 Map contains far too much development for Black Diamond.
Use the Comp Plan to reduce development, because we should not be adding more than triple our city's Growth Management Act targets.

Best regards,

Concerned Black Diamond citizen
Jay Weeks

Carina Thornquist

From: Kari Hammett-Caster <karihammett@hotmail.com>
Sent: Monday, July 6, 2020 10:59 AM
To: Barbara Kincaid; Barbara Kincaid
Subject: Planning Commission Comment

Please forward this to all planning commissioners

Black Diamond Planning Commission,

I am a voter who recognizes that growth is natural and necessary. I voted in the current council with the belief that they would provide a moderate perspective to oversee the growth of our small town. I also trust you with this very important responsibility.

I am very concerned about the development of 155 additional acres primarily next to Diamond Square. I see conflicts of interest, insufficient plans to deal with the heavily increased traffic, and not enough responsibility on the developer to pay for infrastructure, schools, fire and safety, etc. I am opposed to this growth.

As a tax payer and Black Diamond resident of 12 years who truly loves this community, I am very concerned. I don't want to be the one to lift the heavy financial burden, as this responsibility needs to rest on the shoulders of the developer.

Approving the 2019 Comp Plan Land Use Map will add an additional 600+ units of housing on top of the already approved 6,000 units. This is triple the Growth Management Act targets for the city of Black Diamond. That is very, VERY concerning to me. This is too much growth and traffic. I also want to be sure my husband, kids, and neighbors are all safe on our roads. This incredible increase in development of housing and retail above and beyond original projections is just too much.

Please take the moderate approach to growth that was promised. Please do not be influenced by those who stand to make money from this. Please keep the best interest of citizens and our small town in mind.

Best,
Kari Hammett-Caster
25209 Kanasket Dr.
Black Diamond, WA 98010
206-795-1758

Carina Thornquist

From: Kari Hammett-Caster <karihammett@hotmail.com>
Sent: Monday, July 6, 2020 10:59 AM
To: Barbara Kincaid; Barbara Kincaid
Subject: Planning Commission Comment

Please forward this to all planning commissioners

Black Diamond Planning Commission,

I am a voter who recognizes that growth is natural and necessary. I voted in the current council with the belief that they would provide a moderate perspective to oversee the growth of our small town. I also trust you with this very important responsibility.

I am very concerned about the development of 155 additional acres primarily next to Diamond Square. I see conflicts of interest, insufficient plans to deal with the heavily increased traffic, and not enough responsibility on the developer to pay for infrastructure, schools, fire and safety, etc. I am opposed to this growth.

As a tax payer and Black Diamond resident of 12 years who truly loves this community, I am very concerned. I don't want to be the one to lift the heavy financial burden, as this responsibility needs to rest on the shoulders of the developer.

Approving the 2019 Comp Plan Land Use Map will add an additional 600+ units of housing on top of the already approved 6,000 units. This is triple the Growth Management Act targets for the city of Black Diamond. That is very, VERY concerning to me. This is too much growth and traffic. I also want to be sure my husband, kids, and neighbors are all safe on our roads. This incredible increase in development of housing and retail above and beyond original projections is just too much.

Please take the moderate approach to growth that was promised. Please do not be influenced by those who stand to make money from this. Please keep the best interest of citizens and our small town in mind.

Best,
Kari Hammett-Caster
25209 Kanasket Dr.
Black Diamond, WA 98010
206-795-1758

Carina Thornquist

From: Michael Buet <velo444@msn.com>
Sent: Monday, July 6, 2020 2:22 PM
To: Barbara Kincaid; Carina Thornquist
Subject: PLEASE STOP ALL FURTHER ADDITIONAL DEVELOPMENT

I am very concerned with the rush to OVER develop Black Diamond.

This additional 155 acres and 600-900 more houses with commercial strip malls and hundreds of apartment units destroys the country charm of the entire Black Diamond area.

It brings with it crime and road rage.

I, my family and all of my neighbors are saddened by this unnecessary and damaging out of control growth.

Our ancestors did not want this for Black Diamond. It's not too late to stop it.

Thousands of drivers means traffic gridlock in our small country roads. It means road rage. Driving to the Black Diamond Post Office I am often rudely honked at AND given the finger!!!! This is already not the Black Diamond I know.

It's already getting bad out here.

PLEASE REVERSE the 2019 Comp Plan Land Use May Change. There is no money for SCHOOLS. (Ten Trails already has US PAYING for 7 SEVEN SCHOOLS). There was no TAX ANALYSIS (IMPACT on City Hall, Parks, Police, Fire????) There wasn't even a count of acres changes or potential housing added.

Did you think no one would notice???

The 2019 MAP contains FAR TOO MUCH DEVELOPMENT because you should NOT be ADDING MORE THAN TRIPLE the city's GROWTH MANAGEMENT ACT TARGETS.

Please take your growth to North Bend or elsewhere. Take it away from here.

Your current Ten Trails isn't even finished and is an eye sore driving by on our lovely country roads.

You are bringing "city" to the traditional "country".

07-07: PLEASE ADD ME TO THE PUBLIC HEARING LIST.

STOP THIS NOW before it is too late for our future generations to have some peace and quiet far from major cities after a day of hard work and school.

Sincerely,

Michael Buet
Local Resident

Carina Thornquist

From: pkgarrett69@gmail.com
Sent: Monday, July 6, 2020 12:59 PM
To: Barbara Kincaid; Carina Thornquist
Subject: Black Diamond Rezone Planning Initiative

Reverse the 2019 Comp Plan Land Use Map Change. The 2019 map adds Far Too Much Traffic. There is No Money for Schools (Ten Trails already has us paying for 7 schools). There was No Tax Analysis (impact on city hall, parks, police, fire?). There wasn't even a count of acres changed or potential housing added.

The 2019 Map contains far too much development for Black Diamond.
Use the Comp Plan to reduce development, because we should not be adding more than triple our city's Growth Management Act targets.

Please include me to the Public Hearing list.

Thanks

Pete

29700 226th Ave SE

Black Diamond, Wa. 98010

Sent from Windows Mail

Carina Thornquist

From: B. Smith <wileemom@yahoo.com>
Sent: Friday, July 3, 2020 8:59 AM
To: Carina Thornquist; Barbara Kincaid
Subject: REVERSE the 2019 Comp Land Use Map Change

People live in Black Diamond and the surrounding area because it's a rural community. We've lived here for 25 years because we like the area AS IT WAS. Stop approving these measures that will add high density housing. Ten Trails has already irreparably changed our community. You've removed animal habitat, clogged roads and raised taxes. In this latest fiasco there is NO money for schools, NO acre count and NO TAX ANALYSIS. Claiming "analysis will come later" is just another way to blow people off until "sorry, it's too late!". STOP THIS DEVELOPMENT. YOU ARE RUINING OUR COMMUNITY. TEN TRAILS WAS MORE THAN ENOUGH. 07:07 Please add me to the public hearing list.

Bridget Smith

Carina Thornquist

From: Renee Mix <r.mixdog4@comcast.net>
Sent: Monday, July 6, 2020 3:23 PM
To: Barbara Kincaid; Carina Thornquist; Planning Commission
Subject: PUBLIC COMMENT July 7. PC Hearing on Comp Plan

Dear Planning Commissioners,

Last fall I testified about the rezone, and about the Comprehensive Plan Future Land Use Map. My comments provided detail on the Growth Management Act and King County and Black Diamond Growth Targets.

Black Diamond is set to more than triple its growth targets by the addition of Ten Trails (OakPointe). This growth is too much and too fast for our small town.

City Staff responded that it is not a problem to exceed our Growth Targets. There is a lot more to it than that. For example, the state and county provide some road funding to Black Diamond, and funding for the roads we all use in and out of town. The state and county budgets will not provide more transportation money to Black Diamond just because we choose to exceed our targets.

Further, the Puget Sound Regional Council reviews Comprehensive Plans, and "certifies" them. They told Black Diamond that there is a problem with exceeding Black Diamond's Growth Targets. Black Diamond is designated a "small city" under our regional planning. This is because we have little infrastructure and it is expensive to build more (roads, schools) in our area. We are surrounded on 3 sides by rural area. We are not a "transit hub." Large amounts of the Puget Sound region's growth is to be absorbed by areas with more transit. This saves us all tax money. It also protects our environment.

PSRC told the city that Conditional certification of our Comp Plan depends on the city not taking action to further exceed its Growth Targets. As citizens, my family and I agree with PSRC.

I don't want our small town to be built up like Seattle. We have to work at doing things right to keep our small town character. Having more development in the Future Land Use Map is not right for Black Diamond. Commercial space, apartments, and more houses are planned for Ten Trails. Keeping our gravel pit, forestry, and other light industrial areas is smarter for the long run. It is also consistent with the analysis and text in the Comp Plan.

Please reverse the Future Land Use Map in the Comprehensive Plan to the one that governed from 2009-2018.

Please support all the other citizen-suggested amendments from the comments sent in June. I would like to be added on to the speaker list.

Thank you,
Renee Mix

Carina Thornquist

From: Tom Norling <tnorling@talkingrain.com>
Sent: Monday, July 6, 2020 4:31 PM
To: Barbara Kincaid; Carina Thornquist
Subject: Public Hearing List / Planning Commission Hearing

Dear Black Diamond Planning commission,

I would like to voice my concern over the continued building of the Ten Trail development and the Lack of Traffic improvements that have NOT been inacted in the Black Diamond City. How does one think that the Traffic will not be much worst on the already stressed roads around our community?

Is the plan of the planning commission to allow the builders to continue to build without any new roads? Or is the planning commission Waiting to make sure the Ten Trail development gets away scott free of improving the roads at all and passing the expense along to the residents of Black Diamond?
We can read the writing on the wall!
How is that good for the Residents of Black Diamond. Higher taxes for US but Ten Trails laughs all the way to the Bank?
Because that is what it seems like...

Please take some ownership...hold the Ten Trails to their contracts. THAT IS YOUR JOB/DUTY!

We were told that a round about was to be put in at 169 and Black Diamond/Ravensdale road,... Now I hear that the plan has changed..
To a double Round about... but WAIT is has changed again to a simple stop sign... So How is that suppose to help...
Please explain! Somehow there is always answer....but still **NO Action??**

You cannot expect to bring in 100's of Homes, Condos, Apartments and not expect to be traffic issues! So I am not sure and I think it
Is your responsibility to let the CURRENT residents of Black Diamond to know what is in store for them, since all that is going on at Ten Trails SOMEHOW gets under the public radar.

Black Diamond is no longer the beautiful little city, Just clear cuts with homes stacked on top of one another and more and more stress on the roads
Traffic delays, Traffic Jams, long waits to get onto the road and GOD FORBID you have to take a right or left turn across traffic.
Why would anyone want to pass through Black Diamond? Do we want to be like Issaquah? Bumper to Bumper every morning and every evening? That is the future!

Our little community is not equipped to handle the increased traffic, and as I see it NO action is being done to help solve this issue.

I think the residents of Black Diamond deserve Answers....I think Ten Trails needs to be held accountable.

The residents of Black Diamond deserve Better.

Thank You<

Tom Norling
25422 Kanaskst Dr
Black Diamond, Wa. 98010

Tom Norling
Retail Space Planning Manager

Talking Rain  +1 425-222-4900

Confidentiality Notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

Carina Thornquist

From: Angela Rossman Fettig <angimal80@hotmail.com>
Sent: Monday, July 6, 2020 3:52 PM
To: Barbara Kincaid; Carina Thornquist
Cc: Angela Rossman Fettig
Subject: Planning Commission comments for July 7, 2020
Attachments: Planning Commission July 7, 2020.docx

Ms. Kincaid,

Please provide the planning commissioners a copy of my attached comments for the meeting on July 7, 2020.

Thank you,

Angela Fettig

July 5, 2020

Black Diamond Planning Commission,

Please file my comments for the July 7, 2020 Planning Commission Hearing.

Tonight I would like to address the changes to the 2019 Comprehensive Plan Map. I ask that the changes in the 2019 Comprehensive Plan Map regarding re-zoning 155 acres to apartments, commercial space and more homes be revoked.

The Master Plan Development Agreement outlines the traffic impact and addressed the importance of making improvements to the State Route 169/Roberts Drive/Ravensdale Road intersection. Improvements to this intersection were to have begun no later than the issuance of the 327th dwelling permit. The City has currently issued over 450 permits and NO improvements have begun. At the June 10, 2020 Preliminary Plat 2E hearing, the City of Black Diamond presented a newly approved Design Schedule for the SR 169 corridor.

This updated schedule does not have work beginning until late 2020. Phase one of the design schedule is intersection re-alignment at the Roberts Drive/SR 169 intersection. It isn't until February 2022 that work will begin on a round-a-bout at Roberts Drive/ SR 169 to improve an already failing intersection. It is unacceptable for residents to wait until, an estimated completion date of, September 2023 to benefit from improvements to this intersection.

As the planning commission, you can revoke the changes in the 2019 Comprehensive Plan Map and avoid putting additional traffic onto SR 169 and the side streets of Black Diamond.

I also believe it is irresponsible to clear property for additional retail business when we are in a time of crisis and current brick & mortar stores are closing. I believe it is irresponsible to destroy the beauty that drew families to Black Diamond only to have empty store fronts.

I would like the record of tonight's meeting to also reflect the conflict of interest in Commissioner Butt's participation as a property owner benefiting from the

changes proposed in the Comprehensive Plan Map. My husband, Michael Fettig, brought this to the Planning Commissions attention at the October 2019 meeting. Commissioner Butt's continued participation in this discussion and vote is a clear violation of Section 7 of Rules and Procedures of City of Black Diamond Planning Commission.

Section 7 reads " No member of the planning commission should participate in any discussion or vote on any matter in which their member has a direction and substantial personal or financial interest potentially sufficient to create a conflict between the interest in serving the public good and the other interest. The other interest may be private gain, financial or personal, and it may benefit the member, a relative, a friend or employer. The member should publicly indicate the potential conflict of interest and leave the meeting room until the matter is disposed. The minutes shall show that the member left the room and abstained on any vote."

I respectfully ask Commissioner Butt to excuse himself tonight's meeting and future meetings in which his personal property involved.

Thank you for hearing my concerns,

Angela Fettig

Carina Thornquist

From: Allison Ostrer <aostrer21@gmail.com>
Sent: Sunday, July 5, 2020 5:46 PM
To: Barbara Kincaid
Cc: Carina Thornquist
Subject: Public comment on rezoning

(Please include these comments for the July 7 Public Hearing, and add me to the speaker list.)

Dear Planning Commission:

My work as a small business owner takes me through South King County and my personal connections bring me to enjoy Black Diamond frequently.

I'm responding to the staff response to comments on my message from October 2019. The summary of comments failed to address my concerns on the Comprehensive Plan Future Land Use Map is topic.

A. Commissioner McCain is a real estate agent likely to profit handsomely from increased real estate development in the area and therefore has a conflict of interest. Ms. McCain failed to disclose her conflict as the agent for a client buying/selling the restaurant on Roberts Dr when she voted to include Bed & Breakfast as an allowed use in zoning for this property.

Commissioner Butt owns land in the proposed re-zoning area and also has a conflict of interest. Both commissioners therefore are unqualified and should immediately resign from the planning commission. At a bare minimum, they should be excluded from voting on these issues since they cannot be neutral.

B. Staff responded to my October comments by saying that citizens can comment later. Justice delayed is justice denied.

C. Staff responded to my October comments by saying there are developer contributions. This does not and will not include any significant contribution for King County Roads or state roads outside of Black Diamond, which will obviously be impacted.

D. Staff wrote in its matrix last fall: "It is not legal for a city or county to deny development because they do not want any growth. One of the goals of the Growth Management Act (GMA) is to protect private property rights (36.70A.020 in the Revised Code of Washington (RCW) lists the goals of the GMA. Tell(ing) everyone else that they cannot develop their land because the City has already approved a large development and wants to see how that works out is not legal."

This response is misleading and incomplete. By this logic, any private property owner in Black Diamond could open a pot shop or Walmart on their front lawn because they have a right to "protect private property rights" and impact on their neighbors be damned.

FURTHER RESPONSE :

The GMA has more than a dozen goals.

- One of the Goals of the GMA is to manage growth to provide infrastructure in a cost-efficient manner.
- Another GMA goal is to take into account the input of the public and wishes of the community.
- Another goal of the GMA is to protect the environment.

Anyone can develop their land *if* it is consistent with their zoning, which must be consistent with the Future Land Use Map (i.e. no Walmart on my front porch).

It is perfectly legal for a city to decide the allowed Land Use in its Comprehensive Plan and Comp Plan Future Land Use Map.

Staff comment that it is not legal to “deny development because they do not want any growth” is misleading in 2 ways:

1. While a city cannot deny a development permit application because it doesn’t like the growth, a city can reduce allowed land uses in its Future Land Use Map. This regulation of land uses is absolutely done in every city and is necessary to planning and managing growth. You can deny a Land Use change in the Future Land Use Map. The reasons of a desire to not have more roads, not have more dense development when Black Diamond is already exceeding its growth target by a huge amount, a desire to keep Light Industrial or forest/mineral users, a desire to wait to see how the Ten Trails and other development already permitted affects our day-to-day life are all completely valid reasons.

2. The city has a huge amount of growth coming from the approved Ten Trails developments. So to say we “don’t want any growth” implies that we think we are talking about some growth vs no growth. In fact, we are talking about growth that triples Black Diamond GMA targets and whether to add on even more.

In Seattle we have gone through the pain of zoning for a lot more growth and invested in transit. Instead of “re-inventing the wheel” and repeating the process in Black Diamond, the massive growth increases expected in King County should be maneuvered to places like Seattle, Bellevue, Kent, and other cities that can accommodate them, rather than starting “from scratch” in places like Black Diamond. Similarly, if anyone who currently lives in Black Diamond wants to have more conveniences like retail, public transit and density, they have a choice to move to these cities. Not everyone wants to live in a big city, not everyone wants to live in small town. Please don't transform Black Diamond into a big city when the majority of the population clearly love their small town home.

Sincerely,
Allison Ostrer
Seattle, WA

Sent from my iPhone

Carina Thornquist

From: B Stuart <lovethenw4life@gmail.com>
Sent: Sunday, July 5, 2020 10:32 AM
To: Barbara Kincaid
Subject: PUBLIC COMMENT 7/7/20

Good morning Ms. Kincaid. Can you please add my comments to the packet for the public hearing on 7/7, and add me to the list of those who will speak.

Thank you,

Bob Stuart
Black Diamond resident

----- Forwarded message -----

From: B Stuart <lovethenw4life@gmail.com>
Date: Thu, Jul 2, 2020 at 1:37 PM
Subject: Upcoming Planning Commission Hearing - Concerns
To: Barbara Kincaid <bkincaid@blackdiamondwa.gov>
Cc: Carol Benson <cbenson@blackdiamondwa.gov>, <planningcommission@blackdiamondwa.gov>

Dear Ms. Kincaid,

Black Diamond Municipal Code requires that all public suggestions for the Comprehensive Plan Annual update be part of the Preliminary Docket for the Planning Commission Public Hearing. However, after sending my suggestion in February and then again in June, I see it is not on the docket for the July 7 public hearing as it should be. The relevant code provisions are shown below, which demonstrate that the city is not following its own code in this process.

Other concerns are:

- There were numerous public suggested amendments that need to be included
- The packet could also contain more clarity on where the Preliminary Docket begins (just a single page barely noticeable after numerous pages of minutes)
- The text changes to the Comp Plan need more specific wording so the public, Planning Commission and City Council understand exactly what is suggested to enable meaningful comment/discussion
 - Example of vague statement: "Revise text and map figures, as needed, to accurately reflect the future transportation roadway network and improvements."

My chief concern for you is this: Does the city intend to violate its own code and go forward without holding a public hearing on all suggested amendments from the public (not just "suggested amendments that the planning director believes should be placed on the final docket")?

Respectfully,

Bob Stuart

16.10.130 Submission of applications (who may submit and when).

B.

Who May Suggest Amendments. Any interested person, including citizens, ... may suggest an amendment to the comprehensive plan. ... the planning director shall include the suggested amendment on a docket that is maintained each year for this purpose. The process described in Sections 16.10.160 through 16.10.170 of this chapter shall resolve the question whether such suggested amendments will be considered during the annual review process.

16.10.140 Preliminary docket.

A.

Contents. A preliminary docket shall be maintained by the planning director, which shall consist of the following: ...

2.

All amendments suggested during the year by citizens, the planning commission, city council, staff, departments or other agencies.

B.

Planning Director Responsibilities. After compiling the preliminary docket, the planning director shall review the suggested amendments and prepare a report concerning which suggested amendments that the planning director believes should be placed on the final docket for consideration during the annual amendment process. In addition to addressing the need, urgency and appropriateness of each suggested amendment, the staff report shall include, but not be limited to, a consideration of the following:

1.

The availability of sufficient planning staff to substantively review the suggested amendments and manage the public review process with available staff; and

2.

Anticipated planning costs and budget for processing the suggested amendments.

16.10.160 Planning commission hearing on preliminary docket.

The planning commission shall hold a noticed public hearing to accept public comment regarding the suggested amendments on the preliminary docket. Following the hearing, the planning commission shall prepare a report and recommendation identifying those suggested amendments that it is recommending for consideration by the city council

16.10.170 City council decision—Adoption of final docket.

The city council shall review and consider the planning commission's report and recommended final docket at a regularly scheduled council meeting. The city council may adopt the planning commission's recommended final docket without a public hearing; however, in the event that a majority of the city council decides to add or subtract suggested amendments, it shall first hold a public hearing, noticed as set forth in Section 16.10.070.

Carina Thornquist

From: Deana Ostgard <junebug55@gmail.com>
Sent: Monday, July 6, 2020 5:41 PM
To: Barbara Kincaid; Carina Thornquist
Subject: Another development!?

Dear Planning Commission,

Please Reverse the 2019 Comp Plan Land Use Map Change. The 2019 map adds Far Too Much Traffic. There is No Money for Schools (Ten Trails already has us paying for 7 schools). There was No Tax Analysis (impact on city hall, parks, police, fire?). There wasn't even a count of acres changed or potential housing added.

The 2019 Map contains far too much development for Black Diamond.

Use the Comp Plan to reduce development, because we should not be adding more than triple our city's Growth Management Act targets.

Sincerely,

Deana Ostard

Carina Thornquist

From: Gretchen Buet <pomme333@msn.com>
Sent: Monday, July 6, 2020 3:04 PM
To: Barbara Kincaid; Carina Thornquist
Subject: PLEASE STOP ALL FURTHER ADDITIONAL DEVELOPMENT

I am very concerned with the rush to OVER develop Black Diamond.

This ADDITIONAL 155 acres and 600-900 houses with commercial strip malls and hundreds of apartment units destroys the country charm of the entire Black Diamond area.

Have you lived here ALL YOUR LIFE? NO! WE ARE COUNTRY. YOU ARE CITY.

I, my family and all of my neighbors are SADDENED by this UNNECESSARY and DAMAGING out of control growth.

Our ancestors did not want this for Black Diamond. It's not too late to STOP IT. Stop the CRIME that comes from too many persons living so close together AND ROAD RAGE from all of them driving at the same time on our tiny country roads.

Thousands of drivers all at the same time means traffic nightmares and daily GRIDLOCK in our area NEVER BEFORE EXPERIENCED EVER.

Driving locally now we are all being honked at by impatient drivers AND many of us get tossed the FINGER!!! This is not the Black Diamond we know well.

It is being ruined and you can stop it before it gets worse for us. It's already real bad out there.

PLEASE PLEASE PLEASE REVERSE REVERSE REVERSE the 2019 Comp Plan Land Use Map Change. The 2019 map adds far too much traffic There is no money for SCHOOLS. (Ten Trails already has US P A Y I N G for 7 (SEVEN) SCHOOLS.) There was no TAX ANALYSIS (IMPACT on City Hall, Parks, Police, Fire???). There wasn't even a count of acres changes or potential housing added.

Did you think no one would notice??? Maybe City Folk don't care because all they know is city and traffic and overcrowding-it is normal for THEM.

The 2019 Map contains FAR TOO MUCH DEVELOPMENT because you should NOT be ADDING MORE THAN T R I P L E the city's GROWTH MANAGEMENT ACT TARGETS.

Please take your growth elsewhere. Take your growth where it is wanted. Perhaps North Bend or Carnation. Take it away from here PLEASE.

Your current TEN TRAILS isn't even finished and it is an ENORMOUS EYE SORE for anyone driving by and it has destroyed the views of Mt. Rainier and the local vistas.

07-07: PLEASE ADD ME TO THE PUBLIC HEARING LIST.

PLEASE STOP this further development NOW while it is not too late. PLEASE preserve what's left NOW for our future GENERATIONS to have some PEACE and QUIET and no NEW "CITY LIGHTS" which dim the starry skies. (You don't know about that because you can't enjoy the night skies, dimmed by city lights.)

Please delete my previous letter sent only to bkincaid@blackdiamondwa.gov. I think I made a mistake with the address. (should there be a "dot" between blackdiamond and wa??

Thanks for listening.

Sincerely,

Gretchen Buet
Local Resident

Sent from [Mail](#) for Windows 10

Carina Thornquist

From: Jim Caster <jamesacaster2@gmail.com>
Sent: Monday, July 6, 2020 4:59 PM
To: Barbara Kincaid; Carina Thornquist
Subject: 169 / Ravensdale-Black Diamond Rd Planning Commission

Black Diamond Planning Commission,

I live in the Morgan Creek neighborhood and regularly use the 169/Ravensdale-Black Diamond Rd. interchange. I was thrilled when I saw that the process had begun for putting in a roundabout. Given the ever-increasing traffic, it's important to limit access points to the hwy and ensure that key ones like this are optimized to keep things moving.

I understand that there have been delays and this roundabout will not be complete until 2023. At the same time, it appears that the developers will be allowed to continue their construction pace, increasing our traffic even more without this imperative intersection being ready. According to the Master Plan Development agreement, improvements need to be completed before housing is built, but permits apparently are still being issued well-beyond the trigger of 327 permits.

As my family and I travel this road each day and see an ever-increasing line of traffic trying to make the difficult turns at this intersection, I worry about our safety. I strongly encourage you to not approve the high-density re-zones proposed in the 2019 Comp Plan Map

As you make plans for development, please seriously take into consideration the rate of development and its impact on our roads, our schools, and our rural community's life. I don't understand why we are pushing increased development so much above and beyond what is required of us as a city.

Sincerely,

Jim Caster
25209 Kanasket Dr.
Black Diamond, WA 98010
206-227-7551

Carina Thornquist

From: Kristen Bryant <kristenbry@gmail.com>
Sent: Monday, July 6, 2020 5:13 PM
To: Carina Thornquist; Barbara Kincaid
Subject: Re: Planning Commission Public Hearing 7/7/20 Protocols

Hi,

Could this email include the call and Zoom info? It is awfully hard to find again right before the meeting starts, especially for those that don't do much Zoom stuff. Or, will you try to contact people who don't call in but said they would?

Kristen - 425-247-9619

On Mon, Jul 6, 2020 at 5:03 PM Carina Thornquist <cthornquist@blackdiamondwa.gov> wrote:

Good afternoon,

Attached you will find the Protocols for Remote Legislative Public Hearings.

In compliance with the Governor's Stay Home, Stay Healthy Order City offices remain closed to the public. Staff continues to work and is there to assist you by phone or email during normal business hours.

Regards,

Carina A. Thornquist

Deputy City Clerk

City of Black Diamond

www.ci.blackdiamond.wa.us

Phone: 360.851.4500

Carina Thornquist

From: Kiley Nepper <knepper3124@hotmail.com>
Sent: Monday, July 6, 2020 7:20 AM
To: Barbara Kincaid
Cc: Carina Thornquist
Subject: Re: Please ADD Me to The Hearing List

With such short notice, I will not have the opportunity to speak at this meeting, but it would be appropriate for my comments to be shared.

Thank you,
Kiley Nepper

From: Barbara Kincaid <bkincaid@blackdiamondwa.gov>
Sent: Monday, July 6, 2020 7:00:28 AM
To: Kiley Nepper <knepper3124@hotmail.com>
Cc: Carina Thornquist <cthornquist@blackdiamondwa.gov>
Subject: RE: Please ADD Me to The Hearing List

Good Morning:

Please clarify if you want to be a speaker at the Tuesday, July 7 Black Diamond Planning Commission hearing – or just want your written comments to be part of the record.

Thank you,
Barb

From: Kiley Nepper <knepper3124@hotmail.com>
Sent: Saturday, July 4, 2020 8:29 AM
To: Barbara Kincaid <bkincaid@blackdiamondwa.gov>; Carina Thornquist <cthornquist@blackdiamondwa.gov>
Cc: stopblackdiamondrezones@gmail.com
Subject: Please ADD Me to The Hearing List

To Whom It May Concern,

I find it convenient the deadline for comment to the opposition's stance follows a holiday weekend and amongst a rise in pandemic numbers. This is a breach of trust from the council and commission moreover a violation of civilian and land owner rights.

Please see this as formal request to Reverse the 2019 Comp Plan Land Use Map Change. The 2019 map increases the load the roads, which are already struggling to be maintained . An increase of

additional vehicle traffic has yet to be addressed, let alone long term plan for maintenance which will be necessary and costly.

Additionally, there is No Money for Schools. Ten Trails addition of 7 schools has already increased the strain on our community financially.

There has yet to be a Tax Analysis completed to adequately address the need for funding for police, fire, parks, and other impacts associated with City Hall. There simply isn't the funding and our community is already strained financially.

Simply, the 2019 Map contains far too much development for the City of Black Diamond's infrastructure to maintain, as well as far too much for this community support.

Kiley Nepper
Knepper3124@hotmail.com
(253) 686-6640
34901 243rd Ave SE
Auburn, WA 98092

Carina Thornquist

From: olleser <olleser@gmail.com>
Sent: Wednesday, July 1, 2020 9:50 PM
To: Barbara Kincaid
Cc: Carina Thornquist
Subject: Reverse the 2019 Comp Plan Land Use Map Change.

The 2019 map adds Far Too Much Traffic. There is No Money for Schools (Ten Trails already has us paying for 7 schools). There was No Tax Analysis (impact on city hall, parks, police, fire?). There wasn't even a count of acres changed or potential housing added.

The 2019 Map contains far too much development for Black Diamond.
Use the Comp Plan to reduce development, because we should not be adding more than triple our city's Growth Management Act targets.

Please add me to the Public Hearing list

Sent from my T-Mobile 4G LTE Device

Written Testimony

Presented to the Black Diamond Planning Commission, July 7, 2020

July 7, 2020 Public Hearing Document: 2020 Preliminary Comprehensive Plan Docket

Planning Commissioners,

Thank you for the opportunity to testify on the *2020 Preliminary Comprehensive Plan Docket*. We've taken the six items under the *July 7, 2020 Public Hearing Document: 2020 Preliminary Comprehensive Plan Docket* and below provided our comments (shown in red) on items **4. Chapter 7, Transportation (and appendix 7)** and **6. All Plan Chapters**—appears to have been mistakenly numbered as 5. (items and accompanying bullets shown in black).

As always, we are available should you have any questions.

Peter Rimbos
primbos@comcast.net
425-432-1332
Leader and Transportation Focal
Citizens' Technical Action Team (TAT)

4. Chapter 7, Transportation (and appendix 7)

- Revise text to remove references to WSDOT widening SR 169.

The *Comprehensive Plan Update (Update)* must reflect what actually is planned in PSRC's *Regional Transportation Plan (RTP)*—the successor to *Transportation 2040*—adopted in May 2018. The *RTP* (see *Executive Summary*, p. 5) shows only a small portion of SR-169, just through *part* of the City of Maple Valley, as slated for widening by 2040. This is the rationale behind this **PSRC Condition**. To meet this Condition it is not enough to simply “*remove references to WSDOT widening SR-169,*” rather, all related Traffic-Demand Modeling and subsequent Traffic Analyses must reflect the *removal* of this assumption, which could have major impacts on downstream analyses. PSRC is not simply asking for the words to be removed, it is asking for the traffic analyses to be redone to reflect the *correct* assumption that SR-169 is not to be widened.

- Revise text to acknowledge HB3266 designation of SR 169 as a highway of statewide significance.

While we support this item, the *Update* must also include a full explanation of the ramifications associated with the “*highway of statewide significance*” designation.

Written Testimony

Presented to the Black Diamond Planning Commission, July 7, 2020

- Revise text and map figures, as needed, to accurately reflect the future transportation roadway network and improvements.

We support this item, but request the City include any assumptions that support the future transportation roadway network and improvements.

- Provide more detailed explanation of contingency plans to address potential funding shortfalls that may occur if the planned MPD improvements are not completed.

Again, we support this item, but request the City include any assumptions that support its Contingency Plans to address funding shortfalls. For example, if *Project "X"* requires substantial grant monies, which do not materialize, what is the fallback position? Modify Project "X"? Reduce traffic throughput to eliminate the need for Project "X"? Look for contingencies (if any) identified in the language of the MPD Development Agreements that provide such flexibility?

- Adopt updated 6-year Transportation Improvement Plan (TIP) and make changes to text as needed.

We support this item, but it should reflect the Contingency Plans discussed above, since some TIP projects might not be able to be built due to funding shortfalls.

5. All Plan Chapters *[appears to be mis-numbered, should be 6.]*

- Review all Plan Chapters to address inconsistencies between anticipated growth, growth targets, and the PSRC regional Growth Strategies and develop goals or policies that would help to better align them.

We support this item. We consider this the most difficult task to be accomplished, as it impacts many major assumptions and policies throughout the *Update*. For example, what "goals" and "policies" could be developed that greatly narrow the gap between "anticipated growth, growth targets, and the PSRC regional Growth Strategies"? The only way to actually narrow that gap is to reduce the size of the MPDs, which would require re-opening the MPD Development Agreements, which do expire in a few years.

Carina Thornquist

From: Rosemarie Wentz <rosemariewentz@hotmail.com>
Sent: Monday, July 6, 2020 3:17 PM
To: Barbara Kincaid; Planning Commission
Subject: PUBLIC COMMENT 07/07/20. Developer School Impact Fees; Remove Re-Zones

Dear Planning Commission,

The Agenda for your July 7th meeting is to review annual changes to the Comprehensive Plan.

Future Land Use Map

Replacing the 2019 Comprehensive Plan Future Land Use Map with the previous version from the 2009 Comp Plan will reduce *traffic congestion*. The current 2019 Comp Plan Future Land Use Map has potential re-zoning that would add traffic, but there is no money to expand roads in and out of town, and road expansion destroys small-town character. The best way to reduce congestion is to not add more cars in the first place.

This Map change will also protect our environment, preserve small town character, and help us coordinate with neighboring jurisdictions. The Puget Sound Regional Council said in February that Black Diamond should not add zoning that increases future development. We are already zoned and approved for more than four times our growth targets set through the Growth Management Act. Such excess growth in the wrong place translates to expensive infrastructure burdens on the region and on local taxpayers.

Furthermore,

- 1) No re-zoning nor development should be considered nor approved until the city has its affairs in order and School Impact Fees are put in place. Any permits issued prior to these fees being in place only adds to the tax burdens of the current residents. The current residents are already suffering from the economic impacts of COVID19, we do not need the additional burden of taxes when the developers should be paying for their impacts to our communities and not the citizens.

- 2) No re-zoning nor development should be considered until the current development of Ten Trails and Lawson Hills has completed at least 75% of the development plan and the impacts to the city, roads, water, schools and sewer systems are studied and addressed to maintain high quality of life for the current residents.

- 3) Planning Commissioner Charles Butt should recuse himself from any and all Planning Commission business which has any impact, positive or negative on any of the many Black Diamond properties he purchased privately, later transferred into his development companies name, or through his business and is currently in the process of clearing and developing. (These are all the properties along the west side of 169 as you head out of town). Mr. Butt's continued involvement in discussion and voting on the proposed plans is clear conflict of interest. His vote does not represent the interests of the citizens of this city but represent his own business interests. I would even go so far to ask that the Mayor remove Mr. Butt as a planning commissioner as he failed to disclose his purchase of multiple properties within city limits with intention to develop them just a few months prior to applying for the Planning Commission position. Where he knew he could influence and maneuver the Planning Commission plans to increase his profit margins. It is common for employees to be let go when the evidence shows that they failed to disclose, when asked on their application about, conflicts of interest.

- 4) The city development department continues to fail the citizens of Black Diamond in protecting their properties and homes. A single developer on 5th Ave continues to violate City Ordinances and Building codes while the city staff ignore

the violations, fail to act and fail to correct and hold the developer accountable. In most recent cases the developer installed retaining walls over the 4ft limit without Engineering, inspections or permitting. This impacts the integrity of the hillside his neighbors' homes sit on. He further snatched real property from his neighbor before finalizing a property line dispute, while the neighbor was out of town over the 4th of July weekend. This is the latest in the string of violations ranging from unpermitted clearing, grading and filling, and multiple significant tree removals over several years. But the greatest offence is the city continues to fail to hold the developer/owner accountable. Other home owners have been fined and made to stop and correct minor violations in comparison. But this owner has a get off free card. The local neighborhood and community have reported these violations multiple times, but the city employees continue to fail to do their job and protect its citizens and follow their own codes and documented recourse to these violations.

These kinds of behaviors only adds to the perceived fact that the city staff and planning commission do not have the citizens best interest in mind when planning for development of this town. They are all trying to make their money and get out, while the citizens suffer with the tax burden, environmental and infrastructure impacts. We have no faith in the city staff or planning commission to ensure any development within the city will be sound, follow building codes or the city municipal codes designed to protect our community.

The citizens of this city want reasonable development with a small town theme. Preserved mature trees and historical homes and landscapes. Homes built in line with a small town, not 5000sq ft McMansions on postage stamp yards. We want our views preserved and protected from unreasonable and out of character for the community development. We want consistent protections and actions/corrections against building code violations and city code violations.

Thank you for your time and consideration,
Rosemarie Wentz
Black Diamond

Carina Thornquist

From: Tyler Weiss <tweiss555@yahoo.com>
Sent: Sunday, July 5, 2020 5:18 PM
To: Barbara Kincaid; Carina Thornquist; Planning Commission
Subject: PUBLIC COMMENT 07/07/20. Public Hearing on Comp Plan

STOP! DO NOT REZONE BLACK DIAMOND. KEEP IT A SMALL TOWN

Sent from Yahoo Mail on Android

Carina Thornquist

From: Michael Fettig <mikeyfett@live.com>
Sent: Monday, July 6, 2020 5:45 PM
To: Barbara Kincaid; Carina Thornquist
Subject: Comments for July 7. 2020 public hearing
Attachments: public comment Oct 8, 2019.docx

Ms. Kinkaid,

Please forward my comments to the Planning Commission for the July 7, 2020 meeting. I am resubmitting my comments from the October 2019 Planning Commission as my concerns are relevant to the agenda items for July 7, 2020.

Michael Fettig

COMMENT FOR BEGINNING OF MEETING REGARDING COMMISSIONER CONFLICT OF INTEREST

Good evening planning commission,

I am asking the Commission to hear the following concern prior to the start of the public hearing.

While thinking about traffic, I looked at the proposed BD zoning map from the Sept 10th planning commission meeting. I noticed the zoning change labeled “#5” directly accesses Hwy 169. I wanted to know more and looked to the city website and the city Permit System.

The city permit system shows a permit application at 31007 3rd Ave, Black Diamond WA, the same place where zoning change #5 located. (parcel 112109008).

This property is currently zoned light industrial; however, I noticed an application was made on 6/10/19 for construction of new commercial/retail use and 132 multi-family residential apartments. The current zoning doesn't match the application. My curiosity grew when I noticed this application wasn't rejected. Why wouldn't the city reject an application that is so clearly out of compliance?

Looking further into this, I found this application was made by Mr. Weston Butt Black Diamond planning commissioner. I can see from the application that this property is owned by Mr. Butt. Further, I understand that Mr. Butt's wife has an ownership interest in some of the other properties being considered for zoning change.

I ask, how can he be objective and take into consideration the concerns of the citizens when he has a clear financial gain from this rezoning proposal? It is evident there is a HUGE conflict of interest with Mr. Butt as planning commissioner and property owner. It is also reason for disqualification under Section 7 of Rules and Procedures of City of Black Diamond Planning Commission.

Section 7 reads “ No member of the planning commission should participate in any discussion or vote on any matter in which their member has a direction and substantial personal or financial interest potentially sufficient to create a conflict

between the interest in serving the public good and the other interest. The other interest may be private gain, financial or personal, and it may benefit the member, a relative, a friend or employer. The member should publicly indicate the potential conflict of interest and leave the meeting room until the matter is disposed. The minutes shall show that the member left the room and abstained on any vote.” It is my opinion and recommendation that Mr. Butt recuse himself tonight as a member of the Black Diamond planning commission.

Thank you for hearing my concern,

Michael Fettig

Carina Thornquist

From: info@bryantstractorandmower.com
Sent: Monday, July 6, 2020 10:32 AM
To: Barbara Kincaid
Cc: Carina Thornquist
Subject: PUBLIC COMMENT July 7 Comprehensive Plan Docket Suggestion

City of Black Diamond Planning Commission,
Please recommend the specific suggestions highlighted below for adoption into the 2020 Comprehensive Plan update. Per Black Diamond code 16.10.130 and .140 these should be included for your public hearing preliminary docket, but were not.

William Bryant and Karen Bryant

----- Original Message -----

From: info@bryantstractorandmower.com
To: Barbara Kincaid <bkincaid@blackdiamondwa.gov>
Date: June 8, 2020 at 2:24 PM
Subject: PUBLIC COMMENT 06/09/20 RE: Comprehensive Plan Docket Suggestion

Hello Ms. Kincaid and Planning Commission,
The suggestions sent March 1 of 2020 (email below) for the Comprehensive Plan should be given to the Planning Commission for consideration and public hearing, per Black Diamond Municipal Code 16.10.130.B. The packet for the June 9 Planning Commission discussion of Comp Plan changes does not contain these suggestions.

It is difficult to follow up on this issue and give comments because the time from Friday evening when the PC Meeting Packet first became available to the Monday 5 PM deadline is too short. This is also short notice for Planning Commissioners to be able to absorb and research the materials for their discussion. The Planning Commission Packets should come out at least a week before the meeting, and should contain all public suggestions for the Comprehensive Plan. Since the Commission meets only once a month and has not met in months, why not have a larger packet ready sooner?

To accompany the suggestions made in the March 1 email below, here is some specific language that could be added to the Comp Plan or amended by the Commission:

Large amounts of natural open space must be included on sites developed for mixed use or intense land use. Clustering is appropriate so that intense land use is balanced with a natural space that feels like "small town" Black Diamond.

LU Policy: Clustering in Commercial Zones. At least 50% of the net develop-able land (excluding sensitive and critical areas) must remain natural as a trade off for Mixed-Use development. At least 50% of the net develop-able land (excluding sensitive and critical areas) must remain natural for Commercial development with a F.A.R. exceeding 1.0 .

Additionally:

Multi-family use in Black Diamond should include a large amount of open space and natural space for families and to maintain small town character.

LU Policy: Commercial Zones used for multi-family development are allowed a maximum of 16 units per acre . Multi-family development must have a minimum of 50% open space of the net developable land (excluding critical and sensitive areas).

On March 2, 2020 at 4:24 PM Barbara Kincaid <bkincaid@blackdiamondwa.gov> wrote:

Thank you for sending these suggestions.

Sincerely,

Barb

From: info@bryantstractorandmower.com <info@bryantstractorandmower.com>
Sent: Sunday, March 1, 2020 9:04 PM
To: Barbara Kincaid <bkincaid@blackdiamondwa.gov>
Subject: Comprehensive Plan Docket Suggestion

Hello,

We are sending the following change suggestions for the city's Comprehensive Plan. Thank you.

Comprehensive Plan Updates to Section 5.13 Commercial Goals and Policies

Section 5.13 sets the basis for Community Commercial and Neighborhood Commercial zoning.

Many people think of our existing Commercial areas in Black Diamond when they think of new commercial development. Black Diamond's existing commercial areas contain small stores or restaurants with a small amount of parking, and are not intense land uses.

However, it has recently become clear that the Commercial zoning in Black Diamond allows mixed use with commercial space plus residential up to 10 units per acre. Commercial also allows any number of apartment units so long as retail is included. The

retail can be very intense, with a Floor Area Ratio of 2 to 1 over the acreage of the site. The current Comprehensive Plan Section 5.13 and zoning code allows development that is incompatible with our small town. It can generate more traffic than residents are willing to endure, too much noise, and remove too much green space.

The Comprehensive Plan should be amended to specify that:

Large amounts of natural open space must be included on sites developed for mixed use or intense land use. At least 50% of the net develop-able land (excluding sensitive areas) must remain natural as a trade off for intense land use such that described above. This is an appropriate use of clustering, so that the intense land use is balanced with a natural space that feels like "small town" Black Diamond.

Additionally:

There must be limits on the number of allowed apartment units in commercial zones. There should also be at least 50% open space of the net developable land (excluding sensitive areas) for a site used for apartments.

This is especially important because apartments are homes and residents, especially children, need trees and natural space to live near.

The city should impose restrictions against big box stores and impose limited parking in commercial zoning.

Thank you,

William and Karen Bryant

25100 Roberts Drive

Black Diamond, WA 98010

Carina Thornquist

From: Alan Gangl <argangl52@gmail.com>
Sent: Monday, July 6, 2020 8:23 AM
To: Barbara Kincaid
Subject: City of Black Diamond Planning Commission Public Hearing on Annual Comprehensive Plan comment

To the Black Diamond Planning Commission,

This staff summary of my comments from last fall did not represent the full intent of my comments.

My suggestion was to keep the Light Industrial Zoning on Black Diamond's Future Land Use Map as an excellent way to achieve a jobs and tax balance.

Black Diamond has more than enough residential development. Black Diamond is a small city and should remain that way. Other cities have more transit and infrastructure, and will and should remain King County's more robust job centers.

If we do want a better balance of jobs and housing in Black Diamond, we already have significant housing and significant areas for commercial development. We do not need more of either of these. For a better jobs balance, keep the Light Industrial. Light Industrial is usually a "tax positive" for cities. Mineral or forestry use (the current land uses) are also good industries for Black Diamond.

Some may express concern that "Light Industrial" may not be compatible with neighboring residential areas. This is easily solved by a requirement for buffers of trees if the light industrial use is not suitable next to residential.

Over time, other appropriate businesses may use that Light Industrial zoning. It probably won't be immediate, but time to find a land use that does not require significant population growth is a good thing. When we are experiencing rapid growth, it is hard to keep up. We have roads and intersections scheduled to be under and constant construction. Enumclaw has a lot of school bonds to put to taxpayers and then needs time to build schools.

For apartments and housing growth that does occur, please require at least 50% natural open space (do not count parking as open space). For an outlying city like Black Diamond, housing at all income levels should have the experience of the green space and relaxed feel. Keep it walkable. This means we should not expand roads to more than one lane each way.

Please change the Future Land Use Map to revert to the 2009-2018 version. Do not add over-development. Our goal to keep our small-town character needs to be addressed in a meaningful way.

Thank you,
Alan Gangl
argangl52@gmail.com

Attachments area

Carina Thornquist

From: Erika Morgan <smilemeadow@gmail.com>
Sent: Monday, July 6, 2020 11:26 AM
To: Barbara Kincaid; Carina Thornquist; Brenda Martinez
Cc: Erika Morgan
Subject: July 7. No Rezone: Too Much is Too Much: Please add me to the public hearing list

Hello City Planning Commissioners;

Reverse the 2019 Comp Plan Land Use Map Change that you voted in, in 2019. None of the requisite planning requirements were met, even though the staff will be telling you that the studies have been completed, or will be completed. They will tell you that this preplanning analysis work will follow, and that the Comp Plan Map does not matter at this time, this is just a plan, not an actuality. This is patently false, it "kicks the can" down the road so that the landowners can demand that they have spent money preparing for the development and they now have the right to be able to realize income as a "right of ownership" of the property. This also is a falsehood, ownership of land can never be a guarantee of income realized in any certain time frame. The city must never be boxed in to a demand from any property owner to facilitate their owner's right to show a profit, and any comp plan will be taken by the property owner as a guaranteed promised by the city of realizable financial benefit for them. This zoning change boxes in the city, to allow development that is not needed and for which there is no current or foreseeable future demand considering all the previous development which has been granted and for which there has been not enough demand demonstrated at this time so there are over 25 years of development currently on BD's prospectus.

We are currently in on the doorstep of a very substantial economic downturn from COVID world wide. Our service economy is in the ditch and is unable to sustain itself because the virus demands that we "be sick", "remain isolated", "or loose to contraction of the virus at the rate of nearly 10% of our people". There seems to be ongoing long-term functional effects demanding medical and social remedies for many recovered victims of this virus with only a four month period to collect data from, we just do not know what the situation will be in the future. Our businesses are suffering because the work they do can not be sustained by sick or necessary isolation of infected and infect-able workers. As soon as the COVID subsidies for businesses and individuals stop, the bills will not be paid and the foreclosures will begin for workers whose jobs will not return until someone can pay for those services or products which those businesses provide.

None of these development plans include a realistic commercial element that creates new employment opportunities for the people who will be living in BD in it's future. Back in the day (1980) when the Comp Plan was expanded to include 600 new residential dwellings for BD, there was a commercial plan to "open the John Henry surface mine" to create new jobs that would support the residential development. That never happened because there was no market for the sulfurous coal that is the surface coal in BD. We all know that if there is no well fleshed out and properly researched plan what happens will be inadequate for mitigating the problems encountered, because we have seen this scenario play out both locally and nationally in all the fields of human endeavor.

Taking the bureaucratic approach assures the city staff future work which the citizens or the developer may pay for, but it does not protect the current citizens from the insults of the development or the increased fees and taxes that will be asked from them. I ask you to turn to some very evident budgetary considerations:

Who and/or how are the necessary deficiencies in our fire and emergency medicine going to be resolved when the fire district divorces BD?

When and how is BD going to shift its Police budget so that includes money for the social services that are going to be demanded by the future of whatever policing becomes, currently BD has not even considered these needs in any plan, government or private?

Are there going to be traditional schools in our future? , do the families need to homeschool and have a parent stay home to accomplish this? What supports are those eventualities going to present?

What is the traffic situation going to look like, are we ever going to be able to use public transportation like we did in the past? My nephew was riding a bus to work, but now he has a new baby and a three year old, so it is "unsafe" for him to use the bus, so he gets driven to work daily requiring four trips instead of two.

How is the city bureaucracy going to work if they can never resume to work in an actual worksite, do we need all that office space if they are working from home?

Will our courts continue to be virtual? How is the progress in the courts going to be accessible to all our citizens as the law for a "public" court demands? When are we going to have a public city channel to accommodate these constraints?

Will our public meetings continue forever to be virtual or zoom, is there going to be some facilitation of this, I for instance will never from my home be able to take part in a zoom meeting because the utility infrastructure is not available at my home, and anyway I would not be able to afford the service on my own, how many citizens are in this same boat? Can the city afford to cut off some of its citizens from participating in the self governance that the State Constitution guarantees for each citizen?

Are the IT availabilities able to accommodate school and work at home for our families now, and how is the future going to look for this?

Are there even going to be the commercial mall type businesses in our future, or is all commercial enterprise going to be "mail order and drive through"?

Will the Boeing Commercial Division remain in Renton, in Washington, in existence?

There are so many unknowns, and currently unknowables, this is no time to be setting any commitments down besides what is necessary to cope with the pressing issues of the day, that is COVID and the call for a change in Policing State and Nation wide. Remember the State Government's call to continue with only essential business.

I can see that COVID is putting a "change order" into all the things the city is doing, and might be asked to do, and there is no plan to go by because this is all a different situation for all of us. The city of BD may seem to be remote from many of the social changes that are being asked for across this nation and across this world, but I assure you BD though a small and tangential cog in a greater situation is still part of that situation. If there was reason to put a hold on the new 155 acre change allowing 600-900 more houses, strip malls and hundreds of apartment units, that the community stopped last fall pending a proper analysis, now with our changing circumstances we will be derelict, if we allow this to go forward at this time. As I have indicated we don't even understand what our circumstances will be or what sort of analysis our changed condition is going to bring us.

The city included with the Ten Trails Development way more development than the Regional Plan asked of BD, so there is not enough support from the Regional Comprehensive Plan to supply the services from the region that the development requires as it stands, more sewer capacity, more road and transportation capacity, more and different education capacity, more medical, more post office, more social service, more mental health, more drug interdiction, more humane society, more child protection service, and the list goes on and on. BD on its own can not provide all these things nor should it, but our plan if it is going to protect our citizens properly must have a clear understanding of how these needs will be met before we add more development to our map. The development that BD has committed to also is in an infancy, it increases our

city by factor of 4-5 times the current population, BD needs to figure out how to walk with what is on its plate before we ask for more helpings, and I would observe that BD is in the state of being “overwhelmed by the current development and its needs” right now.

Adding more development at this time and before there is an evaluation of how we come out of COVID 19 and what changes are made to how Americans and particularly our citizens live their lives, and until the economy has had the chance to make in the changes and evolve again into our new reality is both the promise of being adaptable humans or being an extinct species. Any plan we make now with inadequate knowledge precludes foresight. In this time it is irresponsible to BD and to the region to set a Comp Plan so far out into an unknowable future to be adding more residential development to the GMA’s targets. Perhaps a better use of the GMA’s targets would be to evaluate over the next year where we are, and where BD should consider being, as regards to population and economic development. Before BD set an aspirational (imaginary) plan under the GMA, and then arms any developer with a weapon to lead our city bureaucracy to override the city’s citizens’ right to self determination” of what our cities future would look like. This is exactly what happened to BD before, and it is exactly why and how our city bureaucracy over came the city’s citizens right to self determination. It also demands that money interests come before the interests of the current citizens to plan and shape the future of their community like the State Constitution decries.

We do not know how COVID is going to change how Americans in general and how citizens of BD’s lives are going to be changed, we do know that our Governor has promised that we will be doing things differently now for a while and probably we will never go back to the way things were in our past. In light of this and because there is no reason to make permanent decisions just now when we can not have all the relevant facts I ask that you reverse the Comp Plan Map land use changes until we have a time as a society to understand better what our needs are going to be going forward as the only reasonable response to this question.

Comprehensive Plan Suggested Transportation Policies

Walkability Improvements

Black Diamond residents enjoy the ability to walk to and from local destinations such as the Elementary School, post office, bakery, Community Center and local businesses. To maintain small-town character and prioritize the high quality of life those who live here enjoy, it is extremely important to make walking a viable option as the city grows.

To walk, people must feel safe, the walk must be pleasant, and people must have a destination. As the traffic increases on highway 169, safety and enjoyment of the walk are at risk. Increasing numbers of cars or expanding the paved area by adding a lane or removing trees would reduce the enjoyment of the walk. Increased cars also call for an increase in safety. To maintain Black Diamond's historic charm and small-town feel, the existing town center including highway 169 should become a more pedestrian-friendly zone. We should encourage walking trips which will support local businesses as destinations, and connect people to each other within the community.

As an example, our town has the Rainier View retirement community near Lawson St and Highway 169. We also have a Community Center about a mile away that serves lunch and provides other services to senior citizens. As people age, they may prefer be able to walk but not drive, we should ensure our seniors can safely walk to the Community Center.

New Suggested Transportation Policy

T-#. Prioritize pedestrian and bicycle safety over increased motor vehicle capacity on city streets. At the same time, this must not allow new development to avoid providing street capacity increases or improvements needed as a result of new development.

Safety Improvements

Road funds at the state, county, and local level are limited. Safety of Black Diamond residents is one of the most important considerations when prioritizing funding.

Recognizing that the majority of employed residents will continue to commute to work outside the city and therefore roads in and out of town are an important consideration in the Black Diamond Comprehensive Plan. State and County roads leading to Renton, Issaquah, Auburn, and Enumclaw have land slide risks, areas with site distance limitations, pedestrian and bicycle safety problems.

New Suggested Transportation Policy

T-#. For both state and county roads leading to or from Black Diamond, the City supports prioritization of funding for safety improvements above road expansion.

It is also suggested to remove policy ED-4.5, about the Highway 169 corridor, or move policy ED-4.5 to the Transportation Chapter. Policy ED 4.5 is more focused on transportation than Economic Development.

~~Policy ED-4.5: Coordinate with the Washington State Department of Transportation (WSDOT), King County, and adjacent cities to plan for access improvements, intersection improvements, and infrastructure maintenance in the SR 169.~~

Small Town and Careful Planning

To ensure Planning consistent with small-town character, Black Diamond must carefully ensure existing commercial areas and those planned with the Master Planned Developments can thrive without putting too much pressure on limited infrastructure. Given Black Diamond's location on the far eastern edge of the urban growth area, it is unlikely growth to support things like big box stores or large business expansion is appropriate. Black Diamond can maintain a balanced city budget that does not rely on new growth. We need careful planning at a slow pace to ensure we do not trade live-ability for speculative development or tax revenue that may not be offset by the need for increases services.

Removal of policy LU-34 is warranted. Alternately, the word "aggressive" could be removed:

~~Policy LU-34: Create an aggressive economic development strategy, with the cooperation of the City, County, and business and property owners.~~

There are sufficient commercial spaces already developed in Black Diamond or permitted through the MPD's to be extremely cautious about adding more until we see if the existing plans are commercially successful while maintaining quality of life. Therefore, removal of policy LU-42 is also warranted.

~~Policy LU-42: Retain and enhance the existing commercial areas while providing sites large enough to accommodate significant commercial uses.~~

Carina Thornquist

From: Jerel Thomas <jerelthomas75@gmail.com>
Sent: Thursday, July 2, 2020 1:48 PM
To: Barbara Kincaid
Subject: 07-07: Please add me to the Public Hearing List

To Whom It Concerns:

I will be out of town on 7/7/20. However, I would like the following added to the public comments at the meeting scheduled for 7/7/20.

Please reverse the 2019 Comp Plan Land Use Map Change. The 2019 map adds Far Too Much Traffic (and speeding/aggressive driving is already an issue on Roberts Drive). There is No Money for Schools (Ten Trails already has us paying for 7 schools). There was No Tax Analysis (impact on city hall, parks, police, fire?). There wasn't even a count of acres changed or potential housing added.

The 2019 Map contains far too much development for Black Diamond.
Use the Comp Plan to reduce development, because we should not be adding more than triple our city's Growth Management Act targets.

Carina Thornquist

From: Kristen Bryant <kristenbry@gmail.com>
Sent: Monday, July 6, 2020 4:54 PM
To: Barbara Kincaid
Cc: Planning Commission
Subject: PUBLIC COMMENT 07/0720: Traffic impacts, Lake Sawyer Road, and Comprehensive Plan
Attachments: BDUGAA-1996 page9 PipelineRoadcredit.pdf

Hello Planning Commissioners,

Some of the info in this comment letter was provided at last year's hearing and your more recent meetings. To encourage and support public input, the Commission is asked to fully discuss all public comments from last year's hearings and at least your more recent meetings.

Lake Sawyer Road Dangers and Traffic Volume Not Addressed

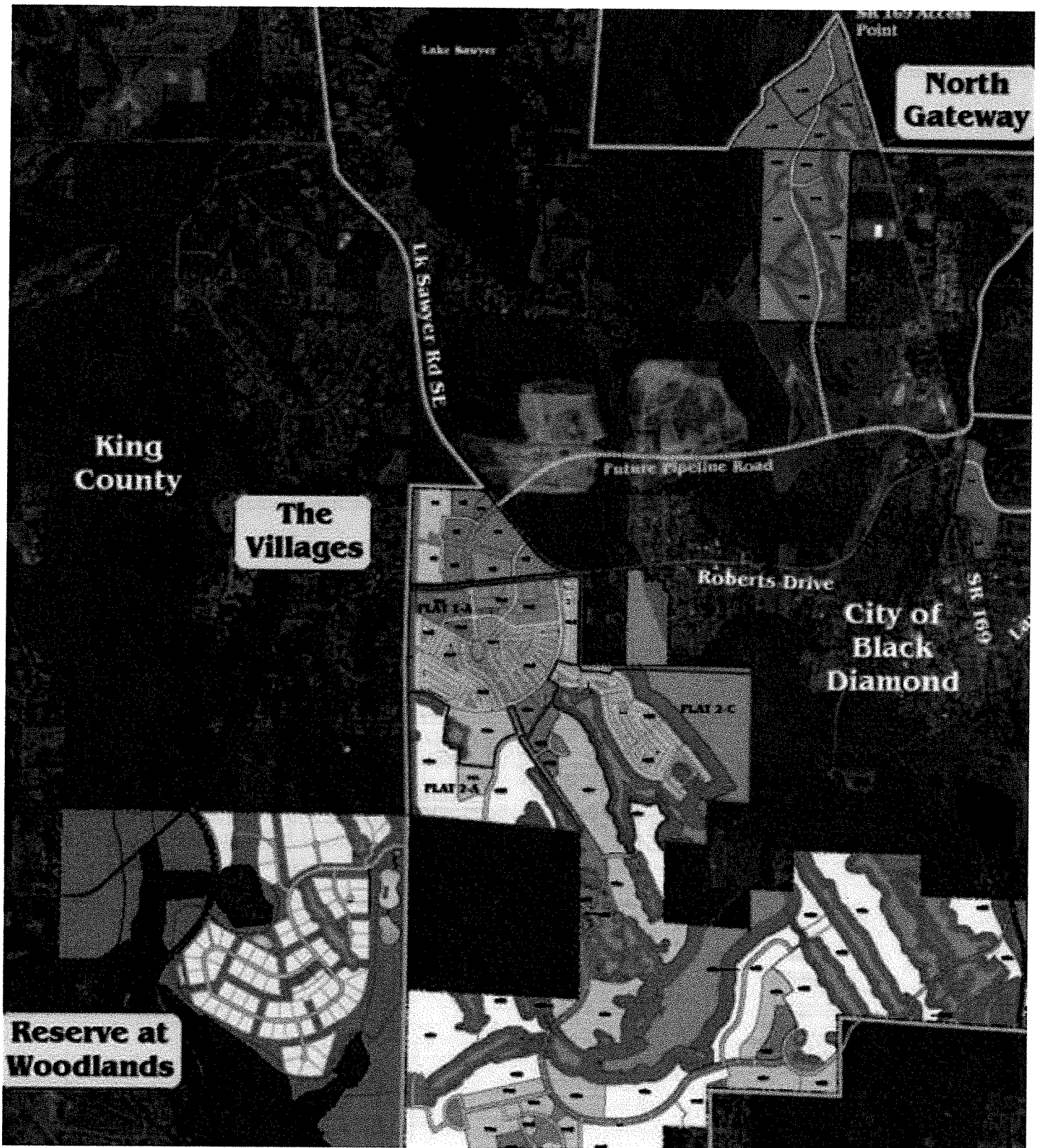
For your June 9 meeting you received a memo from Traffic Engineer William Popp as input to your Comprehensive Planning process. The memo was commissioned by Save Black Diamond after on-going review of traffic reports and plans from 2009 through the latest Ten Trails Preliminary Plats in 2020.

The memo focuses on Lake Sawyer Road and 216th (along the northwest border of Black Diamond). The issue is that the Ten Trails buildout by 2035 sends enough traffic to warrant at least 3 lanes (a center turn lane) on Lake Sawyer Road and 5 lanes north of 292nd (the Lake Sawyer Store). This is based on the number of vehicles that are forecast by your Comp Plan's Land Use assumption in Chapter 2 that full build out of Ten Trails will add 6,000 units by 2035.

Lake Sawyer Road will be too full to turn on to and experience backups at rush hour. However, the city has no plan to expand the road. The city should act to reduce and address the future problem.

Next is the new issue of the hundreds of new dense houses, apartments, and commercial property that could be added with the new allowed MDR8-12 and Commercial on the Future Land Use Map.

These Land Use Map changes are along the Pipeline Road and the North Connector. The map below shows these future roads in yellow.



Pipeline Road is Necessary To Relieve Roberts Drive and 288th Going Back To Past Agreements on the Property
 The Black Diamond Urban Growth Area Agreement (BDUGAA) shows us that Palmer Coking Coal and the City knew the Pipeline Road was necessary when City limits were greatly expanded by hundreds to add what is now Ten Trails. The traffic from Ten Trails will clearly overwhelm Roberts Drive and 288th without the new east-west "Pipeline Road"

The excerpt from the BDUGAA is attached. The Ten Trails (Villages) Development Agreement requires:

"6.4.3 Pipeline Road

The design of Pipeline Road is to extend from Parcel C at the intersection of the Community Connector and Lake Sawyer Rd SE, easterly towards SR-169, intersecting SR-169 in the vicinity of Black Diamond-Ravensdale Rd, ... the preliminary design and alignment of the Pipeline Road shall be completed by the Master Developer and the right of way dedicated to the City prior to the City's approval of a building permit for the 1200th Dwelling Unit of The Villages MPD. **The Pipeline Road shall be constructed** by the Master Developer and open for traffic **prior to the earlier of: (i) City's approval of a building permit for the 1746th Dwelling Unit** of The Villages MPD; or (ii) when the Traffic Monitoring Plan (Exhibit "F") shows that construction is necessary to prevent a significantly adverse degradation of Level of Service on Roberts Drive.

The new potential re-zones would add dense development to the "Pipeline Road" area (Palmer Coking Coal parallel to Roberts Drive). which would send Traffic to Lake Sawyer Road. Already-full Lake Sawyer Road and Roberts Drive will become dangerous. People should be able to walk easily on Roberts Drive and it should remain a neighborhood street. The new Pipeline Road is needed by the Ten Trails 1746th Dwelling unit but there are 4500 units planned for Ten Trails.

There is also other development already coming. Recent changes allow everyone in town to add an ADU. Those Accessory Dwelling Units are potentially 1000 more houses (much of which will satisfy the need for lower income housing). As another example, we can see new development going on in the area of the Lake Sawyer store and also on Sr 169. These impacts do not appear to have been analyzed in the Comp Plan.

Given that there is not much time to study this issue this year, it would make sense to find ways to *reduce* potential development where the impacts (such as this traffic) have not been fully analyzed and development agreements are not already in place. That could make it so a whole new traffic analysis does not need to be paid for.

Thank you for your time, and please let me know if I can provide more information.

Kristen Bryant - 425-247-9619

**BLACK DIAMOND
URBAN GROWTH AREA AGREEMENT**

of
King County, Washington
and
City of Black Diamond, Washington
and
Palmer Coking Coal Company
and
Plum Creek Timber Company, Limited Partnership

6.5 **Water, Sewers and Roads.** The parties anticipate relying on a variety of funding sources and mechanisms to finance the planning, engineering and construction of water, sewer and road infrastructure to serve the East, West, South and Lake 12 Annexation Areas. The parties acknowledge that the City's existing infrastructure may not be able to serve future development without modifications to the existing system. The City's existing utility and transportation systems will likely need to be expanded and/or upgraded to serve the Potential Annexation Area and the properties already in the City adjacent to the Potential Annexation Areas that are owned by Palmer or Plum Creek. New, expanded and/or upgraded infrastructure to serve the Potential Annexation Area will be analyzed in the updates of the City's Comprehensive Plan and Water and Sewer Comprehensive Plans. The planning for this infrastructure will proceed on the schedule shown in Section 8.1. The City, with the assistance of the other parties, will seek federal, state, local government (County, City and utility districts) and public/private funding for the infrastructure planning, engineering and construction necessary to implement this Agreement. The parties anticipate that local improvement districts (LIDs) will be formed for these purposes. The City shall have the right, but not the obligation, to use LIDs as a funding mechanism. Where necessary and appropriate, the City agrees to form, or support the formation of, such LIDs. Plum Creek and Palmer agree to participate in such LIDs, and not to protest the formation of said LIDs, to the extent their properties are benefited, on a fair share basis, as provided in state law. Furthermore, Palmer shall convey to the City the necessary right of way for the east-west road ("Pipeline Road"). In such case Palmer shall be entitled to a credit for the fair market value of the conveyed right of way and any existing improvements utilized for the new roadway against any LID assessments on its property resulting from the construction of the Pipeline Road improvements. The value for the right of way, and the improvements, if any, shall be determined using the appraisal mechanism set forth in Sec. 4.2.2 provided, however, acquisition and valuation shall be as if under the threat of condemnation pursuant to state law. If an LID is not used as the funding mechanism, Palmer shall be entitled to a credit against other City charges to the extent authorized by State law.

6.6 **Open space within the Urban Development Areas.** Since the City, County and Plum Creek agree that the development potential of the unconstrained lands in the West and South Annexation areas should be maximized, it is agreed that the provisions made for open space under this Agreement fulfill all open space requirements for development of the Urban Development Areas in the West and South Annexation Areas. Developers and builders may, solely at their own discretion, provide additional open space for design or market reasons so long as they achieve the minimum densities in the residential areas. This section is not intended to be a limitation upon the City's right to exercise its authority to require the provision of parks, playfields, or other civic recreational amenities as part of the development permit process to the extent those requirements are consistent with the City's policies and regulations in place at the time a complete development permit application is submitted. If the UGA Open Space does not include sufficient park and recreation facilities to satisfy development standards, the City may require such park and recreation facilities in the Urban Development Areas.

Carina Thornquist

From: Marilyn Akutsu <marilynakutsu@yahoo.com>
Sent: Monday, July 6, 2020 3:10 PM
To: Barbara Kincaid
Subject: Fw: Reverse the 2019 Comp Plan Land Use Map Change

To whom it may concern,

I am in favor to reverse the 2019 Comp Plan Land Use Map Change. The 2019 map adds too much traffic to the surrounding area on Auburn Black Diamond and Kent Black Diamond roads to get to Black Diamond. We moved out here to get away from traffic and enjoy the natural forests. Ten Trails already has us paying for 7 schools. We are retired seniors with set incomes.

Please reverse the 2019 Comp Plan Land Use Map changes.

Best Regards,
Marilyn Akutsu

Carina Thornquist

From: Philip Acosta <philamatic@comcast.net>
Sent: Monday, July 6, 2020 3:31 PM
To: Barbara Kincaid
Subject: Public Comment 7/7/20

Commissioners

Myself and many other residents have worked tirelessly to see that the direction for our city is headed in such a way as to provide quality of life for ourselves and our loved ones. Many statements have been made and facts presented before you to demonstrate our concern of unprecedented development and its impact without proper advanced infrastructure.

Here tonight your looking at a Comp plan that will allow even more density without an actual physical hearing from your citizens. Is there really such urgency? I think not. I would hope that fortitude is shown here by our commissions and any recommendation to advance this plan would be tabled until we can return to an environment where all the data, facts and statements can be presented in a fair and incite full manner.

Philip N Acosta
Black Diamond

Sent from my iPhone

Carina Thornquist

From: Robert Brooks <hondaboy173@hotmail.com>
Sent: Saturday, July 4, 2020 8:34 AM
To: Barbara Kincaid; Carina Thornquist
Subject: Please ADD Me to The Hearing List

To Whom It May Concern,

I find it convenient the deadline for comment to the opposition's stance follows a holiday weekend and amongst a rise in pandemic numbers. This is a breach of trust from the council and commission moreover a violation of civilian and land owner rights.

Please see this as formal request to Reverse the 2019 Comp Plan Land Use Map Change. The 2019 map increases the load the roads, which are already struggling to be maintained . An increase of additional vehicle traffic has yet to be addressed, let alone long term plan for maintenance which will be necessary and costly.

Additionally, there is No Money for Schools. Ten Trails addition of 7 schools has already increased the strain on our community financially.

There has yet to be a Tax Analysis completed to adequately address the need for funding for police, fire, parks, and other impacts associated with City Hall. There simply isn't the funding and our community is already strained financially.

Simply, the 2019 Map contains far too much development for the City of Black Diamond's infrastructure to maintain, as well as far too much for this community support.

Robert Brooks
hondaboy173@hotmail.com
(253) 720-6942
34901 243rd Ave SE
Auburn, WA 98092

Carina Thornquist

From: M S <mrskstarr@gmail.com>
Sent: Sunday, July 12, 2020 10:05 PM
To: Planning Commission
Subject: Comp Plan Public Hearing

Dear Planning Commission,

"Reverse the 2019 Comp Plan Land Use Map Change."

- Keep our growth limited so that our neighborhoods are not overwhelmed with traffic jams and huge multi-lane highways.
- Black Diamond elementary is full!!!, and a proposal to add hundreds of houses and apartments without funding new schools is wrong.
- Don't ram these rezones through without a public review process that fully complies with State law and Black Diamond's ordinances.

Thank you,

Mary Starr

*Special Note: State law requires cities to meaningfully review comments on their Comprehensive Plans. Black Diamond Code Chapter 16 requires changes to the Comprehensive Plan to reflect the widely held values of the community. This is why **all** comments are so important.*

Carina Thornquist

From: Philip Acosta <philamatic@comcast.net>
Sent: Tuesday, July 14, 2020 1:33 PM
To: Barbara Kincaid
Subject: Public Comment to the Black Diamond Planning Commission and City Council on the Comprehensive Plan 2020 Update

To Barbara Kincaid and members of Planning Commission and City Council

Black Diamond does not control the roads and intersections outside our city limits. Of course, that does not mean citizens and our government can or should ignore the fact that we all use them.

The safety of the human lives of Black Diamond is a primary consideration when we are talking about roads. Like many people, my family and I use the intersection at SE 288th Street and State Highway 169 regularly. This is not in Black Diamond, it is just barely to the north and east of our city limit. There have been several serious collisions at 288th and SR169 over the last year. My granddaughter was injured at this intersection about 10 years ago.

Developer Oakpointe was required to commit to "improving" this intersection prior to building out their full development. This requirement kicks in after approximately 1,000 more units are built in Ten Trails. Sadly, the improvement is needed today as the delays at stop-controlled 288th are already in the "failing" level of service. This a clear example of how Black Diamond's planning and Comprehensive Plan can have requirements for roads that apply to benefit our citizens even outside the city limits. It is also an example of how difficult it is to make these requirements timely solve the problems created from additional traffic.

As Black Diamond grows, we will continue to rely on most of our families having a member who works outside of the city or even must travel through the intersection in question to get to school, such as Tahoma high school.

How much we grow and the type of land-use in our city is our choice. We have more than met our state "growth management act" target for growth. The addition of new dense residential and commercial will cause increased traffic on intersections like the one at 288 which will lead to increased safety problems. The proposed up-zones that exist in the Future Land-Use map of 2019 could make any fix for this and other intersections obsolete before they are even built. Note that washDoT currently has no budget or plan to improve the 288th and SR169 intersection in the next six years.

Please remove the potential zoning changes from the Future Land-Use Map in the Comprehensive Plan until all safety and cost issues are fully addressed.

Respectfully,
Philip N Acosta

Carina Thornquist

From: Bill Popp, Sr. <billsr@wmpoppassoc.com>
Sent: Tuesday, July 14, 2020 2:14 PM
To: Barbara Kincaid; Carina Thornquist
Subject: FW: Black Diamond Comprehensive Plan Amendment Public Hearing 2020

City of Black Diamond:

Below is a scanned copy of my comments given verbally at the July 7 Planning Commission Meeting. Please add this written copy to the Hearing Record.

I am a registered prof engr; started my career with a national pioneering transportation planning; transitioned to PSRC transportation planning division in senior management positions; then went to private sector conducting transportation planning studies for multiple Puget Sound Region jurisdictions including Bellevue, Redmond, Renton, Kent, Pierce County, Snohomish County, as well as other jurisdictions in this state.

I have submitted a memorandum report for the record that is more complete than these brief comments. That memo focuses on roadway sections along Lake Sawyer Road and 216th Ave SE although there may be other roadway sections that warrant review as well.

To summarize, **the Roadway plan per Transportation Element of the City's Comp Plan is insufficient to accommodate the latest travel demand forecast as depicted in Figure 7-7 which is entitled "2035 Peak Hour Traffic Volumes & Roadway Network".** All the recommended capacity improvements along the existing roadways have a controlled intersection focus – there is no treatment of the roadway sections between these stop sign or signal controlled intersections. At certain levels of major road traffic, side streets and driveways will have great difficulty safely entering the roadway. Those levels of excessive major street traffic are evident on the west side of the City. **The Ten Trails Developer Agreement Section 6.2 establishes 600 vph per lane as the threshold for adequate capacity of a single lane and thus a two lane roadway would have 1200 vph as its adequate capacity.**

The 2035 volumes shown on Figure 7-7 would require the following road sections between intersections:

216th Ave SE has 3100 vph – same as SR 169 approaching Renton which is a 5 to 7 lane section.

Requires 5 to 7 lane sections for adequate access for side street and driveway traffic. Unresolved problem for City of Maple Valley as well as Black Diamond as the lack of capacity will force traffic over to SR169 through Black Diamond roadways.

Lake Sawyer Rd volumes range from 1800 to 1950. 3-lane section required

1

SE 288th St volumes in 1600 vph range – requires 3-lane section.

Given these issues, it would be contrary to GMA requirements to approve further development in the absence of adequate transportation facilities. The Ten Trails MPD traffic is a major component of these new volumes and thus some caution in approvals at later stages is advised. The volumes derived from this DKS model represent a new chapter in the evolution of the City's Transportation Element of the Comp Plan and thus its relationship to the DA.

Transportation Planners and Engineers

14400 Bel-Red Rd, Ste 206

Bellevue, WA 98007

425-401-1030

www.wmpoppassoc.com

billsr@wmpoppassoc.com

Carina Thornquist

From: John Howells <johnhowells8501@gmail.com>
Sent: Monday, July 13, 2020 9:22 AM
To: Planning Commission
Subject: Stop the Growth

Dear Planning Commission,

"Reverse the 2019 Comp Plan Land Use Map Change."

- Keep our growth limited so that our neighborhoods are not overwhelmed with traffic jams and huge multi-lane highways.
- Black Diamond elementary is full, and a proposal to add hundreds of houses and apartments without funding new schools is wrong.
- Don't ram these rezones through without a public review process that fully complies with State law and Black Diamond's ordinances.

Thank you,

Sent from my iPhone

Carina Thornquist

From: Oleg Sergeev <olleser@gmail.com>
Sent: Monday, July 13, 2020 9:24 AM
To: Barbara Kincaid; Planning Commission
Subject: Comp Plan Public Hearing

Dear Planning Commission,

Reverse the 2019 Comp Plan Land Use Map Change.

- Please keep our growth limited so that our neighborhoods are not overwhelmed with traffic jams and huge multi-lane highways.
- Black Diamond elementary is full, and a proposal to add hundreds of houses and apartments **without developer funding for new schools** is wrong.
- Don't ram these rezones through without a public review process that fully complies with State law and Black Diamond's ordinances.
- Any new rezoning can be done only after we see the full impact of current development. Until then we need to halt any new big developments in Black Diamond

Thank you

--
Oleg Sergeev
32142 Nrecaste Dr
Skype *oleg-sergeev*
email: Olleser@gmail.com
phone: +12065044555

Carina Thornquist

From: Weston butt <westonbutt@hotmail.com>
Sent: Friday, July 10, 2020 5:08 AM
To: Barbara Kincaid
Subject: Planning commission
Attachments: planning commission.docx

I haven't had the opportunity to talk at any of our meetings and I am the topic of a lot of people's comments. I wrote up a small write up to give some background to myself and the property. Could this be sent out to the commissioners or included in the public comments?

Weston

To planning commission.

I joined the planning commission because I was born and raised in Black Diamond and my kids were born in Black Diamond and I plan on raising them in Black Diamond as well. I wanted to be involved in making sure Ten Trails and our city is developed the way the best way possible. I also want to make sure Ten trails is held accountable to their agreements on traffic, schools and all their other commitments to the city.

I wanted to give some context to the rezoning of the property I am a partner in along highway 169. The property was formerly always zoned commercial along with all the neighboring properties along 169. In the mid 2000's the owners of the property were approached by Nestle water to build a bottled water plant on their property. At that point the city council approved a rezoning to business/Industrial park to accommodate the factory. Nestle started to work on putting in a bottled water plant. There was a large city uproar against this and then the subsequent economic downturn happened, and the project was shelved.

City staff recommended the zoning of the property be changed back to its original zoning. I did not attend and planning commission meetings or city council meetings when the rezoning was talked about and did not lobby for it in any way. I only applied for the planning commission after the comp plan update had been voted on by planning commission. I was unaware that the zoning map and the comp plan map weren't changed at the same time and I had no idea that we would even be discussing anything that pertained to any property I have an ownership stake in.

I will recuse myself on any votes pertaining to my property and I do not want to try to influence anyone one any which way. I just thought I should give everyone some background on myself and the property

Here is the community commercial zoning definition from the comp plan from the previous comp plan.

Community Commercial (CC) Larger, community-scale centers outside of the Town Center are intended to meet the community's growing needs, serve the needs of the surrounding area, and accommodate commercial uses that require larger sites, involve significant areas of outdoor product display or storage, or are oriented to the needs of the motoring public. Community Commercial areas will allow retail, restaurants, motels/inns, professional offices, entertainment and cultural uses, public and semi-public uses. Community Commercial areas may also include land-intensive commercial activities such as automotive sales, lumberyards, and other activities that include outdoor product display and/or storage.

Community Commercial areas should be located along major arterial routes, such as SR 169 to serve the broader community with a wider range of goods and services. Access to the arterial should be limited to combine access points to commercial developments, preferable that being an intersecting public street. Interconnectivity for both vehicles and pedestrians should be provided between sites. Sufficient land within the City should be designated to allow for development of uses that provide significant employment opportunities and potential of sales tax generation.

Carina Thornquist

From: Helen Jacobson <helenannjacobson@yahoo.com>
Sent: Monday, July 13, 2020 11:13 AM
To: Barbara Kincaid
Subject: Please add my comments to public records

Dear Planning Commission,

Please do not include an additional 1000 homes and additional retail space in Black Diamond on top of the already approved 7000 additional homes.

- Please limit growth so that our neighborhoods are not overwhelmed with traffic jams and huge multi-lane highways.
- I am worried about the impact this development is going to have on the additional need for schools, fire and police and a larger city hall. As a retired teacher I can not pay any more in taxes and am going to have to sell my home on Lake Sawyer that I have lived in for 40 years.
- Please don't puyt these rezones through without a public review process that fully complies with State law and Black Diamond's ordinances.

Thank you

Helen Jacobson

30742 229th Pl SE

Black Diamond, Washington 98010

Carina Thornquist

From: Kelley Sauskojus <kelleysauskojus@outlook.com>
Sent: Monday, July 13, 2020 7:27 PM
To: Barbara Kincaid
Subject: Stop the ill advised over development of Black Diamond

Dear Planning Commission,

Below is a copy of the email I sent before your June Planning Commission meeting. Please consider these comments as you update the Comprehensive Plan for 2020.

Additional Comments:

It is good public policy, consistent with state and local law, to discuss all comments that relate to the Comprehensive Plan as you review the Preliminary Docket. Unfortunately, it is my understanding that comments sent early by people like myself are not part of your formal public hearing record for the 2020 Comp Plan update. No one should have to send a comment again to be "officially included." Please ask staff to include all comments in the Hearing record, even if they came to you prior to the formal public hearing notice on the Comprehensive Plan.

Second, even though I sent the comment below about the Comp Plan I have not received notice of Planning Commission meetings or the Public Hearing from the City. Please put yourself in my shoes and think of others who took the time to try to participate in our city's planning. We tried to send comments early so they would be easier to consider. Yet, our voice did not become part of the official Comp Plan Hearing record. I also was not provided an email notice of the official Public Hearing and Public Comment process, so I did not realize that I might need to send the comment again.

Third, please carefully consider again the thousands of dollars per year that taxpayers will be adding to their real estate tax bills to pay for 7 new schools for the on-going OakPointe and other infill development. Adding hundreds more housing units is simply going to result in school taxes that are too expensive for many households in Black Diamond. It's not fair to our school kids either, because schools don't get built overnight. I am not worrying about 1 or even 2 schools. The issue is we are already quadrupling Black Diamond to add 7 schools for Black Diamond and Enumclaw taxpayers to pay for. This is why the Future Land Use Map of the Comp Plan should remove dense residential development. We already have more than enough.

Fourth, please do not assume retail sales tax revenue from new commercial space will make up the gap. This has not worked in any city that I'm aware of. Cities that have undergone growth like Covington also have a higher sales tax rate. Our services are sufficient for our small town, but as we grow, will they suffer? Already we are looking at a tax increase for fire services. As you build more, you need more police, more road money, more public works. We don't want to be a city that paves over our wildlife habitat to bring in a car dealership or big box store. These won't solve our financial problems, and we should not assume they will.

My grandfather, Robert Eaton, lived in Black Diamond for over 50 years. He served as a Black Diamond Planning Commissioner, a Lake Sawyer Volunteer Marine Patrol Officer and one of the founding members of the Historical Society. He was very concerned about the health and longevity of the town. I have lived in Black Diamond since 1991 (over 29 years). I am a life time member of the historical society as well. I am very concerned about the impacts over development of the town I call home will have on the environment and the quality of life for the residents.

Thank you,
Kelley Sauskojus

On Sun, Jun 7, 2020 at 12:40 PM Kelley Sauskojus <kelleysauskojus@outlook.com> wrote:

Dear Planning Commission,

The Agenda for your June 9 meeting is to review annual changes to the Comprehensive Plan, but the June 9 packet excludes the most important changes.

Please update the Comprehensive Plan Preliminary Docket to:

- 1. Amend the City of Black Diamond Comprehensive Plan to adopt Capital Facility Plans for the Auburn, Enumclaw, Kent and Tahoma School Districts.**
- 2. Replace the Comprehensive Plan Future Land Use Map with the Map that previously controlled development since 2009. Or amend the map to remove MDR-8 (Medium Density Residential 8 to 12 units per acre) and Commercial and replace it with the current land use.**

The reasons for the above changes are:

Schools and School Capital Costs

The city should adopt maximum Developer School Impact Fees. The City's March 6 notice proposed an "emergency amendment to the City of Black Diamond Comprehensive Plan to adopt Capital Facility Plans for the Auburn, Enumclaw, Kent and Tahoma School Districts." Planning Commission action would allow the Council to adopt these developer fees, but no action has been taken.

Costs of future schools are adding up for residents, meaning our future tax burden per household is thousands of dollars more than it should be. Without these developer school impact fees, growth is not paying for growth and we are being asked to subsidize developers. We are also risking crowded schools for our kids.

Future Land Use Map

Replacing the 2019 Comprehensive Plan Future Land Use Map with the previous version from the 2009 Comp Plan will reduce *traffic congestion*. The 2019 Comp Plan Future Land Use Map has potential re-zoning that would add traffic, but there is no money to expand roads in and out of town. The best way to reduce congestion is to not add more cars in the first place.

This Map change will also protect our environment, preserve small town character, and help us coordinate with neighboring jurisdictions. The Puget Sound Regional Council said in February that Black Diamond should not change zoning in a way that increases future development. We are already zoned and approved for more than four times our growth targets set through the Growth Management Act. Such excess growth in the wrong place translates to expensive infrastructure burdens on the region and on local taxpayers.

Thank you for your time and consideration,
Kelley Sauskojus
Black Diamond