



CITY OF BLACK DIAMOND PLANNING COMMISSION AGENDA April 6, 2021

**THIS IS OFFERED AS A ZOOM MEETING ONLY.
CALL IN AND JOINING INFORMATION FOLLOWS:**

Zoom link to join meeting:

<https://zoom.us/j/4254157187?pwd=RE9OV0VoU1RFc3psSHdjem9mMk9hdz09>

(Note: You do not need a web cam to join the meeting, but you will need audio to hear the proceedings.)

Meeting ID: 425 415 7187

Password: PC

Telephone dial in options:

+1 253 215 8782 US (Tacoma)

+1 206 337 9723 US (Seattle)

Meeting ID: 425 415 7187

Password: 941820 (phone in only)

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

APPROVAL OF MINUTES:

- 1) Regular Planning Commission Meeting on March 9, 2021
- 2) Joint Special Meeting on March 9, 2021

PUBLIC COMMENTS: Persons wishing to address the Planning Commission regarding items of new business are encouraged to do so at this time. Please use the "raise your hand" feature and once recognized by the Chair, you may unmute and state your name and city for the record. Please limit your comments to 3 minutes. For those dialing in, please press *9 to raise your hand and *6 to unmute yourself.

PUBLIC HEARING: None

STUDY/WORK SESSION:

- 3) Discussion of Edits to the Planning Commission Rules and Regulations

UNFINISHED BUSINESS:

- 4) Housing Action Plan Update

COMMUNITY DEVELOPMENT DEPARTMENT REPORT:

PUBLIC COMMENTS:

ADJOURN:



CITY OF BLACK DIAMOND
PLANNING COMMISSION MEETING MINUTES
March 9, 2021, 6:00 PM
Zoom Virtual Meeting

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

Chair McCain called the meeting to order at 6:00 p.m.

Present: Commissioner Richard La Conte
Commissioner Steve Jensen
Commissioner Crystal Perez
Chair/Commissioner Pam McCain
Commissioner Felicia Wheatfall
Commissioner Dave Ambur
Commissioner John Olson

Staff: Community Development Director, Mona Davis
Deputy City Clerk, Carina Thornquist

2) APPROVAL OF MINUTES

a) *Regular Meeting of February 9, 2021*

Commissioner Olson **Motioned** to accept the February 9, 2021 Minutes **Second** Commissioner LaConte. **Vote**, Motion **passed** 7-0.

3) PUBLIC COMMENTS - None

4) PUBLIC HEARINGS - None

5) STUDY/WORK SESSION - None

6) UNFINISHED BUSINESS -

a. *Election of Chair and Vice Chair*

i. Chair McCain opened up for nominations for Chair.

1. Commissioner Jensen nominated Commissioner Olson. Chair McCain asked if he consented to the nomination and Commissioner Olson accepted.
2. Commissioner Olson nominated Commissioner McCain who said she appreciated the nomination but respectfully declined.
3. After asking if there were any further nominations for Chair and hearing no others, the nominations for Chair were closed.

As Commissioner Olson was the only nomination for Chair, it was **Seconded** by Commissioner Ambur. **Vote**, Motion **passed** 7-0.

- ii. Chair McCain opened up the floor for nominations of Vice Chair.
 1. Commissioner Ambur nominated himself. Chair McCain asked if he consented to the nomination and the Commissioner accepted.
 2. Commissioner McCain nominated herself and she said she consented to the nomination
 3. After asking if there were any further nominations for Vice Chair and hearing no others, the nominations for Vice Chair were closed.
 4. It was decided since there were two (2) nominations for this position, they would take a vote on each nomination to see who has the majority of the votes by having the Deputy City Clerk do a Roll Call Vote.

First, Commissioners participated in a Roll Call Vote for Commissioner Ambur for Vice Chair.

“For” Votes: Commissioner LaConte, Commissioner Perez, Commissioner Wheatfall and Commissioner Ambur.
TOTAL - 4

“Against” Votes: Commissioner Jensen, Commissioner McCain and Commissioner Olson.
TOTAL - 3

Next, Commissioners participated in a Roll Call Vote for Commissioner McCain for Vice Chair.

“For” Votes: Commissioner LaConte, Commissioner Jensen, Commissioner Perez, Commissioner McCain, Commissioner Wheatfall and Commissioner Ambur.

TOTAL - 6

“Against” Votes: Commissioner Olson

TOTAL - 1

In conclusion, Commissioner McCain was voted in as Vice Chair as she had the most “For” votes with six (6).

Pam McCain gave John Olson the option to Chair the upcoming Joint Special Meeting or defer to next month’s Planning Commission meeting and Mr. Olson stated he was agreeable to having Pam McCain finish both of tonight’s meetings.

7) COMMUNITY DEVELOPMENT DEPARTMENT REPORT –

- a. Director Davis gave a brief overview of the Joint Special Meeting and what to expect. Blueline staff would give an overview of the Housing Action Plan and the Housing Needs Assessment. Following the overview would be an open discussion between the Councilmembers, Commissioners, Blueline, and Director Davis. She is anticipating the Council will give the Planning Commission some direction of how to move forward. With the information received tonight, Ms. Davis said she may expect a 2nd Draft to be done for the Commissioners and Councilmembers to review. Looking at the timeline, it would need to go to Council sometime in May so that it can be finalized and submitted to the Department of Commerce by June 15th.
- b. There was back and forth discussion regarding some errors noted in the Housing Needs Assessment.
- c. There was a question to as what authority the Planning Commission has with the Council, which was clarified by Director Davis. The purpose of tonight’s meeting is to have the Council direct the Planning Commission on how they want them to proceed.

8) PUBLIC COMMENTS – None

9) **ADJOURNMENT –**

Commissioner Jensen **Moved** to adjourn the meeting. **Motion seconded** by Commissioner Olson. **Vote:** Motion **passed 7-0.**

The meeting ended at 6:24 p.m.

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

ATTEST:

Pam McCain, Chairperson

Planning Commission Secretary



CITY OF BLACK DIAMOND
JOINT SPECIAL MEETING MINUTES
Planning Commission and City Council
March 9, 2021, 6:30 PM
Zoom Virtual Meeting

FLAG SALUTE, CALL TO ORDER, and ROLL CALL:

Chair McCain called the meeting to order at 6:30 p.m.

Present: Commissioner Richard La Conte
Commissioner Steve Jensen
Commissioner Crystal Perez
Chair/Commissioner Pam McCain
Commissioner Felicia Wheatfall
Commissioner Dave Ambur
Commissioner John Olson
Councilmember Deady
Councilmember Wisnoski
Councilmember Stout
Councilmember de Leon
Councilmember O'Donnell

Absent: Councilmember Oglesbee (excused)

Staff: Community Development Director, Mona Davis
Deputy City Clerk, Carina Thornquist
Mayor Carol Benson
MDRT Director, Andy Williamson
Attorney, David Linehan

WORK SESSION:

1) Housing Action Plan Workshop

- i. Director Davis gave a brief overview of tonight's meeting and advised that it will be an open discussion format. She reported that over 130 surveys from citizens have been returned so far; these will be forwarded to Blueline so they can use the information to complete the final Housing Action Plan that will go to Council for approval.
- ii. Blueline staff gave a brief overview of the Housing Action Plan (HAP), the funding element and the three Strategic Objectives:
 1. Monitoring housing needs
 2. Increase housing diversity and prevent displacement (or preserve community)
 3. Create opportunities
- iii. Eric from Blueline said there will be ample opportunities for public comment in the near future on the Housing Action Plan, and also

for the Housing Element in the Comprehensive Plan update, which Director Davis expanded upon.

- iv. Chair McCain opened up the floor with any questions or comments from the Planning Commission or Councilmembers.
 1. There were several topics of discussion. Below are the highlights:
 - a. MPD completion date. 2026 is inaccurate in regards to the MPD buildout date and 2035-2044 would be closer to the correct time frame.
 - b. The number currently shown of “30% or above” considered to be “cost burdened” for a homeowner/tenant seemed inaccurate to some of the Commissioners and Councilmembers. They requested to site the source where the 30% number is coming from and what it includes. Blueline acknowledged they would include the source in the revised document. It was clarified that the cost burdened data comes from the Census Bureau as part of the American Community Data Survey, a national standardized data set. All housing analysis being used by the state will look to this definition.
 - c. Lee Ann from Blueline clarified that Ten Trails *is* included in all the numbers listed in the Housing Action Plan and Housing Needs Assessment, but it’s referred to as “The Villages”, which is the name that Ten Trails was initially permitted under.
 - d. The meaning of Affordable Housing and what that entails should be further explored and defined since it’s very subjective; affordable vs low income/subsidized.
 - e. Additional topics discussed were:
 - i. Tax exemptions, waiving/reducing fees and how the budget is affected should be analyzed
 - ii. Different types of living: homeownership vs renting; single family residences vs condos; multi-use properties; mixed housing types
 - iii. Bridging the Housing Action Plan and the Housing Needs Assessment
 - iv. Preapproved or stock design approvals to help with review timelines.
 - v. New housing trend with people needing more office space due to working remotely and home schooling children

- vi. Infrastructure (current and future)
 - vii. Height limit on buildings
 - viii. Zoning designations
 - ix. Keeping the historical culture, small town feel and sense of community
 - x. Incentivizing to bring people to our city
- v. Director Davis stated that there were several great ideas to implement as new goals and policies in the Housing Element of the next comprehensive plan update and to help guide the Development Regulations in the future.
- vi. Attorney David Linehan gave clarification on items regarding Ten Trails and MDRT. Advised Council that the objective is to establish and agree upon the three key objectives as they are making decisions moving forward with implementation.
- vii. Ms. Davis advised the Commissioners and Councilmembers that there is a free webinar put on by the Department of Commerce and MSRC on the Housing Element. This is being held on March 25, 2021 from 1:00 pm to 2:30 pm. Either Mona or Carina will email the details to the Planning Commission and the City Council.
- viii. Commissioner Olson asked the question of what steps are needed now from the Planning Commission. Director Davis sought direction from the Councilmembers to how they would like for this to move forward. Back and forth discussion took place between Councilmembers and the Mayor to the best way to finalize the Housing Action Plan to meet the June deadline submission. It was decided that the Community Development and Planning Committee members would discuss in their next meeting on March 18th and provide direction. It was suggested that there be a Council Work Session on May 13th and bring it to Council for a decision at the June 3rd City Council meeting. There was back and forth discussion as how to receive public input and it was decided that this would also be discussed further at the next Planning Committee meeting and when a public hearing should be held.

ADJOURNMENT:

Commissioner Olson **Moved** to adjourn the meeting. **Motion seconded** by Commissioner Perez. **Vote:** Motion **passed 12-0. The meeting ended at 8:06 p.m.**

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

ATTEST:

Carol Benson, Mayor

Carina Thornquist, Deputy City Clerk

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. Meetings may also be conducted via Zoom when appropriate. 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 and 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. New Business
- H. Report of the Community Development Department.
- I. Public comments from the audience, limited to 3 minutes per speaker.
- J. 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