



**CITY OF BLACK DIAMOND
PLANNING COMMISSION
SPECIAL MEETING AGENDA**

December 17, 2019

25510 Lawson Street, Black Diamond, Washington

6:00 P.M. - CALL TO ORDER, FLAG SALUTE, & ROLL CALL

APPROVAL OF MINUTES:

- 1) Planning Commission Meeting of October 8, 2019**

PUBLIC COMMENTS:

PUBLIC HEARING: None

STUDY/WORK SESSION:

- 2) PC Rules and Procedures**
- 3) Discussion of Comprehensive Plan Land Use Designations and Zoning Districts**

UNFINISHED BUSINESS:

- 4) Recommendation for 2019 Annual Comp Plan Amendments**
- 5) Review of 10/8/2018 Public Hearing Comments**

COMMUNITY DEVELOPMENT DEPARTMENT REPORT:

PUBLIC COMMENTS:

ADJOURN



CITY OF BLACK DIAMOND
PLANNING COMMISSION MEETING MINUTES
October 8, 2019, 6:00 PM

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

Chairperson McCain called the meeting to order at 6:03 p.m.

Present: Commissioners: McCain, Butt, Ekberg, Olson, Ambur,
Excused: Jensen, LaConte
Staff: Barbara Kincaid, Community Development Director
Carina Thornquist, Deputy City Clerk

2) APPROVAL OF MINUTES

a. Regular meeting of Sept. 10, 2019

Commissioner Olson **Motioned** to approve the Sept. 10, 2019 minutes.

Seconded by Commissioner Butt. **Vote, Motion passed** 5-0.

Chairperson McCain reminded the citizens that the role of the Planning Commissioners is to be an advisory board to the City Council. They are not looking to make any decisions tonight; just to hear from the public. She informed the citizens that they have 3 minutes to speak to allow for everyone to have time at the podium.

3) PUBLIC COMMENT

Kristen Bryant – Bellevue spoke to Commission
Mike Fettig – Black Diamond spoke to Commission
Fred Mauerman – Black Diamond spoke to Commission
Gwen Vanbookich – Auburn spoke to Commission
Gary Davis – Black Diamond spoke to Commission
Elleisha Conces – Black Diamond spoke to Commission
Deanna Kinsky – Black Diamond spoke to Commission

4) PUBLIC HEARING

Public Hearing #1:

b) Preliminary Docket for 2019 Comprehensive Plan Amendments

Gil Bortleson from Auburn - member of TAT Technical Action Team. Thanked Commission for taking time to listen to the concerns of the citizens. TAT has focused on the MPD and the Comprehensive Plan. His interest in part goes back to the MPD hearings and listening to sense of input and how it relates to the Comp Plan and where gaps might exist based on hundreds of hours of testimony

going back about 10 years or so. He went over some of the highlights on his list. One comment from the TAT is establishing a central planning theme for the City for example, going back to the old comp plan and the Yarrow Bay them which was the Rural by Design concept which essentially has been deleted from the current Comp Plan. Some urban planners with theme-based cities have some real merits; it promotes for a more livable city, more sustainable, citizen input is recognized, and is generally more acceptable. Would like Commissioners to consider going back to the Rural by Design concept.

Michael England from Black Diamond - He has been going to council meetings for quite a while now. He says the growth of Black Diamond isn't looking very well because we are going to triple or four times the amount of people in one area and they can't even grow a tree in between the lots in Ten Trails which is ridiculous. And now the City of Black Diamond wants to start another complex and we aren't even done with the first one. In 1998 we rezoned and then in 2010 the people came out and said it was a bad idea, but it was already done so they couldn't stop it. So now all these people are back again saying the same thing, and he hopes that the Commissioners listen this time to what they have to say. He hopes that the City has learned from their mistakes and will listen to the people this time. He has been going to the council meetings for about 8 months and not once, have they listened to the people and what they have to say. He hopes that the Planning Commission will take all the comments from the citizens back to the City Council and advise them to listen to the citizens for once. Otherwise, he is moving out of Black Diamond along with a lot of other people that have verbalized their disapproval of the growth in the city. He went door to door, along with others, to obtain signatures from residents who couldn't be at the public hearing regarding their disapproval for the extreme growth of the community.

Tom Norling from Black Diamond – lives in town and works in Preston and is extremely bothered by the traffic. He drives through Issaquah every day and it takes 50 min. to go 20 miles. As he sees the extreme growth of the community, he sees what is yet to come for Black Diamond and it's frustrating. The traffic is just going to get worse as the building continues. He's been here since '96 and he misses the trees and the open space. He doesn't want to sit in traffic everyday just to go to work. Or even just up to Fred Meyer's at Four Corners, but that's what's going to happen if we don't think about it now.

Melody Mann from Black Diamond – She has a couple of concerns with traffic as others do. Especially on the 2 lane roads. They are becoming quite a mess. By looking at her map and then the zoning changes, if you add another 600 homes with zero lot line, we will have double the people in a smaller area. And if you figure there are 2 cars per household which most people do, not to mention an extra car if they have a teenager that drives, its going to be insane. She waited 25 cars to get out of her street to go around Lake Sawyer just to get here tonight.

Earlier today she had to wait for 25 cars to turn right onto Hwy 169 off Baker. The other concern is that someone needs to be in charge to oversee everything that's going on. No one seems to know if water availability is permitted or studied, checklist of things that have been met, etc. She has seen things that haven't been done the way they were supposed to be done, or completely done, and it really concerns her. She questioned if anybody has done a survey on the water availability to drink, or the sewer. Furthermore, she expressed that the roadways are bad enough now, what are they going to be like in the future. She brought a map (the old Yarrow Bay/Oak Pointe) of the old pipeline if anyone wants to see it. She doesn't know if this is the correct/current map; she just pulled it off the internet.

Kristen Bryant from Bellevue – she lives in Bellevue but grew up in Black Diamond so the City can't get rid of her that easily. Regarding the changes in the PC packets regarding the Comp Plan, there were several items that were removed but she will come back to that. She said there's a new item for the Oakpoint, an alternate connector road that's being added. It's one of the text changes which she said was the South Connector which is off the Lawson Hill Development side. Oakpoint sent a letter saying there may be a different alignment for that road. In the packet the map isn't shown, as far as where exactly that road is and a good idea of what the change is and where the road would come out on 169. She doesn't think it should go forward just on the basis that's in there now even though it's conceptual. She thinks it's really confusing since you can't fully consider if you really want that alternate in there without having the map in there. The other changes are missing text that was accidentally deleted earlier this year after the Council held a public hearing in April on the Comprehensive Plan and they approved it in May. Kristen showed up at the May 2nd meeting and pointed out that one of the policies was missing and it was different from the April version and she didn't know there had been any changes, so she expressed her confusion to the City Council. With knowing that, they discussed it briefly but didn't make an amendment, and then approved it anyway knowing there was a problem. Come to find out there were 20 other changes in the plan between the May 2nd approval. A group of citizens had to appeal that to the State Growth Management Hearings Board. She believes the only reasons that citizens are getting information on those missing and accidentally deleted information, is because they appealed. She asked that they don't make citizens go to that great length to get their input heard because it was a massive amount of work to find out what exactly changed in the plan and what got removed. There is only supposed to be one Comprehensive Plan Update per year by state law, the City is doing it twice because it made errors in May. She asked for 30 more seconds after the timer went off. The Future Land Use Map also was changed earlier this/last year and approval this year. But those changes that the Planning Commission had in the Comp Plan, that was approved in May, were never discussed by the Planning Commission. And you are being asked tonight to have another hearing tonight, after this one, on a zoning change

that's on a future land use map that the details have never been discussed, and she can send the Planning Commission the details.

Chairperson McCain and Director Kincaid reminded participants of protocol for the hearing.

Alan Gangl from Black Diamond – He thanked the Commissioners for volunteering their time and for their service. He said he took time today reviewing the King County Comp Plan and apologized for not reading the one for Black Diamond. He said King County had 7 points that they list which he will review but focusing mainly on one. Preserve the high quality of life in King County; spend money wisely to deliver services which is infrastructure; continue economic prosperity to promoting strong and diverse economy in KC presence; increase housing choices for all residence by permitting a wide variety of home styles by increasing housing opportunities for all residents in locations closer to jobs. That's the one that he wants to focus on since we don't have jobs in Black Diamond. If we are going to have high density housing, he personally feels it should be where the jobs are. Have it in the Kent valley, Auburn, Renton, etc. The other points of interest to ensure the necessary transportation facilities and services are available to service development at the time of occupancy; balance urban uses and environmental protection through careful site planning; and maximize development land while respecting natural resources.

Mike Heller from unincorporated Auburn – his concern is that King County has designated or wants this area to be a rural area. It seems like the City is going in the wrong direction in that regard with all these zoning changes. The level of development that we are allowing should not be.

Allison Oster from Seattle but has ties to Black Diamond – noticed that Black Diamond is trying to draw "outsiders" in, so therefore, they should listen to "the outsiders" concerns. She drives all over King County for work and she's concerned about traffic; traffic close to Black Diamond and flowing out of Black Diamond to the rest of the county. More traffic equals more carbon emissions from more cars, plus fewer trees since so many has been cut in the Ten Trails development. More development is more climate change and we often say, "Think globally, act globally" which is what she's trying to do. New people are coming to King County, there's no doubt about that. They should be moving to larger, already developed areas that have enough roads and transportation to accommodate them. Another question that she's had is Palmer Coking, who once ran the coal mines and gave Black Diamond its name, when they stopped mining, they sold their land holdings for development including the land in question for development tonight. The Washington Dept. of Ecology has already run at least 2 toxic cleanup projects for Palmer Coking sites; ID #'s 8660 and 4615. She wonders instead of reimbursing taxpayers for the thousands of dollars that they've spent to clean up the messes from Palmer Coking, instead they are

making more money and profit from selling their land for further development in which it seems the town does not want.

Peter Rimbo from Maple Valley – he said he is going to be far, far more than 3 minutes. The comments he submitted are 98% of those that were submitted. He signed up last so that hopefully he can go at the top of the list or he must wait an hour and a half to talk about the transportation which is extremely important. He leads the Citizens Technical Action Team and serves as Transportation Focal. The team has worked with the City on the 2015 Comp. Plan Update since April 2014 kick off meeting. At that meeting they held extensive discussions with subcontractor BergerABAM, the Mayor, City Council members, Andy and Seth. They also attended City Council workshops where they spoke with DKS Associates, the transportation contractor. For the past 5 ½ years they've been immersed in all aspects of the Comprehensive Plan Update. They've conducted in-depth research from most updates from state requirements elements including the natural environment element and parks and open space element which Mr. Bortleson spoke about earlier and Peter will talk about the transportation element, the most important element. Each state required element is comprised with corresponding Chapter and Appendix. The Chapters enumerate city Goals and Policies and the Appendices include State-required data, plans, schedules, financing, etc. In 2018 they reviewed the City's proposed Transportation Element according to the requirements of RCW 36.70A.070(6)(a), which calls for consistency with the land use element and inclusion of several sub elements. Their 103 pages of detailed comments on the Transportation Element – clearly the key part of the entire Update – addressed each sub element requirement and whether the city has met them to a sufficient degree. These, as included in the Department of Commerce checklist, along with the applicable State RCW with subparagraph designations are: Transportation Inventory, Levels of Service, Concurrency, Long-Term Forecasting, Future Needs, Long-Term Funding Plan, Intergovernmental Coordination, and Traffic-Demand Management. For the entire Transportation Element, both Chapter and Appendix, they found no changes from the April 2018 draft through the Planning Commission's August 2018 hearing and review, and the May 2019 Council's approval. All Public Comments were ignored including their extensive research and comments, including all the typos, misspellings, inconsistent and duplicative figure and table numbering's schemes and page numbering. In the City's execution of the State required Public Participation Plan, they ignored all Public Comments related to the Transportation Element. He continued by saying there are 9 proposed Amendments on the list for Chapter 7 – Transportation, and there are 6 proposed Amendments for Appendix 7 – Transportation, for the Planning Commission to consider. They are just too detailed and complex for him to discuss tonight. He said if they have any questions to contact him. He stated that the City Staff, City Council, and the Public respects them so please use them.

Rose Wentz from Black Diamond – she grew up in Woodinville and it takes an hour to get through town which is only about 2 miles long, and she would hate to see that happen to Black Diamond. She had to switch her job position to reduce commute time, but she still sits in traffic for over an hour each direction which is miserable. She would like to see more of an appreciation of mature landscapes, like Issaquah has. They have old trees between apartment complexes, and we don't do that in the city of Black Diamond. She would also like to see more parks such as a dog park. She feels the City staff needs more staffing by looking at something that states we still have open positions. It seems the staff is overwhelmed and overloaded with all the development going on. She knows the staff means well but she stated that the City is hiring young persons out of college with psychology degrees and they aren't people who should be checking on permits. They just don't have those qualifications yet and the City shouldn't be putting them in that position. As a result of her doing research, she has noticed things like setbacks have been missed. There are SEPA exceptions that have been granted when they shouldn't have been. She stated the Dept. of Ecology has pointed that out to the City. She said the City needs to hire trained, knowledgeable and experienced people to fill those open positions that remain unfilled, and they were even budgeted for 2019. Ms. Wentz continued by saying she's not opposed to development, but it's too much too soon she felt. She said we're not even 10% done so let's wait till we're 50% - 7% done before the City moves for more development.

Chairperson McCain announced that they have come to the end of the list and there were 3 slots that were unfilled if there was anybody not on the list that would like to speak. If not, they would open it back up to previous speakers if they had more testimony.

Peter Rimbos from Maple Valley – he continued his testimony from Appendix 7 from the Comp Plan and the 6 proposed amendments which include Travel Forecasting, Funding Sources, Transportation Improvements, Transportation Concurrency, Level of Service, and Intergovernmental Coordination. They have a written testimony which tries to follow the format that Ms. Kincaid did in the preliminary docket. The TAT would request to allow for them to participate in workshops as previous City Councils have allowed them before. They request that Commissioners reserve judgement on the Preliminary Docket Amendments. Its good to recognize that the Comprehensive Plan reflects the publics view of the city and what they want for it in the future. That's the whole purpose of Comprehensive Planning. The Comprehensive Plan of King County is very important, and they follow it very well. It's what the citizens want in King County's rural area at least. Hopefully Black Diamond's Comprehensive Plan will reflect what our citizens want. There are good comments that were heard tonight and hopefully the Commissioners will listen to them. The decisions that are made in Black Diamond also affect the other county citizens because there will be another 20,000 people moving here with 10-12 thousand more cars will

be going on rural county roads that the county people primarily pay for because of the gas tax discrepancy at the state level.

Gil Bortleson from Auburn – he continued from his testimony as well as other members from the TAT. One suggestion would be to add policies to incorporate the use of Urban Separators. From a lot of feedback from the MPD Hearings, the people value their wildlife and would suggest adding a new chapter to the Comprehensive Plan entitled “Wildlife”. Another suggestion is a review of the 2009 Comprehensive Plan which showed many more potential trails and parks which he named and those don’t show up anywhere in the recent Comprehensive Plan. Another recommendation is to add a new policy to support the long-term monitoring of Lake Sawyer for phosphorous concentrations to the counties Lake Stewardship Program. Add a policy to promote the use of greenbelts and median roadway strips for aesthetic and stormwater control value. Add a goal to provide a greenbelt gateway along Hwy 169 at the north end of town; opportunity still exists since it’s not already paved over with concrete. Add policies that promote landscaping and setback features for new businesses along Hwy. 169. Add land use policies encouraging landowners to retain forest lands (3 min. timer went off) such as the one which is off Roberts Drive that was put Public Benefit Rating System which will be there forever. Point is to encourage other landowners to do the same. Add a policy for urban serving facilities or main urban growth areas. There are proposals to put stormwater ponds and schools on outside of urban growth areas and they make ideal sites for walking paths around the ponds.

Commissioner Olson **motioned** to close the Public Hearing, **Second** by Commissioner Ambur. **Vote, Motion passed 5-0.**

Public Hearing #2:

a) Proposed Zoning Map Amendments (Public Hearing #2)

Gil Bortleson from Auburn – touched on the light industrial and business park zoning is where it should be in a flat area. Part of the vision statement is to incorporate an economic mix which includes light weight and industrial. If it were to move anywhere else, there is no other place, so there should not be a rezone to be considered, if you want to consider the economic pace. Another point is, “the plate is full” here in Black Diamond and we don’t need any more growth currently. The city is not prepared right now with basic needs such as fire, schools, and traffic so the recommendation is that the up zone should not be approved.

Gary Davis from Black Diamond – he spoke regarding not doing public notification of potential conflicts of interest. Concerned that one of the planning commissioners made an application in 2017 and he became a commissioner in

2018, and additional applications done in 2019. The public needs to be kept aware about it.

Susan Harvey from Ravensdale – currently is chair of the transportation committee of the Greater Maple Valley unincorporated area council and a chair of a united group of area councils that try to represent the rural areas. After hearing what the City is trying to do, it's beyond the public's authority to have any impact on what the City does. And the more you learn about the power of King County, the more you learn it's beyond their power. The City is a unit and they have been designated to grow, and the City is within the Urban Growth Area and anything within those boundaries can grow. The City can rezone and do what they want. The rural people can't say anything about it; they just have to endure it. And as the public has learned, King County doesn't have that power. So, when the public is concerned about keeping the rural area rural, we've become a City so that's not going to happen in realistic terms. So, the rural area must try to support and protect itself. Regarding Yarrow Bay/Oak Point, the City represents the public, not the property owner. The City must ask themselves if they have adequate infrastructure to support their growth decisions and can they guarantee the citizens of Black Diamond that their taxes won't go up for the benefit of the few. And can you guarantee that with their recommendation that they can protect the wildlife, school funding, and quality of life that the citizens have entrusted them with. Please consider carefully since it's not just a zoning decision, it's a holistic decision.

Fred Mauerman from Black Diamond – he has been in construction for 20 years and he has witnessed differences between responsible growth based on maintaining the “flavor” of a community and those that develop for maximizing profits for their developers to the detriment of the community. Growth must happen but it's us how we choose how to grow; “flavor” of the community or look for the next financial opportunity. Removing the light industrial zones around our City Center, in favor of densified residential zones is just a grab for development income.

Renee Mix from Black Diamond – she stated King County gave Black Diamond a high number of houses (1,900) for their growth target which the City has already exceeded that number with 6,000 homes in Ten Trails. The impact on the county roads will add a tremendous amount of traffic. Once our small-town way of life is gone, we can never get it back.

Robin Buxton from Covington – speaking about the 2040 Plan and the rezoning request for approximately 150 acres within the City and annexation limits bordering portions of Lake Sawyer Road and to Hwy. 169. Her two issues are quality of life and the environment in which we live. Black Diamond is mostly surrounded by mostly rural areas and growth within this city should be gradual and limited in scope. Ms. Buxton read off the numbers for projection growth.

The current number of households' way exceeds even the numbers that were projected for 2040 with most of the growth being Ten Trails and Lawson Hills. She states there's only 1 reason that this is a good idea and that would be those who stand to profit from the growth. Since the PCC property is already zoned as light industrial, the property owner could find ways to use the property without changing the zoning designation. If the zoning is changed to allow this area to be developed, the traffic will be impacted greatly, and other side roads will be impacted as well with drivers trying to find alternate routes. King County has repeated numerous times that they have no funding and no plans to expand roadways in the Ten Trails area or any other developments in the area.

Melody Mann from Black Diamond – she thinks it's crazy to be adding things when you don't even know what the first thing is going to do. The other point she made is that the signage coming into town says, "Welcome to Historic Black Diamond", and nothing is historic anymore except the museum. She would like for the City to go backwards and make it more comforting with mining, trees, and nature, not just concrete and buildings everywhere. She thought Ten Trails was going to have a buffer of trees along the road, so she was disappointed with that when everything was cleared out. Watch what is happening with the first one before you decide to build more.

Kristen Bryant from Bellevue – she is still confused about the conflict of interest with Commissioner Butt and if the Commissioners came up with a decision while they were out in the hall? Ms. Bryant expressed her dislike for not receiving an answer to her question and wondered if the Commissioners had come up with a decision that the rest of the public didn't get to hear. Chairperson McCain explained that this is not a debate forum and that the Commissioners do not answer questions at this time. Ms. Bryant stated that she is making her testimony under objection with the presence of Commission Butt having an ownership stake in property that's being up zoned. Commissioner Butt stated that he is recusing himself from any vote regarding his property and they have never had any discussion on his property while he has been a Commissioner. He said his property is part of the Comprehensive Plan, however, but he was not on the Commission when the Comp Plan was made. Ms. Bryant reiterated her comments were still being stated under objection. She asked for more time since normally at Public Hearings they are given 5-6 minutes and Ms. McCain denied her request and advised her to continue since she is running out of time. There was further disagreement between the Chairperson, Ms. Bryant and the audience whether the debate to extend her speaking time was up for Commissioners to vote on or not. Commissioner Olson stated that no Commissioner has made a motion to allow her to extend her time, so she needs to be finished.

Elishia Conces from Black Diamond – she loves Black Diamond and the feel of it. She moved here because she is 10 minutes from her parents. She shared a story

of where her father grew up in South Central Los Angeles and she doesn't want to see the unfavorable lifestyle of LA come here to Black Diamond. She said we need to try and figure out how to grow and still maintain the core values that people love of Black Diamond. Additional families will require more schools, police, fire, and roads which will be paid for by the residents.

Bonnie England from Black Diamond – she said the deer will go somewhere else. She said she hopes the Planning Commissioners will listen because the City Council hasn't been.

Bill Bryant from Black Diamond – he stated that there is a problem with the rezone that the Commission needs to be aware of. Mr. Bryant said in 2015 that the City received a letter from Palmer Coking Cole (PCC) and the City chose to listen to this one citizen over the other numerous citizens comments and concerns. PCC was involved with the 1996 Comprehensive Plan which is the one that brought the great amount of development to the City and PCC made a lot of money from that deal. Mr. Bryant learned that there are requirements of how the City reviews Public Comments - Ordinance 14-1044. He stated that in 2015 there was no record that the City used the PCC letter when changing the Comprehensive Plan, but those changes showed up in the Future Land Use Map. Then they showed up in the new zoning map proposal. He didn't feel it was right that the City didn't share with the citizens what the City did with the public comments. He said if the law was followed, the citizens would know how and why this decision was made.

Cindy Ostermann from Black Diamond – she stated she had called and spoke with Barb Kincaid about the Agenda tonight, specifically the property of Palmer Coking Cole and she appreciated the time she spent explaining things on the phone. However, she said she is getting conflicting information tonight. Director Kincaid had assured her that PCC had no plans of developing their property and that's not what she's hearing tonight. She believes people have rights on how they can use their property, but on the other hand, Black Diamond has had way too much growth for the infrastructure and sophistication of the City Council, Planning Commission and the staff. She doesn't believe the City is in the position to approve an up zone. The City needs to work on the infrastructure first and delay any growth until we see what happens with Ten Trails.

Rose Wentz from Black Diamond – she stated she was premature in handing out her packet during the first hearing so she would like it to put into both hearings as written testimony. She discussed the conflict of interest with the property of Commissioner Butt and went over a timeline of when things took place. She said she heard that Commissioner Butt's wife may have a stake in PCC, and the citizens would need to know about that. So that's something that needs to be paid attention to by the Council and the Commissioners. Ms. Wentz also had concerns on school and traffic impact fees, stating future developers need to be paying their fair share of those fees. The City needs to have those fees in place

before there is any more up zoning. She feels the City just isn't ready and Oakpoint is not even 10% done and Lawson Hills and The Village haven't even been started on. The City should wait until they are at least 50-70% done before they even consider looking at any future growth.

Kathleen Mikos from Black Diamond – She states more development brings more cars and more people. Questions she has is there adequate protection from police department, are there adequate schools for the children, or is there enough water for the anticipated number of people? PCC will be the ones who will be gaining the most and the citizens of Black Diamond will be the ones losing. The traffic is horrible no matter when you travel; early in the morning or later after work.

Diane Rauschenberg from Enumclaw – The rural feel that once was here, is long gone. There needs to be growth, but it needs to be controlled and managed carefully. Once 50 or 100-year-old trees are gone, they won't be seen in her grandchildren's or their children's lives. The citizens need clean air, adequate safe water, open spaces, green spaces, and habitat for wildlife. The Ten Trails has brought too much traffic congestion to local roadways and surrounding areas. She thinks we need to see what this development will do to this community before adding any more.

Allison Oster from Seattle – She encouraged citizens to run for office as 2 of the 3 positions are running unopposed. Either for City Council or Planning Commission because that's the only way things will change if you don't like what's going on or if you think they won't listen to citizen's concerns.

Dan Palmer from Black Diamond – He is concerned with the pollution and need to think about people's health. He was a part of the Citizen's Advisory Group when the 1st Comprehensive Plan was put together. He said companies like PCC were more than happy to switch from Resource Land to Development Land because of all the money they would make from doing that. He remembers having visionary meetings back in the 1980's and everyone wanted to keep Black Diamond small with the small-town feel, and that's not what has taken place. and remembers reading an article which got National recognition on their design to detail about the Master Plan to keep the architecture to fit in with the historic town and he was extremely pleased with this info. But that's not what has taken place. He's extremely displeased with the designs/architecture of the homes as they do not fit in with the historic community.

Commissioner Olson **motioned** to close the Public Hearing, **Second** by Commissioner Butt. **Vote**, Motion **passed 5-0**.

5) STUDY/WORK SESSION - none

6) **UNFINISHED BUSINESS** - none

7) **COMMUNITY DEVELOPMENT DEPARTMENT REPORT** – Director Kincaid announced the term for position of Planning Commissioner #2 is up December 31, 2019 and will advertise that opening shortly. Also, vacant position of Code Compliance Officer/Building Inspector has been posted. Announced that the next Planning Commission Meeting is on November 12, 2019 at 6:00 pm.

8) **PUBLIC COMMENTS**

Peter Rimbos from Maple Valley spoke to Commissioners.
Nathan Kitzkey from Black Diamond spoke to Commissioners.
Robin Buxton from Black Diamond spoke to Commissioners.
Kristen Bryant from Bellevue spoke to Commissioners.

9) **ADJOURN**

Commissioner Olson **motioned** to adjourn, **Second** by Commissioner Ambur.
Vote, Motion **passed** 5-0.

THE MEETING ADJOURNED AT 8:38 PM

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

ATTEST:

Pam McCain, Chairperson

Planning Commission Secretary

RULES AND PROCEDURES OF THE CITY OF BLACK DIAMOND PLANNING COMMISSION

The following Rules and Procedures are adopted by the City of Black Diamond Planning Commission to facilitate the performance of its duties and functions as empowered in Chapter 2.24, Black Diamond Municipal Code.

Section 1. Meetings

- A. Regular meetings. The Planning Commission meets regularly on the first Tuesday evening following a regularly scheduled City Council meeting, commencing at 6:00 p.m. in the City Council Chambers. Regular City Council meetings are held on the first and third Thursday of each month.
- B. Special meetings. The Planning Commission shall meet for special meetings at the call of the Chair or by majority vote of the Commission. A minimum of 24 hours notice shall be provided to each Commission member and the public for special meetings.
- C. Cancellation. If no matters over which the Planning Commission has jurisdiction are pending upon its calendar, a meeting may be canceled at the notice of the Chair or Secretary provided at least 24 hours in advance. A majority vote of the Commission may also result in cancellation of a meeting.
- D. Open Meeting Requirements and Notification. The open meeting requirements of State law (RCW 42.30) shall apply to all Planning Commission meetings. Notification procedures shall follow the requirements of applicable sections of Black Diamond Municipal Code or standard City practice as established by the City Clerk.

Special meetings shall be noticed by: a) delivering written notice personally by mail, fax or by electronic mail at least 24 hours in advance to Planning Commission members; b) delivering written notice personally by mail, fax or electronic mail at least 24 hours in advance to the official City newspaper and also to each media publication and individual which has filed a written request with the City to be notified of Planning Commission meetings and c) posting the notice on the City's website.

- E. Record. All public hearing procedures shall be recorded. This record will normally be an audio recording by means of electronic equipment. Recording of work/study sessions is not required.
- F. Minutes. The Community Development Department staff will prepare written minutes of all meetings that includes pertinent information, motions, decisions made, and actions and votes taken.

Section 2. Officers

- A. The Planning Commission shall have a Chair, Vice-Chair and any other such officer as the Commission may, by majority vote, approve. Officers shall be elected by majority vote of present Commission members.
- B. Temporary Chair. If both the Chair and Vice Chair are absent from a meeting, the Planning Commission shall, by a majority vote of those members present, elect a temporary Chair for that meeting.
- C. Election. The election of officers shall occur annually at a regularly scheduled meeting in the month of January. The term of office of each officer shall run until the subsequent election.
- D. Vacancies. A vacancy of the office of the Chair caused by his or her resignation shall be filled by the Vice-Chair. A vacancy of the office of Vice-Chair or any other office of the Planning Commission shall be replaced by majority vote of the Planning Commission at the next regular scheduled meeting after the vacancy occurs.
- E. Duties of Officers. The duties and powers of the Chair and Vice Chair shall be as follows; the duties and powers of any other officer shall be as defined by the Commission at the time the position is created.

Chair:

- a. To preside at all meetings of the Planning Commission.
- b. To call special meetings of the Planning Commission.
- c. To sign documents on behalf of the Planning Commission.
- d. To appoint Planning Commission members to serve on other City committees, advisory groups and task forces when requested to do so by the City Council.
- e. To create temporary committees of one or more members.
- f. The Chair shall be considered as a member of the Commission and have full right to have his/her own vote recorded in all deliberations. Unless otherwise stated, the Chair's vote shall be considered to be affirmative for the motion.

Vice-Chair: During the absence of the Chair or upon request of the Chair, the Vice-Chair shall exercise all the duties and be subject to all the responsibilities of the Chair.

City Council Liaison: The Chair shall act as a liaison between the Planning Commission and the City Council and other City entities. The Chair may appoint an alternate liaison as needed.

Section 3. Secretary

The Community Development Director or his/her appointee, shall act as the Secretary of the Planning Commission and shall keep and retain a record of all meetings of the Commission and its committees.

Section 4. Quorum

A simple majority of the appointed members shall constitute a quorum for the transaction of business. A quorum must be in attendance in order to conduct a meeting, to transact any business or to render a recommendation. Every motion of the Planning Commission requires approval of a majority of the Planning Commission members present to pass.

Section 5. Absence of Members

In the event of a member being absent for three (3) consecutive regular meetings, or being absent from 25% of the regular meetings during any calendar year, without being excused by the Chair, the Commission may request the Mayor to ask for his or her resignation. To be excused from a meeting, members must inform the Chair or Secretary in advance of a scheduled meeting or by the end of the next business day following the meeting.

Section 6. Vacancies

Should any vacancy occur among the membership of the Planning Commission by reason of death, resignation, disability, or otherwise, the Secretary shall immediately notify the City Clerk and request the Mayor to appoint a replacement at the earliest possible time.

Section 7. Disqualification

No member of the Planning Commission should participate in any discussion or vote on any matter in which the member has a direct 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.

Section 8. Conduct of meetings

- A. General. The Chair has broad authority over all matters regarding the conduct of meetings. He/she shall exercise this authority to promote the fullest possible presentation of information and discussion of matters before the Commission, while permitting the orderly and timely completion of Planning Commission business.

- B. Use of Roberts Rules of Order. The Planning Commission may refer to the applicable provisions of Roberts Rules of Order for guidance for items not addressed by these Rules and Procedures.
- C. Executive sessions. Executive sessions can only be held in accordance with the State Open Public Meetings Act.
- D. Public comment. On specific agenda items, other than public hearings, the Chair may allow comments from the audience with the consent of the Commission. Audience members must be recognized by the Chair in order to speak.

Section 9. Order of Business

An agenda shall be prepared by the Secretary for each meeting and will generally consist of the following order of business:

- A. Call to order/roll call/establishment of quorum
- B. Approval of minutes of previous meetings
- C. Public comment on any topic that is not the subject of a public hearing to be considered on the agenda. The Chair may limit comment to no more than 3 minutes per speaker and no more than three speakers on any one topic.
- D. Public hearings.
- E. Study/work sessions.
- F. Unfinished business.
- G. Report of the Community Development Department.
- H. Public comments from the audience, limited to 3 minutes per speaker.
- I. Adjournment.

The order of business may be changed or amended during the meeting by the Chair with the consent of the majority of Commission members present.

Section 10. Rules of Procedures for Public Hearings

Periodically, the Planning Commission conducts public hearings on various issues as required by ordinance. The following procedures shall be used for conducting all public hearings:

- A. The Chair shall declare the Public Hearing open and ask for a staff presentation.
- B. Staff shall provide a presentation of the matter under consideration.
- C. Individual Commission members may ask clarifying questions of staff.
- D. The Chair shall then call for public testimony, either for or against. Testimony must be called for three times. The Chair retains the right to establish a time limit on the length of individual testimony.
- E. Written comments may be submitted to the Community Development Department by noon of the day of the hearing or to the Chair during the hearing. These comments will become part of the official record and shall be considered by the Commission in its action.
- F. The purpose of public testimony is to provide comments to the Commission, not ask questions of staff. All members of the public shall address the Commission.

- Staff will only respond to inquiries if asked to do so by the Chair. Commission members may question a speaker on any matter related to his/her comments.
- G. At the discretion of the Chair, individuals may be allowed to speak more than once, time permitting.
 - H. Based upon the testimony, the Commission may ask questions of staff.
 - I. Chair closes the public hearing. The hearing may be reopened by motion to accept additional testimony.
 - J. The Commission shall then consider all the information presented and deliberate on the matter. Clarifying and procedural questions may be asked of staff, but public comment is not allowed unless the hearing is reopened per (I) above.
 - K. After continuation, the Commission may:
 - 1. Make a recommendation to the City Council by motion and approval of a majority of those member present; or
 - 2. Leave the written record open for a specified time period; or
 - 3. Continue the hearing to a time and date certain. At that time, the Commission may consider whether to allow additional public testimony.
 - L. For any non-legislative matter, the Commission shall make Findings and Conclusions that support its recommendation.

Section 13. Communications as Planning Commission members.

The Planning Commission serves in an advisory role to the City Council and makes decisions in the form of recommendations to the Council. All Commission recommendations are forwarded to the Council for its consideration, whether a recommendation to approve or deny.

In communicating with the City Council or members of the public, Commission members need to clarify whether they are speaking as individual citizens or as a member of the Commission. If speaking as a member of the Commission, only the official, voted recommendation of the Commission should be discussed, provided that, a member can speak on behalf of a minority opinion for which the Commission has agreed it may be officially communicated.

Section 12. Amending the Rules of Procedure

The rules of procedure may be amended at any regular meeting of the Planning Commission by a majority vote of the appointed members.

Section 13. Validity

If any portion of these rules and procedures are found to be invalid, that part or parts will not invalidate the remainder of the rules.

INITIALLY ADOPTED by the Planning Commission March 10, 2009.
AMENDED FEBRUARY 21, 2012.

Chair

Vice-Chair

Attest:

Steve Pilcher, Community Development Director

COMPREHENSIVE PLAN LAND USE DESIGNATIONS

Residential Goals and Policies	DESIGNATION	USES	DENSITY	NOTES	IMPLEMENTING ZONING DISTRICTS
	Low Density Residential (LDR)	Single family residential	4 du/acre up to 6 du/acre	An approved MPD must use TDRs to increase density	Residential 4 (R4) Residential 6 (R6)
	Medium Density Residential (MDR)	Single family detached, attached single and multi-family residential	8 du/acre up to 12 du/acre	12 du/acre may only be achieved with TDRs MDR should be located near commercial services, employment, and arterial roads	Medium Density Residential 8 (MDR8)
	<p>LU Goal 7: Protect and enhance the viability, livability, and affordability of residential neighborhoods while integrating multifamily development and higher residential densities where appropriate.</p> <p><input type="checkbox"/>Policy LU-28: Promote a variety of housing types to provide homes for all income levels and all family sizes on a mix of small and large lots.</p> <p><input type="checkbox"/>Policy LU-29: Residential development patterns must allow for efficient provision of public services and utilities.</p> <p><input type="checkbox"/>Policy LU-30: Promote developments to achieve maximum zoned density through clustering to create compact new communities surrounded by open space.</p> <p><input type="checkbox"/>Policy LU-31: Allow multi-family residential in identified areas or when integrated as part of a MPD.</p> <p><input type="checkbox"/>Policy LU-32: Use the MPD process to review all proposals on sites larger than 80 acres.</p>				

	Industrial (I)	Manufacturing (indoor and outdoor), distribution, warehousing, mineral resource processing (mining)	N/A	Performance standards must protect nearby properties and environmentally sensitive areas; non-industrial uses will not be allowed to intrude except for those considered accessory to industrial enterprise	Industrial (I)
	Light Industrial/ Business Park (LI/BP)	Manufacturing and manufacturing-related businesses, R&D, advanced technology, light industrial, wholesale business, essential public facilities, large outdoor/indoor storage of materials and equipment, limited commercial/retail that support employees of immediate area; corporate and general offices	N/A	Allowed uses may not create significant hazards or negative impacts to community or natural environment; campus type setting	Business/Industrial Park (B/IP)

Industrial, Light Industrial, Business Park Goals and Policies	<p>LU Goal 8: Provide sufficient opportunities for industrial and business park development sites within the community.</p> <ul style="list-style-type: none"><input type="checkbox"/>Policy LU-33: Provide local employment opportunities that support the City as a sustainable community.<input type="checkbox"/>Policy LU-34: Create an aggressive economic development strategy, with the cooperation of the City, County and business and property owners.<input type="checkbox"/>Policy LU-35: Ensure that all Industrial, Light Industrial and Business Park development is consistent with all appropriate environmental standards.<input type="checkbox"/>Policy LU-36: Ensure that zoning regulations are sufficiently flexible to accommodate changing industrial needs.<input type="checkbox"/>Policy LU-37: Ensure that all Industrial, Light Industrial and Business Park development is functionally and aesthetically compatible with surrounding uses.<input type="checkbox"/>Policy LU-38: Recognize that Light Industrial and Business Park uses can be compatible with other less-intensive uses where appropriate performance standards are established.<input type="checkbox"/>Policy LU-39: Require Industrial/Light Industrial and Business Park areas to be functionally and aesthetically compatible with existing uses and to buffer impact generating uses from other uses, and site them carefully to minimize environmental impacts.<input type="checkbox"/>Policy LU-40: Within areas approved for mineral extraction, require site reclamation and restoration pursuant to state mining laws, local environmental, and land use regulations.<input type="checkbox"/>Policy LU-41: Protect industrial lands from encroachment by incompatible uses and development on adjacent lands. Proposed conversions of industrial and employment lands to non-employment lands should be discouraged unless there is no net loss of employment within the City.
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Commercial Goals and Policies	Town Center Commercial (TC)	Mixed use; residential, commercial, retail, service, office, restaurants	Not specified	Historic “Old Town” center; design standards to protect and enhance social and cultural heart of community and its character	Town Center (TC)
	Community Commercial (CC)	Retail, restaurants, motels/inns, offices, entertainment, cultural uses, public/semi-public uses, car sales, lumber yards, outdoor display and storage , residential	Not specified	Larger, community-scale centers, located along major arterial routes to serve broader community and surrounding areas	Community Commercial (CC)
	Neighborhood Commercial (NC)	Mixed use; residential, retail, restaurants, food stores, day care centers, dry cleaning, personal, medical, dental and similar services, small B&B's	B&B's up to eight units, residential density not specified, although site may not be larger than 10-acres	Limited, small neighborhood scale activities to serve neighborhoods and reduce vehicle trips	Neighborhood Commercial (NC)
	<p>LU Goal 9: Ensure that opportunities for convenient and concentrated commercial development are provided to support both the local and regional market.</p> <p>LU Goal 10: Encourage the concept of mixed-use development to create diverse and self-sufficient neighborhoods.</p> <p><input type="checkbox"/> Policy LU-42: Retain and enhance the existing commercial areas while providing sites large enough to accommodate significant commercial uses.</p> <p><input type="checkbox"/> Policy LU-43: Provide day-to-day retail goods and services within walking distance of most residential neighborhoods.</p> <p><input type="checkbox"/> Policy LU-44: Encourage well-planned, coordinated commercial development within the SR 169 area and discourage strip retail</p>				

	<p>development through the use of design standards.</p> <p><input type="checkbox"/>Policy LU-45: Prioritize funding of infrastructure and community enhancement projects in the Town Center to encourage redevelopment and investment in this area.</p> <p><input type="checkbox"/>Policy LU-46: The Town Center area shall be pedestrian oriented and include a mix of parks, residential, civic, retail, commercial, office, entertainment, services and hospitality services (inns and meeting centers).</p> <p><input type="checkbox"/>Policy LU-47: Parking in Community Commercial areas should be located to the sides and rear of buildings.</p> <p><input type="checkbox"/>Policy LU-48: Require cross-access between sites to reduce the number of driveways along arterial streets. Pedestrian connections between sites should also be provided.</p> <p><input type="checkbox"/>Policy LU-49: Promote a compatible mix of land uses that create a diversified environment that mixes shopping, employment, recreation, and residential opportunities where appropriate.</p> <p><input type="checkbox"/>Policy LU-49: Promote quality in the design and construction of development through the use of design guidelines to maintain or enhance community character.</p>				
Public Land Goals and Policies	Public (P)	Public utilities, parks, libraries, community centers, elementary schools	N/A	Identifies properties under public ownership; includes City's watershed	Public (PUB)
	<p>LU Goal 11: Ensure compatibility between land providing necessary services to the community and surrounding land uses.</p> <p><input type="checkbox"/>Policy LU-50: Public uses should respect the neighborhood and district context in which they are proposed by adherence to the City's design guidelines and zoning code.</p> <p><input type="checkbox"/>Policy LU-51: Public buildings and spaces should be designed to be compatible with Black Diamond's unique architectural heritage and qualities.</p>				

	<input type="checkbox"/> Policy LU-52: Public buildings and spaces should fulfill their role as gathering areas and community resources.				
MPD Goals and Policies	Master Planned Development (MPD) Overlay	Mix of residential & commercial uses clustered around open space	As approved in MPD zone, but “urban in nature”	Floats over LDR designation, clustering anticipated, subject to approved Development Agreement	Master Planned Development (MPD)
	<p>LU Goal 5: Provide for alternative, innovative forms of development that preserve open space and promote a balanced mix of housing, employment, civic and recreational activities.</p> <p><input type="checkbox"/>Policy LU-19: Provide significant opportunities for public involvement when considering an MPD proposal</p> <p><input type="checkbox"/>Policy LU-20: Require innovative site design and use of progressive techniques to provide for environmentally sustainable development. This will include the use of “low impact” engineering techniques and the employment of “green infrastructure and construction” as feasible.</p>				



CITY OF BLACK DIAMOND

Interoffice Memorandum

TO: BLACK DIAMOND CITY COUNCIL

FROM: PAM MCCAIN, CHAIR, CITY OF BLACK DIAMOND PLANNING COMMISSION
BARB KINCAID, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: STATUS AND RECOMMENDATION FOR 2019 ANNUAL COMPREHENSIVE PLAN AMENDMENT
DOCKET

DATE: DECEMBER 17, 2019

The Planning Commission began work on preparing a preliminary docket for the 2019 annual amendments to the City's Comprehensive Plan. This work began quite late in the year due to the untimely completion of the long overdue Comprehensive Plan update, which was completed in May.

A public hearing was held on the Preliminary Docket and many people attended and provided comments. The attached matrix is a summary of those comments with responses from the Community Development Director.

Comprehensive Plan amendments may be initiated by any interested person, including citizens, hearing examiners, staff, other agencies, Planning Commission and City Council Members. Proposals for Comprehensive Plan Amendments must be submitted by March 1st of the current calendar year.

Based on the late start, the public interest in this process, and a sense that it would be too much of a rush to work through issues raised by the public and adopt amendments for this year, the Planning Commission is transmitting its work and this memo as a status report.

The Planning Commission intends to roll the 2019 Preliminary Docket items into its recommendation for the Preliminary 2020 Comprehensive Plan Amendment Docket for your consideration.

Sincerely,

ATTEST:


Pam McCain, Chairperson

1	COMMENTOR	STAFF SUMMARY OF COMMENTS	STAFF RESPONSE	STAFF RECOMMENDATION
	TAT Comments on Transportation Appendix from the September 30, 2019 “Proposed Amendments for the 2019 Docket”	<ul style="list-style-type: none">Travel Forecasts not consistent with RCW 36.70A.070(6)(a)(iii)(E)Funding Sources/Funding Strategies are insufficient and do not comply with RCW 36.70A.070(6)(a)(iv)(A) and (C)Transportation Improvements recommendations are not consistent with RCW 36.70A.070(6)(a)(iv)(F)Transportation Concurrency section is not sufficient to address cumulative transportation infrastructure needs in a cost-effective and timely manner in accordance with RCW 36.70A.070(6)(b)Level of Service section does not adequately discuss regional coordination consistent with RCW 36.70A.070(6)(a)(iii)(B)Inter-Governmental Coordination under “Transportation Facilities and LOS Standards and Coordination” is insufficient and does not comply with RCW 36.70A.070(6)(a)(v)	City has submitted Comp Plan to Washington State Dept of Commerce and Puget Sound Regional Council (PSRC) for comment.	<p>The City hired reputable transportation consultants to develop Appendix 7. We have confidence in the work they performed.</p> <p>Input received on the Technical Transportation Appendix will not be considered for the 2019 Annual Comprehensive Plan Docket unless required by PSRC.</p>
2	TAT Comments on Transportation Element from the September 30, 2019 “Proposed Amendments for the 2019 Docket”	<ul style="list-style-type: none">Modify Policy T-4 Level of Service Standard to add back in the following from the 2009 Comprehensive Plan: “Adopt levels of service that reflect the preference of the community.”	The adoption of Levels of Service (LOS) standards must consider many things including the community vision. This specific language was removed because it sets a false expectation that LOS standards can be set based on what the community wants, and it is not as simple as that.	Staff does not recommend putting on the 2019 preliminary docket.
		<ul style="list-style-type: none">Modify Policy T-14 Character of the City to add back in the following from the 2009 Comprehensive Plan: “Discourage widening of SR 169 to a four or five lane facility thus creating a ‘thoroughfare’ that will tend to divide the City.”	<p>Policy T-1 addresses Roadway Design which includes “establishing a range of transportation standards and criteria to ensure roadways are designed in a manner that fits within the context of the built or natural environment, and consistent with the intended functional classification” as well as ensuring roadway designs are coordinated with King County, Washington State, and Federal Highways to achieve compatible design criteria.</p> <p>The 2009 statement is not particularly useful nor is it necessary when the reality is SR 169 in its current condition already creates a thoroughfare through the City. The City must be proactive in continuing to work with the state to improve SR 169 as the corridor develops. It might seem inconsistent for the Land Use Chapter to promote Community Commercial (CC) uses along the corridor without any intention of improving the roadway to handle the additional traffic. And we know the state has no intention of making SR 169 into a four or five lane facility.</p>	Staff does not recommend putting on the 2019 preliminary docket.
		<ul style="list-style-type: none">Modify Policy T-8 Transportation Demand Management to describe: (1) Existing and planned Transportation-Demand Management (TDM) strategies, such as HOV lanes, parking policies, etc.: RCW 36.70A.070(6) (a)(vi), WAC 365-196-430(2)(i) (2) A Commute-Trip Reduction (CTR) Plan to achieve reductions in the proportion of single occupant vehicle commute trips: RCW 70.94.527. [NOTE: Although the City has a “Commute Trip Reduction” section in Appendix 7 (p. 31), it does not describe a CTR Plan as called for in the RCWs, but simply lists potential elements of a typical CTR Plan.] (3) Add back in the following from the 2009 Comprehensive Plan: “Develop zoning and land use policies that promote land uses and development that are consistent	<p>(1) There are no existing or planned TDM strategies to describe. Given the fact that a TDM program is used to manage traffic impacts from larger employers or institutions, it is not deemed to be a high priority at this time.</p> <p>(2) The CTR Law requires employers to work with employees to reduce the number and length of drive-alone commute trips made to their worksite. The law targets worksite with 100 or more full-time employees who regularly commute during peak hours. Similar to the response regarding TDM strategies, this is not a high priority for the City at this time.</p> <p>(3) This language seems to imply a requirement for “development pays for development” but it is not very clear about intent. The Plan contains many</p>	Staff does not recommend putting on the 2019 preliminary docket.

	with the City’s goals and visions and which require new development to adequately provide for the transportation needs of that development.”	policies throughout the plan; land use, transportation, and capital facilities and utilities in particular that support the concept more succinctly.	
	<ul style="list-style-type: none"> Modify Policy T-19 Concurrency: “... The most significant adopted policy of meeting concurrency standards is accomplished by the two major MPD Development Agreements that require the developer to implement any and all of the capacity adding projects in the City’s comprehensive plan to maintain the City’s level of service standards.” by adding, immediately thereafter, the following: <i>“However, it is understood the MPD Development Agreements are exempted from both State and City concurrency laws and all ‘concurrency-related’ evaluations will be based on the MPD Traffic Monitoring Plans.”</i> 	That would not be an accurate statement. Development Agreements (DAs) are authorized in RCW 36.70B.170 where the state legislature finds that DAs the lack of certainty in the approval of a project is not beneficial and therefore a large project, upon government approval, may proceed in accordance with existing policies and regulations. The MPDs were not exempted from concurrency evaluations or the imposition of mitigation fees.	Staff does not recommend putting on the 2019 preliminary docket.
	<ul style="list-style-type: none"> Modify Policy T-20 Funding Sources to specifically identify stable and predictable funding sources for maintaining and preserving existing transportation facilities and services. 	Is there such a thing as a stable and predictable funding source for transportation facilities? If there are other funding sources to include here that we have missed, please provide them. This policy addresses maintenance and preservation of existing transportation facilities and services- not new infrastructure to support development. Staff is looking into the option to establish a street utility fund. But it is premature to propose this as a strategy at this time.	Staff does not recommend putting on the 2019 preliminary docket.
	<ul style="list-style-type: none"> Modify Policy T-21 Alternative Level of Service by eliminating: “Reduce the LOS standard for the system or portions of the system to give the City more time to fund the needed transportation improvements.” 	The concern seems to be around LOS standards being lowered to accommodate the Master Planned Developer. However, the DA is a contract between the City and Developer. It places the responsibility on the developer to build the needed improvements. The conditions cannot be changed without opening the contract. T-21 is written (consistent with GMA) to support the City when it is the funder of needed transportation improvements and we want to have the ability to use this flexible tool, if needed.	Staff does not recommend putting on the 2019 preliminary docket.
	<ul style="list-style-type: none"> Modify Policy T-22 Financial Impact Mitigation (fourth bullet): “Requiring developers at the beginning and mid-point of each phase of the MPD project to monitor traffic generation and distribution to determine if traffic impacts of MPD development are occurring as projected.” by adding, immediately thereafter, the following: <i>“Ensure improvements are constructed with MPD development in order to bring mitigation projects into service before the Level of Service is degraded below the City’s standards.”</i> 	The MPD DA is vested to past policies and regulations pursuant to RCW 36.70B.170. As written, T-22 is consistent with the DA which already contemplates improvements be developed and placed into service before further degrading LOS standards. Adding proposed language won’t change the requirements under the DA.	Staff does not recommend putting on the 2019 preliminary docket.
	<ul style="list-style-type: none"> Modify Policy T-24 Intergovernmental Agency Coordination: “Coordinate planning, construction, and operations of transportation facilities and projects with other governmental agencies.” by adding, immediately thereafter, the following: <i>“Develop a plan to avoid new or expanded facilities in rural areas.”</i> 	<p>This seems to be a suggestion for the City to develop an intergovernmental plan with King County for rural areas. The City would not be adding new or expanded facilities in rural areas without permission from King County because that would be outside our jurisdictional boundaries. I’m just not sure what the intent is here. However, PSRC, King County and all the neighboring jurisdictions have the ability to review and proposed changes.</p> <p>The City has submitted Comp Plan to Washington State Dept of Commerce and Puget Sound Regional Council (PSRC) for comment.</p>	Staff does not recommend putting on the 2019 preliminary docket.
	<ul style="list-style-type: none"> Modify Policy T-25 Multi-modal Coordination: “Coordinate planning and operation of efficient and varied means of transportation for the City of Black Diamond’s transportation system.” by adding, immediately thereafter, <i>identified needs for SR-169 consistent with the State Multimodal Transportation Plan (RCW 47.06.040).</i> 	The City has submitted Comp Plan to Washington State Dept of Commerce and Puget Sound Regional Council (PSRC) for comment.	Staff does not recommend putting on the 2019 preliminary docket.

3	Peter Rimbo Oct 8 Public Hearing(s) Testimony combined with other comments received	<ul style="list-style-type: none"> His input (which has been extensive review and participation in update process) had been ignored. 	Staff, PC and Council do consider all public input. Not including it does not mean it has been ignored.	Staff to consider additional language for assumptions in transportation appendix for the 2019 preliminary docket. Correction about WSDOT planning to widen SR169 has been placed on 2019 preliminary docket.
		<ul style="list-style-type: none"> There is discrepancy with language suggesting WSDOT is planning to widen SR169. 	This is already on the docket.	
		<ul style="list-style-type: none"> Would like to participate in City Council or Planning Commission workshops. 	Participation could be expanded to include a town hall or open house forum on a more regular basis.	
		<ul style="list-style-type: none"> Would like PC to reserve judgement on Preliminary Docket. 	The City is trying to get the annual amendments on track, and it is important to keep the process moving.	
		<ul style="list-style-type: none"> Hopes Comp Plan will reflect what citizens want. 	After 4 years of public meetings and outreach, the Comp Plan does reflect what the citizens want. Any person may propose a text amendment during the annual amendment process, if they feel it is necessary.	
		<ul style="list-style-type: none"> Need to add more details explaining assumptions (esp. Figure 7-7) 	Staff is looking at how to provide more information on assumptions.	
4	Dr. Gil Bortleson Oct 8 Public Hearing(s) Testimony combined with prior comments received	<ul style="list-style-type: none"> Need to establish central planning theme for City. The update removed Rural by Design references. "Theme-based cities promote livability and sustainability. Wants to go back to Rural by Design concept. 	This concept should be explored. "Rural by Design" and "Village with a View" were heavily discussed during the MDP process. Rural by Design has some very good design concepts that are useful and are in fact employed in the current Comp Plan. But it is not really the same thing as creating a theme for the City. If this is truly desired by the community, then it really needs to go through a public visioning process.	Staff does not recommend putting on the 2019 preliminary docket.
		<ul style="list-style-type: none"> Add a map figure to show all current and proposed parks, trails, recreations areas and open spaces and separate passive and active opens space areas to Chapter 3. 	Another good comment. The City is planning to update its parks plan in 2020. This item should be placed on the annual amendment docket after the park plan is adopted.	Staff does not recommend putting on the 2019 preliminary docket.
		<ul style="list-style-type: none"> New policy indicating the need to reserve land in advance for future active parks. 	Same comment as above. The park planning process will show areas that are not meeting LOS for parks which would be needed to identity future park locations.	Staff does not recommend putting on the 2019 preliminary docket.
		<ul style="list-style-type: none"> Add land use policies encouraging landowners to retain forest stands such as one that was put into Public Benefit Rating System which will be there forever - encourage property owners to do same. 	A landowner may apply to King County to be enrolled in the Public Benefit Rating System (PBRS). The process and qualifying criteria are set by the County (consistent with the State Dept. of Revenue). This is a good tool to preserve working farms and forests and well as open space. There are already several properties within the City that are enrolled. Some careful thought/study should be given before encouraging (promoting) this in the Comp Plan.	Staff does not recommend putting on the 2019 preliminary docket.
		<ul style="list-style-type: none"> Add policies to promote landscaping and setback features for new businesses along highway 169. 	The Comp Plan Land Use chapter designates the Gateway Corridor Overlay and includes a purpose statement for it. The overlay is implemented in Chapter 18.76 of the Black Diamond Municipal Code (BDMC). BDMC 18.76 includes requirements for design standards, landscaping and setbacks for development along SR 169.	Staff does not recommend putting on the 2019 preliminary docket.
		<ul style="list-style-type: none"> Add goal to provide greenbelt gateway along Highway 169 at north of town. 	Greenbelts are a good tool for retaining undeveloped open space surrounding or neighboring urban areas. This should be explored as a future work item for a comprehensive open space plan. It would make sense to work on this as we are updating the Parks Plan. We currently have regulations and easements in	Staff does not recommend putting on the 2019 preliminary docket.

		place to protect the aesthetic values and view shed along the SR 169 corridor. But a comprehensive planning effort could pull a bunch of disparate stuff together for cohesion.	
	<ul style="list-style-type: none"> Add policy to promote use of greenbelts and meridian strips for aesthetic and stormwater control value. 	See comment under greenbelt along SR 169. We currently have policies and regulations to promote “green infrastructure” for stormwater control.	Staff does not recommend putting on the 2019 preliminary docket.
	<ul style="list-style-type: none"> New policy to define the limited uses for passive open space. 	See comment under greenbelt along SR 169. The park plan update and potential open place plan would feed policies in Comp Plan for open space.	Staff does not recommend putting on the 2019 preliminary docket.
	<ul style="list-style-type: none"> Add policies to incorporate use of urban separators. 	See comment under greenbelt along SR 169. Another good tool to preserve open space, sensitive areas and connect wildlife corridors.	Staff does not recommend putting on the 2019 preliminary docket.
	<ul style="list-style-type: none"> New policy to provide wide urban separators between schools and rural neighbors. 	See comment under greenbelt along SR 169.	Staff does not recommend putting on the 2019 preliminary docket.
	<ul style="list-style-type: none"> Work with wildlife experts to identify and map wildlife corridors 	This exercise could be part of the scope for the Open Space plan.	Staff does not recommend putting on the 2019 preliminary docket.
	<ul style="list-style-type: none"> Add new chapter entitled “Wildlife”. 	This would be another good future work item. Many people have expressed concern about development pushing out wildlife in the City. Wildlife policies in the adopted Comp Plan are part of the Natural Environment Chapter.	Staff does not recommend putting on the 2019 preliminary docket.
	<ul style="list-style-type: none"> New policy to review SAO periodically. 	The Growth Management Act (GMA) requires periodic review and update of the SAO.	Staff does not recommend putting on the 2019 preliminary docket.
	<ul style="list-style-type: none"> New policies to provide incentives to use less water and development of recycled water. 	These items would need to be reviewed in tandem with the City’s Water System Comprehensive Plan and would also have to consider what type of incentives and impact of providing them, legally and financially.	Staff does not recommend putting on the 2019 preliminary docket.
	<ul style="list-style-type: none"> New policy to support continued long-term monitoring of Lake Sawyer for phosphorus through the County’s Lake Stewardship Program. 	The Lake Stewardship Program provides technical assistance to help <i>citizens</i> monitor, protect, manage and improve the quality of King County lakes. The City could potentially have a coordinating role educating citizens volunteering through the program. This would be something that needs further study before setting a policy. What would the City’s educational outreach look like? What resources would be needed?	Staff does not recommend putting on the 2019 preliminary docket.
	<ul style="list-style-type: none"> New policy that an urban reserve designation shall not occur unless 50 percent of the lands within can be identified as open space. 	The City does not have the authority to designate new urban reserve areas (UGAs or PAAs). This is done through King County’s Comp Plan and the County’s Growth Management Planning Council (GMPC) based on the analysis of land capacity to support growth projections.	Staff does not recommend putting on the 2019 preliminary docket.
	<ul style="list-style-type: none"> New policy for all urban-serving facilities to remain in the Urban Growth Area boundaries. 	Not sure what is meant by “urban-serving facilities”. The GMA does not allow for development requiring urban levels of service (water and sewer are examples) to locate outside of Urban Growth Area (UGA) boundaries. Also, the City does not have the authority to approve what occurs outside it’s incorporated boundaries. UGAs remain unincorporated until annexed into the City limits.	Staff does not recommend putting on the 2019 preliminary docket.
	<ul style="list-style-type: none"> New policy to encourage rear-building parking for commercial and retail buildings. 	This concept should be explored in more detail. The Gateway Overlay along SR 169 does not permit parking to be visible from the public right of way (BDMC 18.76.090). Expanding such a requirement to the design guidelines and	Staff does not recommend putting on the 2019 preliminary docket.

		standards for the non-residential districts in the City should be studied before adding this policy.	
	<ul style="list-style-type: none">New policy to require in-building parking for apartment-style buildings.	Another good concept for design standards, which the City has not had time to work on.	Staff does not recommend putting on the 2019 preliminary docket.
	<ul style="list-style-type: none">New policy to encourage storm-water ponds to be used as perimeter walking paths.	Another concept to explore in the future. For the most part, stormwater ponds are maintained a private infrastructure managed by Homeowners Associations (HOAs). Before adding such a policy, the City would need to think about in more detail.	Staff does not recommend putting on the 2019 preliminary docket.
	<ul style="list-style-type: none">New policy encouraging inclusion of clustering of small neighborhood housing.	The City has a Residential Cluster Development (RCD) Ordinance, BDMC 18.86 that may be applied in all of the residential zones. It would be consistent to develop a new Goal in the Land Use chapter regarding the efficient use of land for residential development and perhaps a policy about clustered residential development. Given the public concern about recently adopted land use changes, staff will be focusing on development patterns, intensities, and densities next year. This would be a better time to consider changes to the Goals and Policies for cluster development.	Staff does not recommend putting on the 2019 preliminary docket.
	<ul style="list-style-type: none">Add a policy to Chapter 4, Natural Environment to endorse and follow King County’s noxious weed management program.	Policy NE-38 in the Comp Plan states, “Encourage removal of noxious and invasive species as a significant threat to native ecosystems”. This could be revised to recognize the King County noxious weed control program as a resource to bolster the existing policy.	Staff recommends placing the revision of Policy NE-38 to recognize King County noxious weed control program on the 2019 preliminary docket.
	<ul style="list-style-type: none">Future Land Use map and Open Space Protection Agreement maps do not agree in spatial coverage for open space areas.	Staff will look into this and if needed make corrections to the maps.	Staff recommends placing corrections to Figure 5-1 (Open Space Protection) and Figure 5-2 (Future Land Use map) -if needed- on the 2019 preliminary docket.
	<ul style="list-style-type: none">Shouldn’t do any “up-zoning”	This comment relates to the Public Hearing on proposed zoning map changes to implement adopted changes on the Future Land Use map during the Comp Plan update. Staff recommends conducting additional meetings and public outreach prior to making a recommendation to Council.	Does not apply to the preliminary docket.
5	Philip Acosta Zoning changes will increase density. Opposed to any further development or up-zoning until significant infrastructure improvements have taken place. Traffic at Highway 169 & 288 th is bad and getting worse and it is not safe. City should work with WSDOT, Maple Valley and KC to work on safety improvements. The up-zone would specifically impact/negate the added capacity from the North Connector. Also, will impact quality of life.	<p>These comments relate to the Public Hearing on proposed zoning map changes to implement adopted changes on the Future Land Use map during the Comp Plan update. Staff recommends conducting additional meetings and public outreach prior to making a recommendation to Council.</p> <p>The City does work with WSDOT, Maple Valley and King County in several ways. Development proposals that include impacts or design changes to SR 169 have to go through WSDOT for coordination.</p> <p>Also, the environmental review process through the State Environmental Policy Act (SEPA) requires distribution of the SEPA checklist provided by the applicant describing the proposal and the City’s environmental determination to provide comments on impacts to all of the “affected agencies. This allows</p>	Does not apply to the preliminary docket.

		<p>WSDOT, the County, Maple Valley or any other adjacent or affected agencies (even school districts) to proposed mitigation measures on the proposal.</p> <p>It is also worth noting that the Oakepointe master planned development (MPD) is required to monitor traffic impacts throughout build-out, including doing a regional traffic model to assess the sufficiency of transportation improvements they must make under the Development Agreement.</p>	
Cindy Wheeler	<p>Should be focused on remaining a small city that would be “Rural by Design”.</p> <p>Change to PCC property to allow 8 units per acre does not meet “Rural by Design” principles and promises.</p> <p>Traffic mitigation is inadequate.</p> <p>Growth managed poorly and impacts to fiscal health of the City are not being addressed.</p>	<p>See commenter 4 for rural by design response. See commenters 4 and 5 for response to proposed zoning map changes. See commenter 5 for response regarding traffic impact mitigation.</p> <p>The Comp Plan is all about the management of growth and if it is believed that the goals and policies do not do a good enough job to address this, then staff recommends citizens propose text amendments to the comp plan during the 2020 amendment cycle. The process and calendar is described in the Comp Plan and Chapter 16 of the BDMC.</p> <p>The same is true regarding proposing goals and policies for fiscal impacts. In addition, the development permit process provides for citizens comment on impacts from large residential (more than 6 lots) or commercial projects through the noticing requirements in BDMC Chapter 18.08 and SEPA regulations.</p>	<p>Comment does not prompt staff recommendation for 2019 preliminary docket.</p>
Bill Mcdermand	<p>Transportation impacts.</p>	<p>See commenter 5 for response regarding traffic impact mitigation.</p>	<p>Comment does not prompt staff recommendation for 2019 preliminary docket.</p>
Allison Ostrer	<p>Up-zoning will exasperate traffic congestion. The City is not planning to accommodate growth for transportation impacts.</p> <p>Development destroys the town and surrounding environment.</p> <p>Clearing land for development creates blight.</p> <p>Worried about traffic and carbon emission, cutting of trees, climate change, people moving into County should go to larger, already developed areas with roads and transportation to accommodate them.</p> <p>Asked about PCC (who ran coal mines and gave BD its name) and mentioned toxic cleanup sites and taxpayers having to pay for that. Concerned that PCC profits selling land and not paying for their impacts creating a financial burden for citizens.</p> <p>Encourages people in the room to run for city council or planning commission offices to change things.</p>	<p>See commenter 5 for response regarding traffic impact mitigation. Unmanaged growth would destroy the town and surrounding environment. See staff’s response under commenter 6.</p> <p>The comment about land clearing and blight relates back to response under commenter 6 as well. It should also be noted that the City’s adopted Tree Preservation ordinance requires trees be replaced and BDMC Chapter 18.72, <i>Landscape Requirements</i>, requires the planting of native vegetation prior to receiving final permit approval. Further, the City’s Sensitive Area Ordinance (SAO) and SEPA provides environmental protections from development impacts.</p> <p>These comments seem to involve a need to revise certain goals and policies in the Comp Plan for climate change and guiding growth to appropriate locations. See commenter 6 for staff response.</p> <p>This comment is outside the purview of the Planning Commission. The commenter may want to dig a little deeper into the history of Black Diamond and PCC. The concern that one property owner will profit on the backs of the citizens seems related to the concern that development needs to pay for development including mitigating for any potential adverse impacts resulting from development. The response to commenters 6, 9 and 13 addresses this topic.</p>	<p>Comment does not prompt staff recommendation for 2019 preliminary docket.</p>

		Great comment about encouraging people to run for offices or appointments. Thank you for the reminder.		
9	Megan Brocx	<p>Developer should pay for development with full impact fees instead of raising taxes and hoping for grants.</p> <p>Does not want more development because it ruins the peace, quiet, and closeness to nature and creates traffic problems. Increase in traffic on 169 & 288th especially bad.</p> <p>Clear cutting and construction are impacting wildlife.</p> <p>Wants to remain small town.</p>	<p>The Comp Plan includes funding strategies for transportation improvements that include developer contributions through development agreements or SEPA mitigation fees. The City has and adopted Concurrency Ordinance (BDMC Title 11) and is currently working on an impact fee ordinance for transportation. The already collects fire impact fees and Council is considering school impact fees.</p> <p>See staff responses to commenters 4,5,6 and 8 for remaining comments.</p>	Comment does not prompt staff recommendation for 2019 preliminary docket.
10	Shane Kelly	<p>Traffic congestion getting worse due to development as well as decrease in quality of life.</p> <p>Roads cannot handle more development.</p>	See staff responses to commenter 5.	Comment does not prompt staff recommendation for 2019 preliminary docket.
11	Michael England	<p>Too much growth; doesn’t want to rezone land because it will allow more development.</p> <p>No room for trees between homes at Ten Trails</p> <p>Doesn’t think City listens to public input</p>	<p>See staff response to commenters 4, 5 and 6 for growth and development comment.</p> <p>The conditions of approval and adopted design guidelines for the master planned development (Ten Trails) provide for a development pattern of tightly clustered homes. Landscaping and open space areas are required.</p> <p>This comment will be forwarded to the Mayor to address with staff and Council.</p>	Comment does not prompt staff recommendation for 2019 preliminary docket.
12	Tom Norling	<p>Traffic concerns.</p> <p>Doesn’t want Black Diamond to grow too much.</p> <p>Misses trees and open space.</p>	See staff response to commenters 4, 5, 6, 8 and 9.	Comment does not prompt staff recommendation for 2019 preliminary docket.
13	Melody Mann	<p>Traffic; roads insufficient to support traffic, change in zoning and zero lot lines will double people, add more cars.</p> <p>Someone needs to oversee what is going on in the city, no one knows if water availability is permitted or studied; should be a survey on water available to drink or sewer.</p> <p>Things aren’t done the way that are supposed to be done.</p> <p>Crazy to add ore development when you don’t know what the master planned development is going to do.</p> <p>Nothing left in historic black diamond that is historic; wants to go backwards, make more comforting with mining, trees and nature, not concrete and buildings everywhere.</p> <p>Thought Ten Trails would have a buffer of trees along road.</p>	<p>See staff response under commenter 5 for traffic concerns.</p> <p>See staff response under commenter 4 and 5 for proposed zoning change.</p> <p>The Planning Commission had a discussion on reducing setback requirements between homes at their September meeting. This included a very preliminary introduction to zero lot lines. Unfortunately, the scanned packet materials for the Oct 8 Public Hearings failed to remove the handout about zero lot lines. Which understandably caused confusion. There is nothing being proposed at this time to reduce setbacks or allow for zero lot line construction. If you listen to the audio or scan the meetings notes, you will understand that the Planning Commission, as a whole, is not ready to embrace these ideas without further study.</p> <p>The City is required by the State Depts. of Ecology and Health to keep up to date water and sewer system comprehensive plans. There is most definitely studies, documentation and rules in place for water supply and adequacy for sewer and water infrastructure. I would suggest a call to the Public Works</p>	Comment does not prompt staff recommendation for 2019 preliminary docket.

		<p>Department for more information. The Comp Plan contains policies about public services; water and sewer being one of them. These are three of the policy layers for public utilities. The Capital Improvement Plan (CIP) is the funding mechanism for upgrading these utility systems based on projected need (from growth and need for maintenance and upgrades). However, all development proposals must provide a certificate from the Public Works Department that water and sewer is available to support the project. Community Development would reject any application than cannot demonstrate this. There is so much more to say on this concern, that it would be really good to come into the City or call to discuss.</p> <p>Staff has no comment to the assertion that “things” are not done the way they are supposed to done because it is not clear exactly what the commenter is concerned about. Again – a visit or call to the City would really help.</p> <p>Development will occur. 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 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. What the City can do is regulate the type and location of growth - to manage it – which is what the Comprehensive Plan goals and policies are in place to do. These goals and polices are implemented in the City’s Development Regulations, aka BDMC and the zoning map. See staff response under commenters 4,5 and 6 for more information on this topic.</p> <p>The City has adopted design guidelines to ensure the historic character of Old Town remains, even with development. The Comp Plan and zoning regulations address this as well. Staff has recommended looking at all of them to make sure the City is indeed meeting the goals of historic preservation. It is future work item.</p> <p>The development at Ten Trails is regulated by the permit conditions of approval and a development agreement. Staff suggests the commenter contact Andy Williamson, the Master Planned Development Review Team (MDRT) Director at the City to learn more about this topic.</p>	
14 Kristen Bryant	<p>Inconsistencies in PC packets regarding Comp Plan docket, new item from Oakepointe, the addition of an alternate road connector and map figure in Comp Plan should be shown as exactly where the road would be. Doesn’t think a conceptual location is adequate.</p> <p>Changes made in May 2 Comp Plan after adoption such as missing policies and citizens only getting information about this because it was appealed to the Growth Management Hearings Board (GMHB).</p>	<p>Staff agrees the map in the Comp Plan should show the general location of the alternate connector road that will be required under the Oakepointe Development Agreement. It would not be appropriate to require exactly where a road would go on the Comp Plan maps because it is not yet known. The exact location is not known until a road is in design phase of development. See response under commenter 5.</p> <p>The comments about the appeal to the GMHB and the lack of discussion with Planning Commission regarding proposed changes to the Comprehensive Land</p>	<p>The map figure adding the proposed alternate road is recommendation for the 2019 preliminary docket. The discussion about conceptual or exact location may be discussed during the review of the proposed amendments once the docket is final.</p>

	<p>Adopted Comp Plan Land Use Map changes were never discussed by Planning Commission and shouldn't be considering a zoning map change on land use map changes that weren't discussed.</p> <p>There is only supposed to be one Comp Plan amendment a year and the City is doing it twice because it made errors in the May adoption.</p> <p>Conflict of interest with Commissioner Butt and the Planning Commission rules because he has an ownership stake in one of the properties being considered for an upzone. He should not even be in the room during the discussion about proposed zoning changes. If Commissioners came up with a decision while in the hall about this conflict, they should share that with the people attending the hearings. Stated she was giving testimony under objection because Commissioner Butt was present to hear it.</p>	<p>Use map seem to point to a level of frustration similar to other comments received; the City is not listening, and things are not being done correctly. And even a sense that the City is doing things to intentionally mislead the community and thwarting the law to achieve some sort of gain at the expense of the community. Yes, during the formatting of the May 2 adopted Comprehensive Plan, intended to clean up typos and grammatical errors, some things did disappear. Once the commenter pointed this out, the City was very grateful for the opportunity to bring them back through this docketing process to fix what had occurred. These are items are on the proposed preliminary docket, so citizens can hear more about wat happened.</p> <p>The record shows the Planning Commission and Council did discuss the adopted changes to the Land Use Map during public meetings. Also, the City held a public meeting before the Planning Commission held its hearing on the proposed update and showed citizens who attended a proposed, amended map.</p> <p>The point about the City only getting to do one yearly amendment per year is partially true. The GMA makes exceptions to this rule. Please refer to RCW 36.70A for more information or check with City staff, if interested.</p> <p>The conflict of interest issue that is raised by this commenter and others asserts that Commissioner Butt should not be allowed to participate in the zoning map recommendation. The Planning Commission will be discussing this in more detail during the November 19 meeting.</p> <p>Staff encourages anyone to call or stop by to ask more questions about the appeal or anything else that is concerning.</p>	
15 Alan Gangl	<p>Wants city to consider King County policies: preserving quality of life, spending money wisely to deliver services which is infrastructure, promoting a strong and diverse economy, increasing housing choices by permitting a wide variety with residents closer to jobs.</p> <p>Balance urban uses and environmental planning through careful site planning, maximize development land while respecting natural resources.</p> <p>Concerned that we don't have jobs and shouldn't be developing high density housing without jobs, development in cities that have jobs, need transportation facilities and services at time of occupancy,</p>	<p>The City's Comprehensive Plan strives to do all of these things. Please see commenter 6 for staff response.</p>	<p>Comment does not prompt staff recommendation for 2019 preliminary docket.</p>
16 Mike Heller	<p>King County has designated or wants this area to be rural. Zoning changes are going the wrong direction.</p>	<p>Please review the GMA or contact City staff for a discussion about rural and urban designations. Also, see commenters 4 and 5 for response about change in zoning.</p>	<p>Comment does not prompt staff recommendation for 2019 preliminary docket.</p>
17 Rose Wentz	<p>Traffic congestion.</p> <p>Would like to see more mature landscapes like Issaquah has with old trees between apartment complexes.</p> <p>Wants more parks such as a dog park.</p>	<p>See staff response under commenters 4, 5, 6, 8, 9, 13 and 14.</p>	<p>Comment does not prompt staff recommendation for 2019 preliminary docket.</p>

	<p>Does not want too much too soon development. Should not allow more development until MPD is developed out more.</p> <p>Conflict of interest with Commissioner Butt; his wife may have stake in PCC and citizens would need to know about that.</p> <p>Concerns on school and traffic impact fees. Future developers need to pay their fair share on those fees.</p> <p>City needs to have those fees in place before any more up zoning; city isn't ready for more development.</p> <p>Should wait until Ten Trails is at least 50-70% done before looking at any future growth.</p> <p>City is understaffed and not hiring people with enough experience to check on permits; development review and SEPA decision are done in error.</p>		
18 Gary Davis	Potential conflicts of interest about Commissioner Butt; he made an application in 2017 and became Commissioner in 2018. Application should be returned.	See commenter 8 and 14.	Comment does not prompt staff recommendation for 2019 preliminary docket.
19 Susan Harvey	<p>City is a unit and has been designated to grow, it is within the King County Urban Growth Area (UGA) boundary and anything within those boundaries can grow. Rural people have to endure it. Keeping city rural isn't realistic.</p> <p>City represents public, not property owner and must ask themselves if they have adequate infrastructure to support growth decisions and can guarantee taxes won't go up, protect wildlife, school funding, quality of life. Must consider quality of life, not just a zoning question.</p>	<p>Staff appreciates this comment. The concept of rural and urban lands and UGAs is confusing and to explain how it works to a lay person requires some detailed education.</p> <p>See staff response under commenters 4, 5, 6, 8, 9, 13 and 14.</p>	Comment does not prompt staff recommendation for 2019 preliminary docket.
20 Fred Mauerman	<p>Responsible growth, maintaining flavor of community, growth must happen, but must choose how to grow.</p> <p>Removing light industrial zones around city center in favor of densified residential zones is a grab for development income.</p>	See staff response under commenters 4, 5, 6, 8, 9, 13 and 14.	Comment does not prompt staff recommendation for 2019 preliminary docket.
21 Renee Mix	<p>Concerned about impact on county roads, transportation.</p> <p>Once the small-town way of life is gone and you can't get it back.</p> <p>The City has exceeded King County growth targets.</p>	<p>See staff response under commenters 4, 5, 6, 8, 9, 13 and 14.</p> <p>City's are required to meet King County growth targets. The projected growth (expected number of people) that are anticipated to arrive must have homes and jobs. These growth projections are made by the state Office of Financial Management (OFM) get converted at the county level into the number of homes and jobs that each city has to provide for to accommodate their fair share of population growth. Exceeding the King Count targets is not the problem, meeting them is.</p>	Comment does not prompt staff recommendation for 2019 preliminary docket.
22 Robin Buxton	<p>Quality of life and environment.</p> <p>Growth should be gradual and limited in scope.</p>	<p>See staff responses under commenters 4, 5, 6, 8, 9 and 15.</p> <p>The Puget Sound Regional Council (PSRC) Vision 2040 does not align with the housing numbers for the City. This is addressed in the Comprehensive Plan.</p>	Comment does not prompt staff recommendation for 2019 preliminary docket.

	<p>Light industrial zoning on PCC property should remain, property owner could find ways to use property without zoning change.</p> <p>Traffic will be worse with zoning change. King County has no funds to expand roads.</p> <p>Housing numbers exceed the number in Vision 2040 with most growth in Ten Trails and Lawson Hills.</p>		
23 Elishia Conces	<p>Loves Black Diamond and feel of it. Doesn't want to see Black Diamond turn into South Central LA with crime from all growth.</p> <p>Need to figure out how to grow and maintain core values that people love in Black Diamond.</p> <p>More families will need schools, police, fire and roads which will be paid for by residents.</p>	The intent of the Vision Statement in the Comprehensive Plan and its goals and policies are intended to address these comments. See staff response under commenters 6, 9,11 and 13.	Comment does not prompt staff recommendation for 2019 preliminary docket.
24 Bonnie England	<p>Deer will go somewhere else.</p> <p>Hopes Planning Commission will listen because City Council hasn't been.</p>	See response under commenters 4 and 11.	Comment does not prompt staff recommendation for 2019 preliminary docket.
25 Bill Bryant	<p>City chose to listen to one citizen over other numerous citizen comments and concerns. PCC was involved with 1996 Com Plan which brought development to City and PCC made money from it.</p> <p>Doesn't think City shared with citizens what it did with public comments. City isn't following law, cited Ord 14- 1044 (public participation plan).</p>	<p>Comments are similar to some of the other concerns already raised. See response under commenters 8, 13, 14 and 17.</p> <p>All comments received are available to the public. They are provided to the Commissioners and Council members when presented and a certain number of courtesy copies are printed out and provided during meetings. The City has made a recent change to scan and upload all comments received to the website where meetings materials are posted.</p>	Comment does not prompt staff recommendation for 2019 preliminary docket.
26 Cindy Ostermann	<p>Is getting conflicting information about PCC plans to develop their property. People have a right to develop their property.</p> <p>City has had too much growth for the infrastructure and sophistication and isn't in position to approve upzone. Needs to work on infrastructure first and delay growth.</p>	<p>There is no development proposal before the City. Staff encourages people to contact the City if they want to know what's under review for future development permits.</p> <p>See responses under commenters 4, 5, and 13.</p>	Comment does not prompt staff recommendation for 2019 preliminary docket.
27 Kathleen Mikos	<p>More development brings more cars and people. Worried about public services; police, schools, water and traffic congestion.</p> <p>PCC will gain and citizens will lose.</p>	See response under commenters 4, 5, 13 and 15.	Comment does not prompt staff recommendation for 2019 preliminary docket.
28 Diane Rauschenberg	<p>Rural feel is gone.</p> <p>There needs to be growth, but it must be controlled and managed carefully.</p> <p>The 50 or 100-year-old trees are gone.</p> <p>Concerned about clean air, adequate safe water, open space, green space, habitat for wildlife.</p> <p>Too much traffic congestion from Ten Trails.</p> <p>Don't add more development</p>	See response under commenters 4, 5, 8, 13,15, 16, 19, and 23.	Comment does not prompt staff recommendation for 2019 preliminary docket.

29 Dan Palmer	<p>Concerned about pollution; need to think about people’s health.</p> <p>PCC happy to switch from resource land to development land to make money.</p> <p>Ten Trails architecture was supposed to fit with historic town, and it isn’t happening. Very unhappy with design and architecture do not fit in with historic community.</p>	<p>The Comp Plan contains goals and policies for people to be active to be healthy and it does address air pollution. Please see response under commenter 6.</p> <p>The Comp Plan strives to look out 20-years for the City’s development future. If this comment is referring to the current use of land being in mineral use for gravel extraction, then it is reasonable to consider what the land should be after the resource is extracted. See response under commenters 4 and 5.</p> <p>See response under commenter 13.</p>	<p>Comment does not prompt staff recommendation for 2019 preliminary docket.</p>
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